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43. NO. 1 NEW YORK, MONDAY, JANUARY 3, 1938 TEN CENTS

Air Business Of RCA Gains, Says Sarnoff

Increases Were General In All Branches

Increased volume of business in each of the radio fields in which it is engaged marked RCA's activity during 1937, according to its president, David Sarnoff.

In communications, the volume of messages transmitted showed a material increase over any previous year. In broadcasting, sales of network time by NBC were the largest in the company's history. In manufacturing, the sale of RCA-Victor products increased substantially over the preceding year.

Improvements during the year in its three fields included: in communications—an automatic SOS radio alarm for the greater safety of ships at sea, and new and improved radio direction-finders for aviation and marine use; broadcasting—the number of affiliated NBC stations was increased

(*Continued on page* 4)

Two Companies Plan Cooperative Program

Cincinnati, Jan. 2.—Two clients of Presba, Fellers & Presba, Chicago agency, have signed to sponsor cooperatively six weekly quarter-hours by "Hugh Cross and his Radio Pals," over WLW. The program will begin Jan. 10, for 13 weeks. The sponsors are Olson Rug Co. and Zanol Products Co.

Renfro Valley Barn Dance, cooperatively sponsored by the Keystone Steel & Wire Co. and Pinex Co., has renewed for 13 weeks. Russel M. Seeds agency handles both accounts.

Beginning Jan. 11, Dale Carnegie's radio talks will be heard over WLW under the sponsorship of Colgate-Palmolive-Peet. Other programs by this client beginning over WLW today are "Myrt & Marge" and "Hilltop House."

Penny Is Appointed WBT Sales Manager

Charlotte, N. C., Jan. 2.—Royal Penny has been appointed sales manager of WBT, succeeding Dennis H. Long, who has resigned to enter another business. Penny will assume his new office Jan. 15.

Penny at present is sales manager of WPTF in Raleigh.

More Radio—P. 4

391 U. S. Films

Buenos Aires, Jan. 2.—A total of 391 American features were released in Argentina during 1937, in addition to 31 Argentine-produced pictures and a total of 129 from various foreign countries.

Stanley Asks Views On Separate Quotas

By AUBREY FLANAGAN

London, Jan. 2.—Oliver Stanley, president of the Board of Trade, has circularized all organizations in the film industry asking for their comments on the alternative of a separate quota proposal for incorporation in the Films Bill.

Producers are believed to favor the plan for a provisional adjustment of quotas. Labor is generally but unofficially favorable, withholding its decision pending a meeting with producers scheduled for tomorrow. Exhibitors, fearing that such a plan would bring about a reduction of the number of available films, are opposed.

Monogram Is Giving $9,000 Sales Awards

Monogram this week will distribute $9,000 among the 15 exchanges which led the field in the company's Eddie Golden sales drive.

The Memphis exchange finished first and will receive a $1,500 award. Other exchanges to finish in the money are Milwaukee, Detroit, Kansas City, New York, Chicago, Buffalo, Dallas, Philadelphia, Boston, Atlanta, Pittsburgh, Minneapolis, Oklahoma City and Indianapolis.

NEW M-G-M PACT DETAILS GO OUT

Schenck Letter Explains Proposals to Company Stockholders

Details of the 11 proposed new profit-sharing contracts for M-G-M executives became known over the weekend with the receipt by stockholders of Nicholas M. Schenck's letter and accompanying summary. The letter asks for proxies to be voted at a meeting to be held Jan. 25.

The profits to be shared are not a percentage of the total net of the company, but are to be computed after a number of deductions have been made. These deductions include $2,612,424, which is now $2 per share on the outstanding common stock, annually. Stock issued as a stock dividend is exempted from this provision. A deduction of $2 per share also is to be made for stock issued in the future, including shares to be issued under stock options. A third deduction will be up to seven per cent annually for cumulative dividends on present and future preferred stock. A fourth deduction will be for all taxes, except taxes from profits where these profits are not included as income for the benefit of the employe.

In computing the profits the pro-

(*Continued on page* 2)

New "U" Men Take Posts Officially

The new management of Universal, headed by Nate J. Blumberg, president, officially begins the operation of the company today.

Those beginning their executive duties, in addition to Blumberg, are William A. Scully, who takes over the post of general sales manager; Matthew Fox, executive assistant to Blumberg; John E. Joseph, director of advertising, publicity and exploitation; David Lipton, publicity manager, and Marshall Grant, eastern story editor.

E. K. O'Shea, who replaced Scully as eastern district manager of M-G-M, has occupied that post for the past two weeks. Major Leslie E. Thompson and John O'Connor take over the bulk of Blumberg's former duties as head of RKO theatres, with indications at this time that no operating head will be designated to succeed Blumberg for another month.

Holiday Week Gross Over Country Is Off

Despite phenomenal holiday week business in New York and other large cities throughout the country, nationwide grosses for the seven-day period ending Dec. 31 were below those for the comparable week last year, home offices of national circuits reported over the weekend on the basis of

(*Continued on page* 2)

Silverstone Will Stay in U.A. Post

Maurice Silverstone, who will arrive from the coast tomorrow after five weeks there on vacation and business, will continue to head U.A. sales in England and in the United Kingdom, Alexander Korda, producer-partner, stated upon his arrival from Hollywood early Friday morning.

Korda said he knew of no changes in the executive setup of U.A. and

(*Continued on page* 2)

Firm Government Shakeup Of French Industry Certain

By PIERRE AUTRE

Paris, Jan. 2.—A drastic revision of the entire French film industry is in prospect, it was clearly indicated on Friday with the publication of the conclusions of the Government's official inquiry of the industry, which points will be incorporated in a new French film bill now in preparation.

Such stipulations as a move for single bill programs, control of theatre receipts by the Government and a new tax on dubbing are expected to be vigorously fought by exhibitors and distributors, especially the American companies, which would be severely hit.

The chief points which are expected to be incorporated in the new film legislation include: a moral cleanup, prohibiting any person involved in bankruptcy or convicted of an offense from engaging in production or distribution; protection of French production by a special tax on dubbing, and urging the State Dep't to consider such protection in negotiating foreign trade agreements; limitation of program length to encourage production of shorts, seen as a training ground for directors; the application of the measure by the Government if trade organizations do not do so; improve the financing of French production by nu-

(*Continued on page* 4)

Panay Pictures Draw Capital Officialdom

Washington, Jan. 2.—The Navy Dep't, projection room was turned into a "grind house" over the weekend while operators handled a continuous showing of the *Panay* films for Army and Navy officers and Government officials.

Because of the fact that the Washington and Tokyo Governments have come to an agreement regarding the sinking of the *Panay*, the pictures

(*Continued on page* 4)

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DAILY
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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Holiday Week Gross Over Country Is Off

(*Continued from page* 1)

flash reports from the various district managers.

Because of the incomplete nature of the reports, no estimate of the percentage of decrease was available but indications are that the difference, on the whole, is slight.

Broadway business continued at capacity volume in most houses following a Friday and Saturday daytime letdown. Estimates placed Broadway business at approximately 10 per cent over last year's gross for the holiday week. Virtually all Broadway first runs remained open New Year's Eve for early morning shows, and the Capitol, Loew's State, Paramount, Strand and Roxy had their doors open at 4 A. M. and after, Saturday morning. Stage show houses ran six complete performances on Friday with the feature continuing after the last stage show.

"Tovarich" $17,900

"Tovarich" garnered $17,900 in the opening day at the Music Hall, indicating the week's take will approximate $125,000 or better. The picture is expected to stay three weeks with "Snow White" to follow.

M-G-M Issues Specifications On New Pacts

(*Continued from page* 1)

posed contracts provide for other deductions from profits before the shares of the contract holders are computed.

Fixed compensation paid the contract holders will be deducted.

Profits or losses from 25 per cent owned subsidiaries will be included to the extent of the ownership. Dividends or receipts from other companies will be included only if actually earned and paid to Loew's. Dividends on preferred stock held by Loew's in other companies will be deducted in computing Loew's share of net profits. Only cash received from real estate sales will be included in profits. Reserves and depreciation will be deducted.

The compensation of David Bernstein, vice-president and treasurer, remains the same as at present—$2,000 per week, plus one and one-half per cent of the profits. The new agreement extends his present contract from Jan. 1, 1939, to Dec. 31, 1943. His present stock option is not affected.

Hyman Pact to 1945

Bernard H. Hyman's contract as production supervisor at $3,250 per week is extended from March 4, 1939, to Dec. 31, 1945, and he will be entitled to seven-tenths of one per cent of the profits starting Jan. 1, 1939.

Samuel Katz, executive supervisor of production at $3,000 weekly, gets an extension from Oct. 7, 1939, to Dec. 31, 1945, with 1.4 per cent of the profits added starting Jan. 1, 1939.

Mervyn LeRoy's recently signed three-year contract as advisory executive, producer-director and producer, which is to be effective not later than March 15, 1938, at $3,500 weekly plus $29,500 quarterly, is to be changed, so that in lieu of the $29,500 quarterly he will receive seven-tenths of one per cent of the profits, starting Jan. 1, 1939.

Al Lichtman's present contract as an executive at $3,000 weekly expires Nov. 17, 1938. The proposed new contract extends this to Dec. 31, 1938, at the same terms and for seven years thereafter. From Jan. 1, 1939, he will receive in addition 1.05 per cent of the profits.

Extend Mannix Contract

Edgar J. Mannix now gets $2,500 weekly, plus $500 weekly for expenses. This contract expires Nov. 6, 1938. It will be extended to Dec. 31, 1938, and thereafter for seven years he will receive $3,000 weekly, plus 1.4 per cent of the profits.

Louis B. Mayer's new contract as an executive and managing director of production will run from Jan. 1, 1939, to Dec. 31, 1942, at $3,000 weekly, plus 6.77 per cent of the profits. If his contract is terminated during this period he will be entitled to 10 per cent of the net profits on further distribution of the pictures produced from April 7, 1924, to the date of the termination of the contract, and also on pictures half completed at the time of the termination, after deducting distribution expenses and production costs not previously charged off. Foreign receipts will not be included until actually received in the United States. He will get a percentage on reissues. His stock option agreement, made Dec. 15, 1932, will continue.

Harry Rapf's agreement as a production supervisor will be extended from April 8, 1939, at $2,200 weekly, to April 8, 1943, plus .0035 per cent of the profits starting Jan. 1, 1939.

J. Robert Rubin's proposed contract provides for continuance of his present pact from Jan. 1, 1939, to Dec. 31, 1943 at $2,000 weekly, plus 1.4 per cent. Upon termination of his new contract he will be entitled to 5.4 per cent of the net distribution profits from the further distribution of pictures produced from April 7, 1924 to the date of the termination.

Stromberg Gets Share

Hunt Stromberg's present contract as a supervisor runs to Dec. 5, 1942. It calls for $5,000 weekly, plus a bonus of $15,000 for each picture over eight produced in any one year. The new agreement extends his contract two years, except for the bonus provision, and adds 1.05 per cent of the profits starting Jan. 1, 1939.

Benjamin Thau receives $1,750 weekly under his present agreement until Dec. 1, 1938. Under the proposed new arrangement he will receive seven-tenths of one per cent of the profits with his present salary until Dec. 31, 1945.

L. A. Weingarten, production supervisor, is now under contract to Dec. 30, 1941, at $2,500, with yearly increases up to $3,250. The proposed agreement increases his salary to $3,250 weekly, starting Jan. 1, 1939, and adding .0035 per cent of the profits starting Jan. 1, 1939.

Legion Approves 11 Of 12 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved six of the 12 reviewed for general patronage, five for adults and classified one as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Bad Man at Brimstone," "Crashing Hollywood," "Patient in Room 18," "Swing It, Professor," "There Goes the Groom," "Under Suspicion." Class A-2, Unobjectionable for Adults—"La Armata Azzurra" (Italian), "Every Day's a Holiday," "The Jury's Secret," "Prescription for Romance," "Stimme des Blutes" (German). Class B, Objectionable in Part—"Lady Behave."

Silverstone Will Stay in U.A. Post

(*Continued from page* 1)

that Dr. A. H. Giannini will carry on the presidency and chairmanship of the board as heretofore.

Silverstone will sail for England with Korda, possibly Wednesday, on the *Berengaria*. Korda is anxious to spend a few more days in New York before returning to London.

Marcel Hellman, who accompanied Korda to the coast and sailed last week on the *Normandie*, has not been signed as a U.A. producer. While in Hollywood, Hellman tried to sell a number of stories to producers, but returned to England without making a deal.

Purely Personal

GRADWELL L. SEARS, general sales manager for Warners, left yesterday for the coast by plane with his wife to spend two weeks at the studios conferring with Harry M. and Jack L. Warner.

•

Bill and Mrs. Sussman will sa[illegible] Wednesday on the *Rex* for a vac[illegible]tion in Naples, Paris and England. They will sail from Southampton Jan. 29 on the *Normandie* and will return Feb. 3.

•

J. J. Unger and Milt Kusell will take a plane to New Orleans Wednesday for the two-day Paramount district managers' meeting and to attend the premiere of "The Buccaneer."

•

Leopold Stokowski will arrive in Hollywood Wednesday to prepare the score for a Walt Disney short, "The Sorcerer's Apprentice."

•

Edward M. Schnitzer, eastern district sales manager for Warners, left yesterday for Maine to spend a 10-day vacation hunting.

•

Alice Faye will arrive here from Hollywood tomorrow to attend the premiere of "In Old Chicago."

Adams Rejoins Republic

Al Adams today rejoins Republic as advertising and publicity manager, a post he resigned several weeks ago. Jay Blaufox, who has been handling Adams' job continues with the company in the publicity department.

Rothafel Left $215,560

The late Samuel L. Rothafel left an estate valued at $215,560, it was shown in an appraisal filed Friday. The entire sum goes to his widow.

Wall Street

Issues Rise on Year End

	Open	High	Low	Close	Net Change
Col.	12	12	12	12	— ¼
Cons.	1⅝	1⅝	1⅝	1⅝	+ ⅛
Cons. pfd.	5½	5½	5½	5½	+ ¼
E. K.	159½	160½	159½	160½	+ ½
E. K. pfd.	153	156	153	156	+1
G. T. E.	11⅞	11⅞	11⅞	11⅞	+ ⅛
Loew	44⅞	45⅛	44⅞	45	.....
Loew pfd.	105⅜	105½	105⅜	105½	—1½
Para.	9⅝	9⅞	9⅝	9⅝	— ¼
Para. 2.	10¼	10½	10¼	10½	— ⅛
Pathe	5	5⅛	5	5	— ¼
RKO	3⅞	4	3⅞	4	+ ⅛
20th Fox	19¾	19⅞	19¾	19⅞	+ ⅛
20th pfd.	26	26⅜	26	26⅜	+ ⅞
W. B.	5¾	6	5¾	6	.....

Curb in Light Advance

	Open	High	Low	Close	Net Change
G. N.	¾	¾	⅝	¾	+ ⅛
Monogram	1½	1½	1½	1½	.....
Sonotone	1⅝	1⅝	1⅝	1⅝	— ⅛
Technicolor	15¼	16	15¼	16	.....
Trans-Lux	2⅝	2⅝	2⅝	2⅝	+ ⅛

Loew Bonds Gain

	High	Low	Close	Net Change
Loew 3½s '46	97¼	97¼	97¼	+1
Para. B'way 3s '55	60	60	60	.....
Para. Pict. 6s '55	88¼	88¼	88¼	— ⅜
W. B. 6s '39	74¾	74½	74¾	+ ¼

(Quotations at close of Dec. 31)

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BETTER THINGS for BETTER LIVING through CHEMISTRY

Radio Personals

LOUISE MASSEY and her Westerners are playing this week at the Stanley in Pittsburgh, and next week at the Earle in Washington, and Mary Small is filling a special theatre engagement in Brooklyn. Both are handled by Ed Wolfe Associates. . . . Lester Gottlieb celebrated a birthday while ringing in the new year. . . . Alice King, once a member of the King Sisters with Horace Heidt, made her debut as a soloist over WOR during the holiday on the transcribed Chevrolet series. . . . Charles E. Green, president of CRA, is in Chicago on business. . . . Walter O'Keefe will start on "Hollywood Mardi Gras" tomorrow. . . . Jean Ellington will be the guest on the Hammerstein show Friday. . . . Marlene Dietrich and Bob Hope will be on the Warner-Lucky Strike series this week. . . . Other film guest appearances for the week are Constance Bennett and Sterling Holloway on Bing Crosby's show Thursday, and Margaret Sullavan on the Chase & Sanborn show Sunday.

Renew Schreiber Program

BUFFALO, Jan. 2.—A full year's renewal contract covering 12 hours a week has been placed with WBNY by the Schreiber Brewing Co. The brewers claimed to have increased the sale of bottled beer 12 per cent in November through sponsoring WBNY all-sports review, a daily two hour show featuring Ralph Hubbell, sports announcer.

Magic Washer, product of Iowa Soap Co., is placing six 15-minute transcribed reviews per week and six spots per day on WBNY.

WTIC Sets Music Plans

HARTFORD, Jan. 2.—WTIC has lined up studio orchestra plans with Moshe Paranov, conductor-pianist, as musical head. Among its other musicians the 12 to 15-piece ensemble will include Laura C. Gaudet, pianist-vocalist with the station for more than 10 years; Salvatore de Stefano, former NBC staff harpist, and Herbert Anderson, violinist. The studio orchestra policy was dropped in September of last year. WICC, Bridgeport-New Haven, and WDRC, Hartford, are also arranging station orchestras. This is in accord with the new A. F. of M. agreement.

Wins Best Game Award

WASHINGTON, Jan. 2.—Arch McDonald, sports commentator for WJSV, is the recipient of the General Mills Award for the Best Baseball Broadcast during 1937. The award, a gold wrist watch, was based on the best broadcast of a single game during the 1937 season by one of the 90-odd sports announcers who cover the sport for General Mills.

WJSV Adds Salesman

WASHINGTON, Jan. 2.—A. D. Willard, Jr., manager of WJSV, has added J. Eugene Conklin as a salesman to the station's commercial staff.

Conklin is a comparative newcomer to Washington as well as to radio.

Thanks from Farley

Washington, Jan. 2.—Appreciation of the assistance rendered by Wilkes-Barre radio stations when it appeared possible that bombs had been sent through the mails, was voiced tonight by Postmaster General James A. Farley in his annual report.

Farley explained that on April 9, 1936, six bombs were mailed at Wilkes-Barre to as many persons in the vicinity of that city. On the following day, two of the bombs exploded when opened by the recipients, resulting in the death of three persons and the permanent injury of two others.

"The local radio stations were pressed into service and made repeated broadcasts at 15-minute intervals warning possible recipients against the opening of similar packages," he said. The stations are WBAX and WBRE.

The sender was apprehended, convicted and sentenced to death, it was stated.

Air Business of RCA Gains, Says Sarnoff

(*Continued from page* 1)

to a total of 143, and the placing into operation of a comprehensive service of programs transmitted by directional short-wave to Europe and South America was placed in operation; manufacturing—marked technical advances were made in recording and reproduction of sound on picture film and in theatre sound equipment.

Earned $6,599,111

RCA's published statement for the nine months ending Sept. 30 showed net earnings of $6,599,111.84, a figure in excess of the company's net earnings for the entire previous year. All dividends on the convertible first preferred stock have been paid, and additionally, all accrued dividends were paid on the 15,393 shares of "B" preferred stock outstanding. The first dividend on the company's common stock, 20 cents a share, was paid Dec. 21. Total dividend payments made by RCA during 1937 amounted to $6,409,200.00.

Television advances during the year included the development of the Iconoscope and of larger Kinescopes, presenting black-and-white instead of tinted pictures; projection of pictures on a three by four foot screen, and an increase from 343 to 441-line scanning.

Peterson to Sales Division of Mutual

M. H. Peterson, formerly of Van Cronkhite Associates, Hearst Radio, Inc., and Blackett-Sample-Hummert, has been signed by Mutual and will join that network's sales department effective immediately. Peterson will operate out of Chicago.

Florida Commission Renews Post Show

The Florida Citrus Commission has renewed Emily Post's program on CBS for 13 weeks. The program is presented Tuesday and Thursday from 10:30 to 10:45 A.M.

Ruthrauff & Ryan is the agency.

Extends "Toast of Town" Show

LOS ANGELES, Jan. 2.—Roma Wine Co., sponsoring "Toast of the Town" on KSFO, San Francisco, has extended this broadcast to the Columbia California Network. The agency handling the account is James Houlihan, Inc., San Francisco.

Westinghouse Unit to Move

SPRINGFIELD, Mass., Jan. 2.—Westinghouse Electric & Manufacturing Co. will move its entire radio division, including the broadcasting department, from Chicopee Falls, Mass., to Baltimore.

Firm Government Shakeup Of French Industry Certain

(*Continued from page* 1)

merous means, among them Government control of theatre receipts and guarantees by producers, plus the application of the recent credit law large reduction in the special entertainment tax; application of the 40-hour week law to production; creation of a Government organization centralizing all film departments heretofore scattered through various Government ministries.

The whole industry unquestionably will welcome the 40-hour week law's application and the reduction of the special entertainment tax, but such drastic measures as limitation of programs, control of receipts and the dubbing tax certainly will meet with stubborn opposition.

Industry circles expressed considerable anxiety Friday when it was revealed that the plan on the entertainment tax had been adopted by the Finance Committee of the Chamber of Deputies. According to the measure, the tax would be reduced 30 per cent for theatres with stage shows, vaudeville and orchestras, but would be increased 30 per cent for those houses without the stage attractions, when the net receipts of the previous month exceed 200,000 francs ($6,700)

The French Syndical Chamber, distributor and exhibitor associations are protesting vigorously, since they see in the measures a resulting increase by six per cent of the entertainment tax. The necessity for stage shows would mean single feature programs, which would cut heavily into the revenues of distributors and producers, and increase exhibitors' expense without a corresponding increase in receipts.

Sales of Loew And Warners Stocks Shown

By BERTRAM F. LINZ

WASHINGTON, Jan. 2.—Dispos[illegible] of common stock holdings in Lo[illegible] Inc., and Warner Brothers by officers of both corporations were disclosed in the semi-monthly report of November of the S.E.C.

Arthur M. Loew disposed of 100 shares of Loew's, Inc., common, reducing his holdings to 195 shares, and J. Robert Rubin disposed of 800 common shares, reducing his holdings to 16,155 shares, and with the disposition of 350 shares, wiped out the interest of his holding company in the corporation's $6.50 cumulative preferred. Loew's, Inc., increased its holdings of Loew's Boston Theatres common to 97,818 shares, through the acquisition of 58 shares.

Disposition by gift of his total holdings of 500 shares of Warner Brothers common was reported by Joseph H. Hazen, officer. Albert Warner reported the disposition of 2,800 shares of common, reducing his holdings to 61,648 shares, and Jack L. Warner reported disposition of 80,000 optional six per cent convertible debentures, reducing his holdings to 1,208,000.

Two Warners Heavy Holders

At the close of the month, other holdings in Warner Brothers were 88,060 shares of common and 10,618 shares of $3.85 cumulative preferred by Jack L. Warner direct and 4,500 shares of preferred through a holding company; and 10,618 shares of preferred and 1,794,000 optional six per cent convertible debentures by Albert Warner direct and 4,500 shares of preferred and 5,460 debentures through holding companies.

The summary revealed the disposition, at various times throughout the month, of 5,100 common voting trust certificates of Columbia Pictures by Jack Cohn, which reduced his holdings to 32,607.

Reports from Edward L. Alperson and Timothy F. Murphy, both officers and directors in Grand National Films, showed that the former received 2,550 and the latter 250 shares of common stock in November as compensation; at the close of the period, Alperson held 38,496 shares of common and Murphy 250 shares. Kirk W. Todd, Pittsburgh, director, reported the sale of 2,000 shares of common, reducing his Grand National holdings to 3,050 shares.

Panay Pictures Draw Capital Officialdom

(*Continued from page* 1)

were of interest chiefly for their historical value and as proof of American contentions that the attack was deliberate. There was no indication that the Government would use the films as a basis for reopening the matter.

Norman Alley, Universal Newsreel cameraman who was a passenger on the *Panay* and brought his own pictures of the bombing back to New York, conferred on Friday and Saturday with Navy and State Dep't officials here.

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to the Motion
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Industry

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Impartial

. 43. NO. 2 NEW YORK, TUESDAY, JANUARY 4, 1938 TEN CENTS

CBS and NBC Grosses Break Year Records

December Totals Highest in Webs' History

Closing the most successful year in the history of each network, the December billings for CBS and NBC reached record-breaking proportions, with CBS grossing $2,786,618 for the month, and NBC's total amounting to $3,639,086.

The CBS December gross was the biggest single month in the history of the network, and was 14.5 per cent over the 1936 December total.

Additional radio developments on pages 6-7

The 12-month CBS total amounted to $28,722,118, an increase of 24 per cent over the 1936 total, which was $23,168,148.

The December NBC total was the highest total of any month this year, and the second highest in the history of the network. The previous single

(*Continued on page* 6)

Cagney Returns to Warners March 14

HOLLYWOOD, Jan. 3.—Ending the longest talent contract dispute in Hollywood history, James Cagney and Warners today completed an agreement under which the star who made two pictures for Grand National during his absence from Warners agreed to return to Warners March 14. Jack Warner and Cagney issued joint statements in which they said that all details finalizing consummation of the actor's early return to Warners are now in the hands of attorneys and will be completed shortly.

Agreement between Cagney and Warners had been rumored for months and, while the announcement is no real surprise here, conjecture exists over whether or not Cagney will make one more Grand National Picture be-

(*Continued on page* 4)

Margolies in Ad Job At G. B.; Selig Out

Albert Margolies, for the past year in charge of the G.B. publicity department, has been placed in charge of the advertising department by Arthur A. Lee, vice-president. He will handle both departments hereafter.

Al Selig, who has been handling the advertising, has resigned.

Broadway New Year Takes Go Over Quarter Million

Over a quarter of a million dollars was taken in by Broadway theatres over the long holiday weekend. Most houses on New Year's Eve kept open until almost dawn and standees were reported at practically all performances. The bad weather on Saturday and Sunday did not make much impression on the attendance.

The Music Hall, including Thursday, opening day, reported $82,000 with "Tovarich." At the Strand "Submarine D-1" grossed $26,241 for the weekend. The Rivoli reported that it was doing nicely with "Hitting a New High." The weekend figure for this house was not available, but the first week's take was estimated at $22,500.

"Love and Hisses" at the Roxy filled the theatre to capacity and there were standees at every performance. The take over the weekend was put at $55,000. There were seven performances at the Paramount on New Year's Day and six the following day. The attraction was "Wells Fargo" and Fred Waring's band on the stage. The combination rolled

(*Continued on page* 4)

Allied Will Await Theatre Law Test

Allied States will sponsor no new theatre "divorce" legislation until the constitutionality of the enacted North Dakota statute has been determined, it was stated yesterday by W. A. Steffes, Northwest Allied leader and a director of the national organization, who is in New York from Minneapolis for the week.

Steffes reported that the taking of depositions of branch managers at Minneapolis and officials of Minnesota and American Amusement companies was begun in Minneapolis yesterday as a preliminary to Paramount's test of the constitutionality of the North Dakota statute. The test case may be heard by a special statutory Federal court of three judges at Fargo in the spring. In accordance with the Allied decision of waiting for the outcome of the test case, the independent exhibitor organization which sponsored the North Dakota measure

(*Continued on page* 7)

MPTOA Will Press 10-Point Program

The M.P.T.O.A. will press for the acceptance and adoption by distributors of its 10-point trade practice program during 1938, Ed Kuykendall, president, stated in a general bulletin issued to members of the organization yesterday.

Citing the solid exhibitor support manifested for the trade program during his national tour of last fall, Kuykendall scores the "resistance of the distributors to these practical and reasonable proposals for improved trade relations" and fixes the responsibility for the failure of the M.P.T.O.A. move

(*Continued on page* 7)

20th-Fox Ahead of Schedule—Zanuck

CHICAGO, Jan. 3.—The current season's production lineup of 20th Century-Fox will be completed in three and one-half months, considerably ahead of schedule, Darryl F. Zanuck, in charge of production, declared here today, en route with his party to New York to attend the opening of "In Old Chicago" at the Astor there on Thursday night.

Zanuck said he has four "A" pictures starting now and that his next big production will be "Alexander's Ragtime Band," which will be followed next fall by "Stanley and Livingstone," also considered by the studio an unusually big attraction. He said the company plans to make 54 features again next year and that preparations for them are now being made. The same number will be made in each classification as this year, Zanuck declared. There are no important changes in studio personnel contemplated, he said.

"Chicago" Opening Draws Coast Group

A coast contingent headed by Joseph M. Schenck, chairman of the board of 20th Century-Fox; Darryl F. Zanuck, in charge of production; Col. Jason Joy and Alice Faye, who plays the feminine lead, will attend the opening of "In Old Chicago" at the Astor on Broadway Friday night. The film will have an indefinite run on a two-a-day policy, replacing "The Hurricane," which closed last week.

Sidney R. Kent, 20th Century-Fox president, will be host to Zanuck at a cocktail party at the Waldorf-Astoria today, to which the press and industry executives have been invited.

Film Stocks $251,198,750 Off in 1937

Total Market Value Put at $623,738,750

The advance in film stock issues that started late in 1932 and swept through the next four years was interrupted during 1937 by a general market decline. Market valuation of listed film company shares on the New York Stock Exchange dropped $251,198,750 to a total of $623,738,750, compared with $874,937,500 at the end of 1936.

Though point losses in the film stocks ranged from 1½ points to 87¾ points, their depreciation on a percentage basis, was less than most other stock groups on the board. Contributing factors in support of film stocks were a continued favorable earnings trend by leading producers, well-sustained box-office receipts in face of a general business recession and an undercurrent of optimism that the economic reversal would be of a temporary nature.

Favorable earnings reports by leading film units supported the contention that none of the factors chiefly responsible for the prolonged depression that was ushered in in 1929 is

(*Continued on page* 8)

Studio Technicians Favor International

HOLLYWOOD, Jan. 3.—Definite intention of the I. A. T. S. E. to push the drive to extend its jurisdiction over all production crafts is reflected today in various developments. Studio Technicians, Local 37, I. A. T. S. E., on Sunday voted overwhelmingly favoring continuance of international supervision thus putting all four locals here on record against autonomy.

George Browne, I. A. T. S. E. presi-

(*Continued on page* 7)

More Funds Sought In Monopoly Cases

By BERTRAM F. LINZ

WASHINGTON, Jan. 3.—Appropriation of funds sufficient to enable the Dep't of Justice adequately to enforce the anti-trust acts today was asked of Congress by Attorney General Homer Cummings in his annual report.

Cost of trying a major case, such as

(*Continued on page* 7)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Insiders' Outlook

By A-MIKE VOGEL

THE greatest film story last week was not on the screen. That designation went to the drama unfolded in the stirring account of the cameramen who got the *Panay* bombing.

The story wrote itself. It started in beseiged Nanking, continued on the deck of the U.S.S. *Panay* where Alley and Mayell stayed with it while the ship sank beneath them. Then days of wandering with their precious negatives to be picked up eventually by a searching American gunboat. In Shanghai, the Navy took custody of films, released them in time to make the *China Clipper*. Mayell remained, the wounded Alley is "advised" to leave.

At Alameda, a heavily-guarded plane picked up film, was forced down by storm. Movietone, using two lines to insure delivery, met same experience. New York home offices planned frantically, moved swiftly. Heavy insurance, armored cars, police escorts, photographers at Newark Airport, page one stories and photos finished the scenario.

Just eighteen days after the bombing some 12,500 miles away, the American public was made aware exactly of what actually had happened and how, by the newsreels' indelible recording and the courage of the men behind the cameras.

▼ ▼

Discounting the high expectancies of Christmas Week, there remains something to be said about the unusual grosses gathered in the holiday period. Such instances of quarter-mile waiting lines at Radio City Music Hall, broken lobby doors caused by crowds at the Strand, sidewalks completely blocked at the Paramount, Capitol and Roxy, on Broadway, and comparable situations reported by other key cities say something more than just capacity attendance.

The condition indicates there is business to be had at all times from those eager to buy good entertainment.

▼ ▼

The point that riveted this listener's interest during the Dept. of Commerce broadcast on the history of the motion picture arrived in one sentence spoken by Thomas Armat, inventor of the projector, who was interviewed during the program. Armat relating how he had studied the Edison kinetoscope penny slot machine said:

"The thought flashed into my mind that it would be a wonderful thing if the tiny pictures could be projected on a screen so that audiences instead of one person could see them."

▼ ▼

No small part of NBC's spectacularly successful Toscanini broadcast publicity is due, we observe, to the ease with which the maestro's name is pronounced and remembered. Which is respectfully brought to Hollywood's attention in titling pictures.

McGee Quits as Head Of Standard Circuit

Oklahoma City, Jan. 3.—Pat McGee, for the last four years general manager of Standard Theatres Corp., has resigned. Walter B. Shuttee of Lincoln, has taken over the post.

Shuttee had been with Paramount-Publix for more than 10 years, operating theatres in Utah, Idaho, Colorado and Nebraska. He was at Denver for several years. McGee will stay in the theatre business, but not in Oklahoma City.

J. F. Garst, assistant treasurer of Standard, has resigned, and J. M. Connor, New York, has been appointed to the vacancy. W. S. McDonald, New York, continues as treasurer. George Y. Henger, city manager, and Paul Ketchum, manager of three Standard suburban theatres, also have resigned. Ketchum has been succeeded temporarily by James Burge, manager of the Midwest, who assumed the management of the Victoria, Tower and Plaza.

Gracie Fields Honored

London, Jan. 3.—Gracie Fields has been made a commander of the Order of the Empire by King George VI.

Miggins and Harley Honored at Dinner

Ben Miggins, central European manager for 20th Century-Fox, and Francis L. Harley, managing director for England, were guests of honor at a dinner given by home office executives at the Plaza last night. Miggins was given a platinum watch by Sidney R. Kent, the president's prize to the winner of the Kent overseas sales drive.

Among the speakers at the dinner were Kent, Truman Talley, Miggins, Harley, William Sussman, who appeared for John D. Clark, who was unable to attend because of illness; James O'Loughlin, Canadian district manager; C. V. Hake, assistant foreign manager, and W. J. Hutchinson, foreign manager.

Guests included Jack Bloom, Harry Brand, William J. Clark, E. H. Collins, W. J. Eadie, Allan E. Freedman, E. S. Fraser, W. C. Gehring, C. A. Hill, F. S. Irby, W. J. Kupper, Lew Lehr, Charles E. McCarthy, W. C. Michel, Joseph Moskowitz, Martin Moskowitz, I. A. Maas, C. F. Minck, Joe Pincus, Spyros Skouras, Jack Sichelman, Sydney Towell, Lowell Thomas, Ed Thorgesen, Herbert White and L. F. Whelan.

'Ecstasy' Appeal Plea Is Denied in Albany

Albany, Jan. 3.—The Appellate Division today denied the motion of Eureka Prod. on an application for permission to appeal the adverse decision on "Ecstacy" sustained in their division.

Presumably, Attorney Henry Pearlman will file an application before the Court of Appeals asking their leave to review the film and the previous decision by Irwin Esmond, Commissioner of Education Frank P. Graves, and the Appellate Division.

Charter Richards Firm

New Orleans, Jan. 3.—E. V Richards' three sons—John, James, Horace—have obtained a charter for the Theatre Service Corp., allowing them to operate theatres, supply, book and buy. Reports are current that the new company may replace Affiliated Theatres.

MPPDA Board to Meet

The M.P.P.D.A. board of directors is scheduled to meet this morning to complete business remaining unfinished from the quarterly meeting held during December.

◂ Purely Personal ▸

SCOTT DUNLAP, vice-president in charge of production for Monogram, and his wife, were injured in an automobile accident on the coast. They are resting at home.

•

Commendatore Musso, head of I.C.I., Italian producing organization, who has been ill in a New York hospital during most of a one-month's visit in New York, will leave on the *Rex* tomorrow, returning to Rome.

•

Ruth Gilbert, formerly with Monogram, will make her debut in opera on Friday evening at the Bronx Winter Garden. She will sing a role in "The Bohemian Girl."

•

Zac Freedman, New York showman, has joined Ed Small Prod. on the coast. He is scheduled to arrive with "The Adventures of Esky," a radio feature.

•

Leon Netter, Paramount theatre executive, will leave today for a 10-day business trip. He will visit Kansas City, Des Moines and Omaha.

•

William A. Scully, back from a southern vacation, officially began his duties as Universal general sales manager yesterday.

•

Clinton M. White, assistant general sales manager of G.B., left last night for Cincinnati and a tour of the Middle West.

•

C. B. Cochran, British producer, will sail today on the *Berengaria*. Peggy Wood is also departing on the same ship.

•

Sid Grauman, Col. Jason Joy and Alice Faye are due today on the Century for the opening of "In Old Chicago."

•

William Perlberg, Columbia talent head who arrived on the *Rex* Thursday, left for the studio over the weekend.

•

Tom Brandon of Garrison Films has returned to town from a business trip to Chicago, Cleveland and Detroit.

•

Willard S. McKay, Universal general counsel, has returned from a visit to the company's studio.

•

Eddie Alperson, Grand National president, is expected back from the coast later in the week.

•

Ella Logan, Samuel Goldwyn player, will arrive today from the coast.

•

Monroe Greenthal returned yesterday from Miami where he spent the holidays.

•

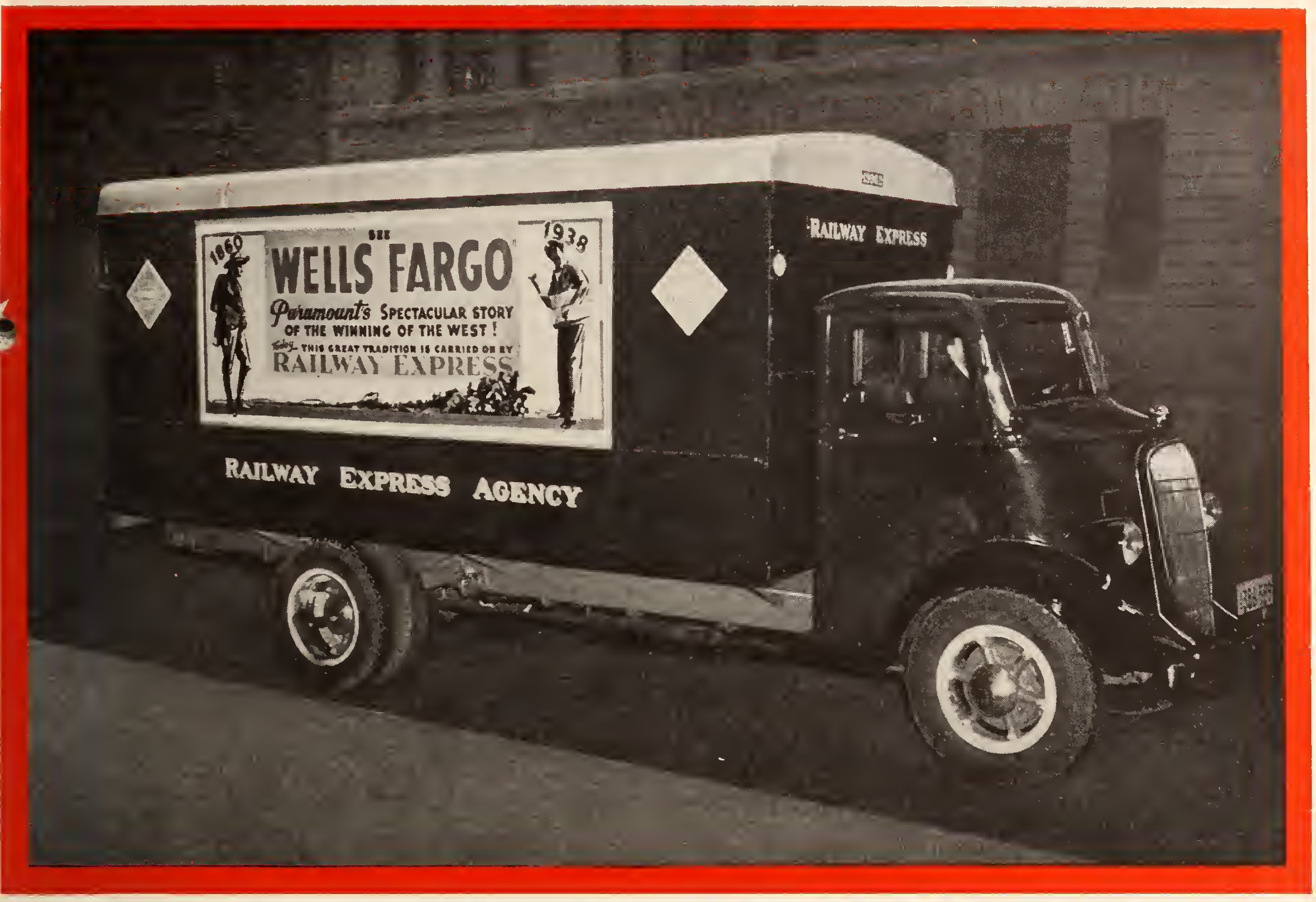
A. W. Smith, Jr., returned yesterday from a 10-day Florida vacation trip.

•

Louis Nizer is due back from the south on Thursday.

•

Harry Goetz is expected from the coast today.


1860
SEE
WELLS FARGO
Paramount's SPECTACULAR STORY OF THE WINNING OF THE WEST!
Today THIS GREAT TRADITION IS CARRIED ON BY RAILWAY EXPRESS
1938
RAILWAY EXPRESS AGENCY
RAILWAY EXPRESS

10,500 Railway Express trucks are today carrying this message

"WELLS FARGO"

and 20,000,000 people are taking the message's advice and are storming the nation's box offices to see this great PARAMOUNT picture—a picture which is breaking records everywhere it plays.

Paramount Pictures

"Truth" High In Its Sixth Seattle Week

SEATTLE, Jan. 3.—In a week of snow and rain which hit grosses all along the line "The Awful Truth" held up to $5,200 in its sixth stanza. This was $200 above a first week par.

"Damsel in Distress" and "Angel" at the Fifth Avenue took $7,300, over the line by $300, but all other first runs were below normal.

Total first run business was $33,200. Average is $36,500.

Estimated takings for the week ending Dec. 30:

"WHEN THIEF MEETS THIEF" (U.A.)
"SH! THE OCTOPUS" (F.N.)
BLUE MOUSE—(950), 25c, 7 days. **GROSS:** $3,700. (Average, $4,000)

"DAMSEL IN DISTRESS" (RKO)
"ANGEL" (Para.)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **GROSS:** $7,300. (Average, $7,000)

"THE AWFUL TRUTH" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 6th week. **GROSS:** $5,200. Average, $5,000)

"52nd STREET" (U.A.)
"THERE GOES THE GROOM" (RKO)
MUSIC BOX—(950), 30c-40c-55c, 7 days. **GROSS:** $3,850. (Average, $4,000)

"SUBMARINE D-1" (W.B.)
"HIGH FLYERS" (RKO)
ORPHEUM—(2,450), 30c-40c, 7 days, 2nd week. **GROSS:** $5,200. (Average, $6,000)

"BULLDOG DRUMMOND COMES BACK" (Para.)
"MR. BOGGS STEPS OUT" (G.N.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Mantell's Mannikins. **GROSS:** $4,200. (Average, $4,500)

"TRUE CONFESSION" (Para.)
"THOROUGHBREDS DON'T CRY" (M-G-M)
PARAMOUNT—(3,050), 30c-40c, 7 days, 2nd week. **GROSS:** $5,750. (Average, $6,000)

New Year's Grosses Were Over $250,000

(*Continued from page 1*)

up $48,000 for the period, which is something of a house record. The theatre was open New Year's Eve until 6 A. M. "Wells Fargo" is being held for a second week.

"Rosalie" at the Capitol and "Manhattan Merry-Go-Round" at the Criterion were also reported to have done well, aided by advanced prices and screenings practically all of Friday night. Figures from these houses were refused.

Goldwyns to Honolulu

HOLLYWOOD, Jan. 3.—Samuel and Mrs. Goldwyn will embark Jan. 8 on the *Lurline* for Honolulu and a month's vacation, following completion of scoring and editing on "The Goldwyn Follies" and "The Adventures of Marco Polo." It will be his first visit to the islands.

Asher, Sloan to Return

HOLLYWOOD, Jan. 3.—Irving Asher, head of Warners' England production activities, and John Sloan, production manager at the Teddington studios, will leave Hollywood Jan. 10 for New York. They will sail Jan. 15 on the *Ile de France* for England.

Quakes Disrupt Shows

MEXICO CITY, Jan. 3.—Film performances in crowded theatres here yesterday afternoon were sharply disrupted by three successive earthquakes, each lasting 10 minutes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Bad Man at Brimstone"

(*M-G-M*)

HOLLYWOOD, Jan. 3.—"Bad Man at Brimstone" recalls the unforgettable westerns of Ince when William S. Hart rode the range for him and shot it out with tears in his eyes and in those of the customers. It is the beneficiary of all production refinements that have been achieved since then, including sepia tint, but is no less effective in the rugged crudity of the plot performance.

Wallace Beery gives his two-gun title role a characteristic reading, while Dennis O'Keefe hews out a niche for himself as a clean cut tenderfoot hero. Virginia Bruce, Lewis Stone, Joseph Calleia, Bruce Cabot, Guy Kibbee, Noah Beery, Cliff Edwards and Charley Grapewin are strong in the support.

The story by J. Walter Ruben and Maurice Rapf has to do with an illiterate bad man who is dominating a frontier town of about 1879. His son, believing his father dead, arrives as a barnstorming pugilist and remains after falling in love with a local belle to become a tax collector. When his calling places him in danger of trigger-disposal his unrecognized father finances a course at law school for the boy to get him out of town. When the boy returns three years later as a U. S. marshal the bad man has become the political boss of the community and finally has to kill some dozen men to protect the secret of his paternity, going to jail as the boy marries the girl.

The production by Harry Rapf is expensive and effective. The scenery is especially impressive. J. Walter Ruben's direction is powerful in the latter portion after stumbling awkwardly for the first half-hour, a section that could stand big repairing before release. Cyril Hume and Richard Maibaum did the screenplay, which is at its best when guns are roaring.

After a stumbling start in which credulity is stretched a good deal farther than is customary in upper bracket westerns, the picture levels off and picks up momentum. No doubt it will be satisfying to most of the public who are sure to be attracted by the name billing. The regrettable memory of the widely circulated story of Beery shooting himself accidentally while making the film keeps getting between the audience and the screen in such a way as to make his multiple marksmanship less convincing than is good for the picture. Maybe he will live that down.

Running time, 82 minutes. "G."

"Change of Heart"

(*20th Century-Fox*)

HOLLYWOOD, Jan. 3.—A family type picture, aimed at the neighborhood and smaller house patronage, "Change of Heart" is the story of a man who had to provoke almost everybody into disliking him before he discovered the error of his ways. A note of human interest is woven into the picture by having a boy and his dog become the instruments that changed a business automaton into a regular fellow.

Michael Whalen, advertising executive, not only is naturally gruff with his associates and employes, but believes that his wife, Gloria Stuart, is in love with another man, Lyle Talbot. His jealous nature making his company unbearable, Miss Stuart decides to leave him. Sick at heart because of this, Whalen, reacting to office conversation, begins to take more time from business. On a golf course where he gives vent to his temper, he is reprimanded by a caddy, Delmar Watson. Taking a liking to the boy, he tells him his troubles. The youngster, wise beyond his years, contrives to have Talbot shunted into the discard and Whalen and Miss Stuart happily reunited following a golf match in which the boy's dog is his master's ally.

The picture is well mounted. Omitting non-essentials, it sticks to its plot closely and the several players, Whalen, Miss Stuart, Talbot, Watson and Jane Darwell, act as though they had an interest in their work. Directed by James Tinling, the picture is based on a story by Frances Hyland and Albert Ray.

Running time, 65 minutes. "G."

Acquires U. S. Rights

Metropolis Pictures Corp. has acquired distribution rights in the United States to "The Fox Hunt," first animated cartoon produced in Europe, and "Winter Magic," short showing winter sports in the Austrian Tyrol. The cartoon was produced in England.

Monogram in Rotterdam

Monopole Film N. V., in Rotterdam has been reorganized to handle distribution of the complete lineup of Monogram product, including features and westerns, according to Norton V. Ritchey, foreign manager. M. S. Sprecher is managing director of the Monopole office.

Cagney Returns to Warners March 14

(*Continued from page 1*)

fore returning to the Burbank studio where he gained stardom.

Grand National spokesmen say that Cagney is definitely under an option to do one more film with the starting date tentatively set later in January which would give ample time for Cagney reporting to Warners by March 14.

Edward L. Alperson and Phil Krasne left town quietly over the holiday weekend for New York presumably to arrange final details of new production finances. It is generally understood here that if the production money is not forthcoming soon the Cagney picture deal with Grand National will be off.

Warner said "We welcome Cagney back in the Warner fold. We have always held a warm spot for him and will go forward together in a greater effort to produce the finest picture we have ever made with this brilliant young artist. Our organization has been instructed to make every effort to secure for him the finest vehicle possible. We are now trying to arrange for one of the most important properties in the show business as his initial starring vehicle."

Cagney said, "My sole interest is, as it always has been, to make good pictures. I return to Warners confident that I shall be afforded every opportunity to realize this purpose."

"Man-Proof" Gets $7,700 at Houston

HOUSTON, Jan. 3.—With a general let-down for Christmas week attractions, "Man-Proof" at Loew's State led the field with $7,700. Average is $7,000.

"True Confession" had a take of $7,350 at the Majestic, up by $350. "Love and Hisses" at the Metropolitan broke even with $7,000. These figures are 10 per cent under those of Christmas week last year.

Total first run business was $25,300. Average is $26,000.

Estimated takings for the week ending Dec. 30:

"BROADWAY BILL" (M-G-M)
(Re-issue)
KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $1,550. (Average, 7 days, $4,500)

"THERE GOES THE GROOM" (RKO)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,600. (Average, 7 days, $5,000)

"MAN-PROOF" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $7,700. (Average, $7,000)

"TRUE CONFESSION" (Para.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $7,350. (Average, $7,000)

"LOVE AND HISSES" (20th-Fox)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

Restore Fox Orchestra

PHILADELPHIA, Jan. 3.—Out for several weeks, the Fox Theatre Orchestra will be restored next Friday. Adolphe Kornspan, leader when the theatre opened in 1923, will return to the same post.

Kornspan left the Fox in 1927 to become general musical director for the Fox circuit.

Shellman Daughter Weds

BALTIMORE, Jan. 3.—Josephine K. Shellman, daughter of Jacques Shellman, publicity man for the New, was married over the weekend to Julian I. Palmore, Jr.

U" Says 564 Panay Prints Not Enough

Bookings of Universal's three-reel pecial on the bombing of the *Panay* xceeded the supply of prints over the eekend, it was reported yesterday by illiam Scully, new general sales anager of the company, and F. J. A. cCarthy, eastern manager.

he company had 564 prints in cir[illegible]ion yesterday and the number was [illegible]d to be insufficient, with the reult that in many territories, and paricularly in New England, authorized bicycling" of prints between neighoring towns was the rule, according o company officials. Widely circuated reports that the company's sales olicy for the reel had met with reistance from exhibitors here and elsehere were denied. It was pointed ut that terms were set in accordance ith individual theatre conditions and hat percentage terms were not insisted pon where circumstances showed them o be unwarranted.

Alley at Chicago Theatre

Norman Alley, photographer of the *anay* scenes, went to Chicago for ersonal appearances at the RKO Palce there yesterday in conjunction ith the showing of the subject. He s due back in New York today, here he will remain for several eeks completing newspaper and agazine assignments in connection ith his experience. Charles E. Ford, ditor of Universal Newsreel, said hat no new assignment had been set or Alley yet, but that it was unikely that he would be returned to hina, where his coup is understood o have irritated the Japanese military.

Protest Panay Pictures

ST. LOUIS, Jan. 3.—A number of ocal women, acting at the suggestion f Mrs. James M. Rogers, have sent elegrams and letters to U. S. Senaors Bennett C. Clark and Harry S. Truman and other Missouri members f Congress protesting against the ublic exhibition of pictures showing the sinking of the U.S.S. *Panay*. The omen have expressed the fear that he public exhibition of the films ight tend to foment war hysteria.

Wall Street

Board Fluctuates Fractionally

	Open	High	Low	Close	Net Change
Col.	12	12	12	12	.....
Cons.	5½	5½	5½	5½	.....
E. K.	161	161	160	160	— ½
G. T. E....	11¾	11¾	11¾	11¾	— ⅛
Loew	45	46	45	45¼	+ ¼
Para.	9½	9⅞	9⅛	9⅛	— ½
Para. 2.....	10½	10½	10½	10½	.....
Pathe	5¼	5¼	5	5	.....
RKO	4	4⅛	3⅞	3⅞	— ⅛
20th Fox ..	19¾	21	19½	19⅝	— ¼
20th pfd. ..	26½	27½	26½	27	+ ⅝
W. B.	6	6⅜	5⅞	6⅛	+ ⅛
W. B. pfd...	36	38	36	38	+4

Trans-Lux Gains on Curb

	Open	High	Low	Close	Net Change
G. N.	¾	13/16	¾	13/16	+1/16
Sonotone ..	1¾	1¾	1¾	1¾	.....
Tech.	16½	17	16¼	16¼	— ¼
Trans-Lux	2⅞	2⅞	2⅞	2⅞	+ ¼
Univ. Corp.	1¾	1¾	1¾	1¾	.....

Warner Bonds Up Slightly

	High	Low	Close	Net Change
Loew 3½s '46......	96¾	96¾	96¾	— ½
W. B. 6s '39	75	75	75	+ ½

(Quotations at close of Jan. 3)

'Twas a Record

Placerville, Cal., Jan. 3.—Citizens here, mindful of the fact that the Wells Fargo Express Co. took root in this area, jammed into the Empire where the picture "Wells Fargo" opened at a midnight showing yesterday, breaking all box-office records, Manager Frank Knacke reports.

The receipts, he adds, totalled $169, competing against rain. The film will be held over for three days.

New Erpi Laboratory Has Formal Opening

Erpi formally opened its new New York engineering laboratory downtown at 76 Varick St. yesterday, having moved down from the Bronx, and in conjunction with the opening demonstrated a number of devices, which, shorn of technical phraseology, served to indicate the continuing part played by scientists of electricity in providing devices for the improvement of film and other industry operations.

Most important of the new film devices displayed was the so-called negative playback amplifier, which permits the immediate reproduction of negative films, offering the oral advantages which would be provided by a device capable of permitting the viewing of a photographic negative as a finished positive print.

Another demonstration was that of the 16 mm. sound film recorder which is said to incorporate all the detailed engineering and planning which go into the 35 mm. apparatus. Remote volume controls for theatres, by which sound may be regulated in accordance with house conditions, apparatus for the elimination of flutter in 16 mm. reproduction, methods of developing measurement devices for sound, in order that acoustical treatment may be used to best advantage and similar devices were demonstrated.

It also was pointed out, with several demonstrations, how Erpi, in a consulting capacity, contributes to the advancement of mechanical operation in other commercial fields.

British Film Total 225 for Year 1937

By AUBREY FLANAGAN

LONDON, Jan. 3.—The statistics of the Board of Trade, published today for 1937, indicate that a total of 225 British features were registered last year, exceeding the total of British features for 1936 by only three.

British footage, according to the report, showed a decrease of 7,829. The total registered footage for the year was 1,420,452. Features only were included in the report.

Tia Juana House Burned

TIA JUANA, Mexico, Jan. 3.—A fire, cause of which was attributed to a carelessly discarded cigarette butt, today destroyed the Cine Concordia, a 1,200-seat house here. Loss is estimated at $100,000. Although the fire occurred during the course of a performance the audience filed to the street in an orderly manner and no one was hurt. American firemen crossed the border at the request of the local authorities and helped to fight the blaze.

Cocalis Gets Ruling On Hudson Building

An application for an injunction to restrain the Cocalis Circuit from erecting a new theatre in Hudson, N. Y., was denied yesterday by Justice Bergan in N. Y. Supreme Court at Albany. The application was made by Frieder & Grossman, Hudson exhibitors, whose New York attorneys said yesterday they would appeal to the Appellate Division as soon as Justice Bergan's decision has been filed.

In their action, Frieder & Grossman contended that Cocalis had agreed not to enter theatre business in Hudson for one year following the termination several months ago of a contract between the two. The court held that this agreement had been invalidated by the plaintiffs, leaving Cocalis free to operate in Hudson immediately.

Meet on Quota Reply

LONDON, Jan. 3.—Producer representatives went into session today with representatives of labor in an effort to find a common basis for a reply to the proposal of Oliver Stanley, president of the Board of Trade, on separate quotas. The replies of the two trade groups will be separate, but probably will express a common aim, calling for an increase in the quota percentages.

Thomas Le Sueur Dead

ABILENE, Tex., Jan. 3.—Thomas Le Sueur, father of Joan Crawford, is dead here. He was 71 years old.

Four Picture Bills In Sight at Albany

ALBANY, Jan. 3.—Four bills affecting the film industry are scheduled for introduction within the first 10 days of the legislative session which will start Wednesday.

One of these is the one-mill-per-foot tax on negatives and positives which made its appearance last year and came near passage during the budget arguments before Governor Lehman when opposition developed to an additional one-cent gasoline tax.

The two-men-in-a-booth bill is scheduled for reintroduction. This year it will have American Labor Party backing and A.F.L.

Also scheduled for introduction is an amendment to Section 18-B of the General City Law requiring a matron for each 35 children in a theatre, and the perennially hoppered bill prohibiting the sale of tickets when no seats are available.

Music Publishers to Talk to FFC on Code

WASHINGTON, Jan. 3.—Representatives of the popular music publishers tomorrow will meet with officials of the Federal Trade Commission for discussion of the former's proposals for a code for the industry in which plugging and other methods of unfair competition will be banned.

In view of the support given the code at the hearing last October, it is not expected that any opposition will be offered the new proposals, which have been before the commission for analysis for some weeks.

FLY
TWA
first

SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA
For Further Information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

Note to "Scrip" Holders
Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

SHORTEST-FASTEST TWA first COAST TO COAST

Radio Personals

THIS department extends deepest sympathy to Helen Nolan of the CBS press department, whose husband, Edward J. Neil, A. P. foreign correspondent, lost his life while covering the Spanish war. . . . Fred Weber, Mutual network general manager, returned to New York yesterday after a swing across the country visiting Mutual outlets . . .On Jan. 9, Adolphe Opfinger, Mutual program coordinator, will start a similar trip, his first, visiting Mutual stations in Washington, Cincinnati, Indianapolis, Chicago and Detroit. . . . Maurice Gaffney, CBS trade news editor, will sail West Indiesward Jan. 12 on vacation. . . . Georgie Jessel on his "30 Minutes in Hollywood" broadcast Sunday, will be knee-deep in film talent, having as his guests Paula Stone, Eleanore Whitney, Mary Carlisle, Noah Beery, Jr., and Benny Baker. . . . Robert Taylor will make one of his infrequent radio appearances on the M-G-M program Thursday.

✣

Arthur J. Costigan, traffic manager of RCA, will sail for Cairo today aboard the *Manhattan* to attend the International Radio Conference there . . . Jack Lowe and James Fishback, advertising men from the newspaper field, are recent additions to the WOR sales staff.

Skolsky Offers Last Broadcast Tomorrow

Sidney Skolsky will make his final broadcast for the Emerson Drug Co. tomorrow, and beginning Wednesday, Jan. 12, he will be succeeded by Eddie Garr, musical comedy and night club comedian, who will head a new variety series in the 8:30 to 9 P. M. spot on the NBC-Blue.

Garr's initial contract is for 26 weeks. The comedian, currently at a Chicago theatre, cancelled his remaining vaudeville dates to return to New York to prepare for the series. The agency is J. Walter Thompson.

"Valentine" to NBC—Blue

"Alias Jimmy Valentine," transcribed series featuring Bert Lytell, will be changed to a network show Jan. 18, when it will begin a stay on the NBC-Blue network Tuesdays from 9:30 to 10 P. M. Lazarus & Bros., sponsors for Edgeworth Smoking Tobacco. Blackett-Sample-Hummert is the agency.

Shift Sports Program Time

"Man to Man Sports," under the sponsorship of the American Tobacco Co., will be heard Thursdays from 10 to 10:15 P. M., E.S.T., beginning Jan. 13. The program is currently heard Wednesdays on a CBS Pacific Coast network. Lawrence C. Gumbinner agency handles the account.

Plan Television Course

RCA Institutes, Inc., RCA's school for operators and radio engineers, will add a two-year term in television study beginning in March. The school now has an enrollment of 905 students, about two-thirds of these being in the New York school, the remainder in Chicago.

Constance Bennett Sues Fidler, P&G

HOLLYWOOD, Jan. 3.—Marking the first time that a film star ever filed a libel action against a radio commentator, Constance Bennett today demanded in a Superior Court suit $250,000 damages from Jimmie Fidler and his sponsor, Procter and Gamble, because of alleged derogatory remarks made by him last Tuesday on an NBC program exploiting Drene Shampoo. Miss Bennett cited that portion of the broadcast which said she snubbed Patsy Kelly on the day following their introduction. The star said that the remarks held her up to ridicule and were untrue.

Fidler, asked for a statement by MOTION PICTURE DAILY said, "All my news stories are verified before I use them. If I use them they are true."

"Real Life" Series Renewed for a Year

"Aunt Jenny's Real Life Stories," heard Monday through Friday from 11:45 A. M. to 12 noon over CBS, will continue for another year through a contract renewal effective Jan. 17. The program is sponsored by Lever Bros. for Spry. Ruthrauff & Ryan, Inc., is the agency.

New Program Set on KFRC

SAN FRANCISCO, Jan. 3.—"Housewarming," a new half-hour variety show, will start Jan. 7 over KFRC. The program is sponsored by Spreckels-Russell Dairy, on a 52-week contract. Sam Moore, veteran vaudeville entertainer, will be "em cee."

CBS and NBC Grosses Break Year Records

(*Continued from page 1*)

month high was in October of 1936, when the billings were $3,696,489.

The year's NBC total was $38,-551,286, up 12 per cent over last year, when the total was $34,523,950.

For the month of December, the Red network's gross was $2,535,046, up 4.8 per cent against last December's figure. The Blue total for December was $1,104,040, down 3.1 per cent against last December's total.

The 1937 12-month total for the Red amounted to $27,171,965, a gain of 20 per cent over the 1936 total The Blue this year accounted for $11,-79,321, down 3.4 per cent for the year.

Sign Dale Carnegie On Colgate Air Show

Dale Carnegie has been signed to appear in a new series sponsored by Colgate - Palmolive - Peet, beginning Jan. 11 and Tuesday nights thereafter from 10:45 to 11 P. M. on the NBC-Blue. Benton & Bowles of Chicago is the agency. The series will originate in New York.

The program will be patterned along the lines of a "success clinic," with Carnegie interviewing persons who have failed in some particular effort or aim, and following with a dramatization of how success might have crowned the aspirant's effort had he employed the Carnegie formula. The contract is for 13 weeks.

New Shows on the Air

"Mickey Mouse Air Theatre"

Walt Disney and much of his drawing board menagerie, including Mickey and Minnie Mouse, Donald Duck, Clara Cluck and The Goof, opened on the air Sunday night in a new series for Pepsodent, "Mickey Mouse's Air Theatre." While it impressed as an ideal children's program, the Disney characters lost much of their charm in the transition from screen to radio. Bereft of the animation and coloring given them on the screen by Disney and his corps of assistants, the fantastic creatures, on the air, were mostly a noisesome troupe, just cackling and squealing away, at times unintelligibly. No matter what its drawbacks, the kids will eat this program whole, however.

On hand to introduce his characters, Disney frankly admitted that the radio effort was still an experiment. No matter what the results of the first few shows, he said, future efforts would be better.

Despite the fact that the show is dedicated to Mickey, Donald Duck—"Dear, Magnificent Duck," he self-styled himself in the script—was the whole works. Donald quacked away in that quite mad fashion of his, giving way at intervals while Clara Cluck clucked away in an aria from from the opera "Lakme." That's funny just thinking of it—a hiccuping scene by The Goof—and a few musical interludes supplied by the Felix Mills' Silly Symphony orchestra. There was also a delightful scene from "Snow White and the Seven Dwarfs."

It's delightful entertainment, and with a few improvements, as promised by Disney, the series should soon crowd all the other children's programs off the air.

"Mickey Mouse's Air Theatre" is presented Sundays on the NBC-Red network. Pepsodent Toothpaste and Powder sponsors.

"Armco Band" Series

American Rolling Mills Co. staged its annual return to the air Sunday, with Frank Simon's band again serving spirited band music as the principal offering.

The popular series opened with "The March of the Steelmen," carrying on with excerpts from Friml's light opera "Katinka," a lovely offering of "Carnival in Paris," a Victor Herbert medley and a trumpet solo by the youthful guest of honor, 13-year-old Billy Snyder, who gave an excellent rendition of the difficult "Napoli." For his appearance he received the Armco Gold Medal for Musical Merit. Talks by "the Ironmaster" again are a weekly feature.

The "Armco" band series is presented Sundays from 3:30 to 4 P. M. on the NBC-Blue.

BANNER

IRNA Plan In Operation Soon—Weber

With a few more than 200 contracts from I. R. N. A. stations already in hand, and approximately 50 more [illegible] closing negotiations with local [illegible] Joseph N. Weber, president of the [illegible] F. of M., indicated yesterday that he may consult with the federation's international board before the week elapses with a view toward declaring the plan of settlement operative.

Despite the fact that the deadline expired last night, Weber said he did not consider it necessary to set a new time limit.

He said that he and Samuel Rosenberg and Emile Gough of the I. R. N. A. negotiating committee had been in constant consultation throughout the holiday period and that they were in complete accord on all important phases of the agreement.

Weber estimated that at the present state of negotiations with I. R. N. A., the A. F. of M. was already guaranteed an added revenue of approximately $1,200,000.

Barrett Southwest Hearst Chain Head

OKLAHOMA CITY, Jan. 3.—Neal Barrett, manager of KOMA since 1932, has become director of southwest stations of Hearst Radio, Inc. Barrett will have under his supervision KOMA, Oklahoma City; WACO, Waco, Tex.; KNOW, Austin, Tex. KOMA here has been a Hearst station since 1936.

Elliott Roosevelt, chain head, will establish headquarters for the 10 Hearst stations at Fort Worth, probably about March 1.

Elliott Roosevelt Here on Hearst Job

Elliott Roosevelt arrived here yesterday from the west to take over his new duties as head of Hearst Radio, Inc. He was closeted all day with Hearst executives and was unavailable for comment up to a late hour yesterday.

Gets Permit for KFIO Tower

SPOKANE, Jan. 3.—After satisfying the city building inspector with changes in construction plans, A. L. Smith, president of the Spokane Broadcasting Corp., has received a permit to build a 204-foot radio tower atop a downtown building for KFIO, local independent station. The permit was given on condition that he get approval from the Bureau of Air Commerce and the F.C.C.

"Revivals" Program Renewed

"Old Fashioned Revivals," sponsored over 35 stations of the Mutual network by the Gospel Broadcasting Ass'n, has been renewed for 52 weeks, through R. H. Albert & Co., agency handling the account.

General Sets WBNX Contract

General Baking Co., makers of Bond Bread, have signed for 25 time signals weekly over WBNX, through Batten, Barton, Durstine & Osborn.

Radio

CC Hearings At Washington Are Scheduled

Washington, Jan. 3.—The F.C.C. s scheduled hearings on broadcast- applications as follows:

Jan. 7, before an examiner—Applitions of Tri-City Broadcasting Co., c., for a new 950-kilocycle station Schenectady, 1,000 watts power; FIL, Philadelphia, for increase of wer from 500 watts night, 1,000 atts day, to 1,000 watts night, 5,000 atts day; WLBL, Stevens Point, is., for extension of time to operate ghts with 1,000 watts power; ILL, Urbana, Ill., for increase of wer from 1,000 to 5,000 watts.

Contesting Applications Listed

Jan. 27, before the commission—ntesting applications of the Journal ., Milwaukee; Mid-Atlantic Corp., ashington; *Trenton Times*, Tren-n, for a 1,570-kilocycle station, first o applicants seeking 1,000 watts and st applicant 250 watts power; con-sting applications of Cumberland roadcasting Co., Inc., Portland, Me.; win City Broadcasting Co., Inc., ewiston, Me.; Philip J. Wiseman, ewiston; Cape Cod Broadcasting ., Barnstable Township, Mass.; eorge M. Haskins, Hyannis, Mass., d Arthur E. Seagrave, Lewiston, st five seeking a 1,210-kilocycle sta-n and Seagrave a 1,420-kilocycle ation with 100 watts power; con-sting applications of Pacific Accept-nce Corp., and Smith, Keller & Cole r a 1,200-kilocycle, 100-watt daytime ation at San Diego; application of olonial Network, Inc., for a 720-locycle, 1,000-watt station at Provi-nce.

Feb. 3, before the commission—Ap-ications of the Metropolis Co. for a 290-kilocycle, 250-watt station at cksonville; Ann Arbor Broadcast-g Co., Inc., for a 1,550-kilocycle, 000-watt station at Ann Arbor; Bel-ngham Publishing Co. for a 1,420-locycle, 100-watt station at Belling-m, Wash.; Curtis Radiocasting orp. for a 1,500-kilocycle station at dianapolis, 100 watts night, 250 atts day, and WSOC, Charlotte, for ange of frequency from 1,210 to 600 locycles and increase of power from 0 watts night, 250 watts day, to 250 atts night, 1,000 watts day.

ame Free & Peters As Agent for KSFO

San Francisco, Jan. 3.—Effective mediately Free & Peters, Inc., will ecome national sales representatives KSFO, CBS station here. Pre-iously represented by John Blair & o., KSFO released them from the ntract which had three years to run.

Conklin Joins WJSV

Washington, Jan. 3. — A. D. illard, Jr., manager of WJSV, has dded J. Eugene Conklin to the sta-on's commercial staff as a salesman.

Transmitter of KNX To Be Shown Public

Hollywood, Jan. 3.—Listeners will have a chance to acquaint themselves with the secrets of transmission when the new KNX transmitter goes into operation. Construction will start in January. The central portion of the transmitter building is being designed so that visitors may watch the controls and apparatus at work.

J. L. Middlebrooks, liaison engineer for CBS, says the public will be invited every day to visit the transmitter and watch the mechanical side of radio.

Groundbreaking will take place about Jan. 10 so that the transmitter will be completed at about the same time as the new CBS studios and office building in Hollywood.

Sealtest Will Keep Its "Musical Stars"

"Rising Musical Stars," sponsored by Sealtest Laboratories Sundays from 10 to 10:30 P. M. on the NBC-Red, has been renewed for another cycle of broadcasts. The program presents rising young vocalists in cycles, each cycle embracing performers appearing in three-week sequences, carrying a cash prize of $500 to each winner, and a $1,000 prize each 12 weeks. McKee, Albright & Ivey is the agency handling the account.

Saphier Is Small's Representative Here

The James L. Saphier organization has been appointed eastern radio representative for the Small Co. of Hollywood. Saphier is now in Hollywood and James L. Stirton is general manager of the New York office.

Samuel Paley Sells Stock

Washington, Jan. 3.—Disposition in November of 5,000 shares of CBS Class A stock by Samuel Paley, Philadelphia, director, has been reported by the S.E.C. in its semi-monthly summary of the transactions of officers and directors in the securities of their corporations. At the close of the month, Paley held 18,200 shares of Class A, 2,000 shares of Class B and 26,000 Class B voting trust certificates, it was shown.

WMT Signs Union Deal

Cedar Rapids, Jan. 3.—WMT, in Cedar Rapids and Waterloo, has signed an agreement with the local musicians' unions in the two cities to spend $12,500 a year for the next two years in hiring union musical talent. WMT recently opened studios in the Paramount Theatre Bldg. in Cedar Rapids.

Harris Resigns from KDYL

Salt Lake City, Jan. 3.—Richmond T. Harris, production manager of KDYL, has resigned to open his own advertising agency. Harris has been employed by the intermountain Broadcasting Corp. since 1929. He will have offices in the First National Bank Bldg. here.

IATSE Takes Over Equipment Union

The I.A.T.S.E. yesterday assumed jurisdiction over theatre sound equipment service men. Contracts signed with servicing companies last week became effective.

Under the terms of the new contracts service men will receive $80 per week and special inspectors $110. Erpi formerly paid service men $65 weekly and special inspectors received $80 to $85. RCA Photophone paid service men approximately $40 per week and special inspectors about $70. A maximum of 54 hours per week is established in the pacts.

L. W. Conrow, head of Altec Service Corp., which took over Erpi's sound service about one month ago, stated yesterday that the increase in wage scales would not bring about a rise in that company's servicing charges. He said that Altec had been paying the schedules established by Erpi and that the differential could be absorbed without an increase in rates.

Photophone Silent

RCA Photophone, for whom the wage differential is more marked, had no official statement to make yesterday on the possibility of an increase in its rates. Company sentiment, however, appeared to indicate that a raise is inevitable.

With the I.A.T.S.E. obtaining jurisdiction over the equipment service men, the regular employes of the service companies will be admitted to I. A. membership. This agreement disposes of earlier efforts of already established I. A. locals to enter the sound service field and displace service men with members of the locals. Such a move was threatened last fall by several of the large projectionists' unions which wanted their unemployed members absorbed by the new union service field.

Early efforts to organize the service men resulted last summer in Erpi and Photophone men being refused admittance to projection booths in several large midwestern cities by I. A. projectionists. About 250 to 400 service men are affected by the contracts with the union.

More Funds Sought In Monopoly Cases

(Continued from page 1)

that at St. Louis, is between $100,000 and $150,000, it was pointed out, and present appropriations permit the bringing of but a few cases annually.

Because of this situation, Cummings said, the policy of the department is to select for intensive investigation only those complaints which show the most flagrant cases of violation and in which the greatest public interest is involved.

Allied Will Await Theatre Law Test

(Continued from page 1)

will not move to have similar measures introduced to any of the state legislatures now convening.

Steffes will go to Washington from here to assist with preparations for the annual meetings of the Allied board of directors there, Jan. 18 and 19.

Studio Technicians Favor International

(Continued from page 1)

dent, stated, "I would like to see the time come when you in Hollywood sit in studios like we do in theatres." Browne left today for Washington.

A telegram from Louis Krouse, general secretary to William Bioff, personal representative to Browne, asked him to return to Washington for important organization work. The Krouse wire said, "Due to events transpiring that are of vital importance to labor in our industry and to our organization in particular, President Browne instructed me to advise you to arrange your affairs so as to be able to devote your entire time to these matters in our Washington office at the earliest possible moment." Bioff will leave in a few days with Harland Holmden, international vice-president in charge of the west coast office here.

The vote of locals here definitely ends as far as I. A. T. S. E. officers are concerned the campaign among certain member factions for autonomy inasmuch as the balloting so highly favors continuance of the present rule. Local 37 voted 3,446 for the present rule and 32 against. Bioff's recall to Washington apparently is made to further extensive plans for the continued organization of exchange and theatres workers to strengthen the alliance all over the nation in other departments than projectionists.

MPTOA Will Press 10-Point Program

(Continued from page 1)

to have the program adopted on the distributors.

"We are determined to keep pressing the matter with all of the resources at our command," the bulletin declares. "Nothing else matters except the breaking down of the unyielding resistance of the major distributors to active cooperation with the exhibitors on these proposals."

In a section of the bulletin given over to a discussion of radio competition with the theatre Kuykendall advances the belief that the "situation ultimately will correct itself," pointing out that ineffective radio performances eventually will injure a star's popularity to such an extent that his or her earning power will be reduced and that the producing companies now sponsoring Hollywood broadcasts have theatres of their own to be injured in the event that the air programs compete in any way with theatre business.

Silverstone to Tarry

Maurice Silverstone, United Artists managing director for England, will remain in New York for at least a week, he stated yesterday on his arrival here from the coast. He said that the time would be occupied by conferences with home office executives.

Alexander Korda expects to remain in New York for several weeks.

Honor Astaire, Rogers

Fred Astaire and Ginger Rogers were nominated the two film players who have done the most to interest the public in dancing, at the third annual convention of the Dancing Teachers' Business Ass'n.

Declines Are Shown In Film Securities

(Continued from page 1)

present in the current situation, particularly with respect to the film industry.

Prominent among these statements at the year end was the report of Loew's, Inc., for the fiscal year ended Aug. 31, 1937, which showed net earnings of $14,426,062, or $8.62 a share on common stock, against $11,076,823, or $6.79 a share in the preceding year.

Other encouraging reports as 1937 drew to a close included one by Universal Pictures, which announced that the company had operated at a profit in the fourth quarter, ended on Nov. 1, for the first time since the last quarter of 1935.

The biggest drop in valuation among film shares for 1937 was shown by Warner common, which depreciated $45,825,000 in market value as the stock closed the year with a loss of 11¾ points at six. Early in the year, at which time all film shares were hitting new highs since 1932, the stock touched 18.

Paramount was heavily traded, touching a high of 28¾ in January, making its low of 8½ in October, and closing at 9⅝, off 9⅝, and $23,800,000 in market valuation, for the year. Loew's finished 1937 at 45, off 21¼, or $34,000,000 in market valuation, for the year.

Nearly all the 1937 lows made by picture stocks were touched on Oct. 19, when the general market suffered its most severe setback since the 1929 crash. The highs in most instances were made in January, when all groups of stocks were engaged in an extension of the 1936 uptrend.

Picture issues on the bond and curb markets also participated in the general decline. Most heavily traded film share on the curb was Grand National, which closed at ¾, off 2⅞. Technicolor was active, touching a high of 34, a low of 14, and closing at 16½ for a loss of five points from the 1936 final. On the bond market, losses ranged from four points in Loew's 3½s of 1946 to 38½ points in Rad[illegible] Keith-Orpheum 6s of 1941. E[illegible]tional steadiness was shown by [illegible]mount 3¼s of 1947.

Motion Picture Stocks in 1937

High and Low in Stock and Bond Trading for Five Years

Closing Prices Are as of Dec. 31, 1937

	1937							1936		1935		1934		1933	
Stock and Dividends	Sales	High	Date	Low	Date	Last	Net Change	High	Low	High	Low	High	Low	High	Low
Columbia Pictures vtc. (1½A)	177,200	39½	Jan. 20	10	Oct. 19	12	—24	45½	31	81	34¼	41⅜	21½	28	6⅝
Columbia Pictures pfd. (2¾)	14,700	46⅛	Jan. 20	25¾	Oct. 19	27	—15¾	51¼	39½	49⅞	43½	not listed		..	..
Consolidated Film	135,100	5¾	Jan. 20	1	Oct. 19	1⅝	— 3⅜	7⅛	4⅛	7½	3¼	6¼	1⅝	5¾	1¾
Consolidated Film pfd. (½B)	124,400	18¾	Jan. 9	4¼	Oct 19	5½	—11½	20⅛	15¼	22⅛	14¼	20¼	10⅜	14¾	5⅞
Eastman Kodak (8A)	161,400	198	Aug. 16	144	Nov. 24	160½	—14½	185	156	172¼	110½	116½	79	89¾	46
Eastman Kodak pfd. (6)	3,720	164	Nov. 4	150	Apr. 2	156	— 7½	166	152	164	141	147	120	130	110
General Theatre Equip. (1¼C)	205,400	33¾	Jan. 25	9½	Oct. 19	11⅞	—19	not listed		...	...	..	..	..	..
Keith-Albee-Orpheum pfd. (10½B)	1,190	110	Jan. 14	80	Nov. 20	80	—30	110	80	90⅛	34	37½	20	25	8
Loew's Inc. (7½C)	1,010,400	88⅞	Aug. 11	43⅝	Dec. 27	45	—21¼	65¾	43	55⅞	31¼	37	20⅜	36½	8½
Loew's, Inc., pfd. (6½)	14,800	110	Jan. 23	99¾	Nov. 24	105½	— 1½	108⅞	104½	108¾	102	105	72	78⅛	35
Paramount	5,050,900	28¾	Jan. 28	8½	Oct. 19	9⅝	—14⅞	23¼	7⅛	12	8	not listed		..	..
Paramount 1st pfd. (6)	114,100	200½	Jan. 28	80½	Oct. 19	84¾	—87¾	170	59	101¾	67	not listed		..	..
Paramount 2nd pfd. (1.20)	581,500	26¾	Jan. 28	8	Oct. 19	10½	—11⅝	21¼	8⅛	14¼	9¼	not listed		..	..
Pathe Film Corp.	525,100	10½	Jan. 20	4	Oct. 19	5	— 4¾	11⅞	6⅝	8⅛	4⅞	not listed		..	..
Radio-Keith-Orpheum	1,511,300	10⅛	Apr. 19	2¼	Oct. 19	4	— 4⅛	10⅞	5	6	1¼	4¼	1½	5¾	1
20th Century-Fox (2½C)	604,200	40⅞	Mar. 13	18½	Oct. 19	19⅞	—15¾	38⅝	22½	25¾	13	not listed		..	..
20th Century-Fox pfd. (1½)	56,200	50	Mar. 13	25	Nov. 23	26⅜	— 17⅝	47¾	31⅜	32	24⅝	not listed		..	..
Universal Pictures, pfd.	6,080	108	Jan. 18	29	Oct. 20	29	—72	115	50	73	29	46½	16⅞	35	10
Warner Brothers	2,604,300	18	Jan. 5	4¾	Oct. 19	6	—11¾	18⅜	9¼	10⅜	2¼	8¼	2¾	9⅛	5¼
Warner Brothers, pfd.	8,380	69½	Jan. 23	36	Oct. 19	34	—33	69	44	52	14½	31⅞	15	24½	15½

A—Including extras; B—Accumulated; C—So far this year.

Curb Exchange Sales

	1937							1936		1935		1934		1933	
Stock and Dividend	Sales	High	Date	Low	Date	Last	Net Change	High	Low	High	Low	High	Low	High	Low
Columbia Pictures common (1A)	925	39	Jan. 20	29	June 14	29⅜	— 4⅝	45	34	73	38	35	24½	27¼	8¼
Grand National Films	551,300	4¼	Jan. 20	½	Nov. 23	¾	— 2⅞	4⅝	2⅛	not listed		..	..	..	..
Monogram Pictures	19,400	2⅜	Sept. 23	1	Oct. 19	1½	unch.	not listed		..	..	..	..	..	..
Sentry Safety Control	40,700	1¼	Jan. 26	¼	Oct. 20	5/16	— ½	1⅝	½	⅞	¼	½	⅛	⅝	⅛
Technicolor (¾)	489,800	34	Aug. 16	14	Oct. 19	16½	— 5	32½	17¾	27	11⅝	14¾	7⅝	14	2⅝
Trans-Lux DPS (.20A)	191,900	5¼	Feb. 26	1⅝	Oct. 19	2⅝	— 1⅞	5½	3¼	4⅜	2	3⅛	1⅛	3¾	1⅛
Universal Pictures	13,800	19	Jan. 18	3⅛	Oct. 19	5	— 4½	16¾	4¼	8	2	5½	3	4	1

A—Including extras; B—Accumulated; C—So far this year.

Bonds on Stock Exchange

	1937							1936		1935		1934		1933	
Bond and Maturity	Sales	High	Date	Low	Date	Last	Net Change	High	Low	High	Low	High	Low	High	Low
Keith 6s '46	$652,000	100	July 10	82½	Oct. 19	82½	—16	100	92	95¾	67½	73½	51	61	29½
Loew's 3½s '46	2,784,000	101¼	Jan. 2	95½	Oct. 19	97¼	— 4	102	96	not listed		..	..	..	..
Paramount 6s '55	3,380,000	105½	Feb. 10	88	Dec. 31	88	—12⅛	101¼	83	97⅜	84¾	not listed		..	..
Paramount-Broadway 3s '55	629,000	75¼	Mar. 17	59	Nov. 27	60	—12¼	73	55	63	54⅛	47	30	38	27½
Paramount 3¼s '47	1,690,000	96¾	July 22	71	Nov. 29	77⅜	unch.	not listed		..	..	..	..	..	..
Radio-Keith-Orpheum 6s '41	669,000	126½	Jan. 13	75	Dec. 27	77	—38½	122	63	88¾	26½	41	18¼	30	8½
Warner Brothers 6s '39	4,064,000	100¼	Jan. 25	70	Oct. 19	74½	—25	100¼	86	89½	48½	67	40⅞	48	12

Comparison of Valuations of Stock Issues—1936-'37

Stock	Approx. Shares Listed	Close 1936	Valuation	Close 1937	Valuation	Net Change	
Columbia Pictures vtc.	290,000	36	$10,440,000	12	$3,480,000	—24	—$ 6,960,000
Columbia Pictures pfd.	75,000	42¾	3,206,250	27	2,025,000	—15¾	— 1,181,250
Consolidated Film	530,000	5	2,650,000	1⅝	861,250	— 3⅜	— 1,788,750
Consolidated Film pfd.	400,000	17	6,800,000	5½	2,200,000	—11½	— 4,600,000
Eastman Kodak	2,300,000	175	402,500,000	160½	369,150,000	—14½	— 33,350,000
Eastman Kodak pfd.	60,000	163½	9,810,000	156	9,360,000	— 7½	— 450,000
General Theatres Equipment	600,000	30⅞	18,525,000	11⅞	7,125,000	—19	— 11,400,000
Keith-Albee-Orpheum pfd.	65,000	110	7,150,000	80	5,200,000	—30	— 1,950,000
Loew's, Inc.	1,600,000	66¼	106,000,000	45	72,000,000	—21¼	— 34,000,000
Loew's, Inc., pfd.	140,000	107	14,980,000	105½	14,770,000	— 1½	— 210,000
Paramount	1,600,000	24½	39,200,000	9⅝	15,400,000	—14⅞	— 23,800,000
Paramount 1st pfd.	250,000	172½	43,125,000	84¾	21,187,500	—87¾	— 21,937,500
Paramount 2nd pfd.	650,000	22⅛	14,381,250	10½	6,825,000	—11⅝	— 7,556,250
Pathe Film Corporation	600,000	9¾	5,850,000	5	3,000,000	— 4¾	— 2,850,000
Radio-Keith-Orpheum	1,400,000	8⅛	11,375,000	4	5,600,000	— 4⅛	— 5,775,000
20th Century-Fox	1,600,000	35⅝	57,000,000	19⅞	31,800,000	—15¾	— 25,200,000
20th Century-Fox pfd.	1,000,000	44	44,000,000	26⅜	26,375,000	—17⅝	— 17,625,000
Universal Pictures, pfd.	20,000	101	2,020,000	29	580,000	—72	— 1,440,000
Warner Brothers	3,900,000	17¾	69,225,000	6	23,400,000	—11¾	— 45,825,000
Warner Brothers, pfd.	100,000	67	6,700,000	34	3,400,000	—33	— 3,300,000
			$874,937,500		$623,738,750		—$251,198,750

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 3 NEW YORK, WEDNESDAY, JANUARY 5, 1938 TEN CENTS

CBS to Seek New Talent, Novel Ideas

W. D. Lewis Outlines His Plans for the Year

HOLLYWOOD, Jan. 4.—A search for new talent and ideas for CBS will take definite form soon with the entire network participating, said Wilbur D. Lewis, CBS vice-president in charge of programs, today.

Last year Lewis conceived the idea for the CBS Shakespearean cycle. During the coming spring and summer CBS key stations contributing broadcasts to the circuit will give undeveloped talent opportunities. Programs will not be limited to any definite type, Lewis said.

A special talent scout will make a nationwide tour. Stations will put on programs for unknown talent on Saturday afternoons.

"Meet America" programs are planned for use by any station that wants them, whether or not affiliated with CBS. Lewis also said that within a year CBS will expand its series

(*Continued on page* 13)

Massachusetts Has Radio Control Bill

BOSTON, Jan. 4.—A bill creating a state radio commission and providing for the licensing and regulating of radio stations by Massachusetts authorities was filed with the legislature today by Representative Philip Bowker.

The measure provides for control over the use and occupancy of all premises within the state upon which radio stations may be operated. It also states that "for the further protection of the public morals and the public safety the commission shall have

(*Continued on page* 13)

Mutual '37 Billings Totaled $1,862,820

Mutual billings for 1937 amounted to $1,862,820, the total swelled by the excellent business enjoyed in December, the latter the best single month for Mutual since the spring of 1937.

The December billings were $193,496, a 10.6 per cent rise over the billings for the same month last year.

The 12-month total, however, was slightly under the 1936 total, the percentage of difference being 1.2.

More Radio—P. 13

FTC Is Told Music Group Eyeing Films

Fear Monopoly in Taking Over Small Concerns

By BERTRAM F. LINZ

WASHINGTON, Jan. 4.—Music publishing activities of film producers are being watched by the Music Publishers Protective Ass'n and may be the subject of a complaint to the Dep't of Justice, if acquisitions of independent publishers progress to a point where monopoly is threatened, Joseph V. McKee, counsel for the association, told officials of the Federal Trade Commission today.

McKee, urging adoption of the proposed anti-plugging code for the popular music publishing industry at a hearing before Director McCorkle and Assistant Director Miller of the Trade Practice Conference Division of the F. T. C., declared that the activities of the producers threaten the continuance of the independent publishers. His views were supported by Edward B. Marks, one of the leading independ-

(*Continued on page* 6)

Holiday Production Falls to 27 Films

HOLLYWOOD, Jan. 4.—Holiday week shooting dropped to 27 pictures before the cameras, the lowest of the year. One, Hal Roach's "Swiss Miss," Laurel and Hardy feature, started, and seven finished. Seventeen are being prepared, and 66 are being edited.

The tally by studios:

Columbia finished two, had one shooting, none preparing, and nine being edited; Goldwyn, zero, zero, zero, two; Grand National, zero, zero, zero, one; M-G-M, zero, three, one, five; Monogram, zero, one, one, two; Paramount, one, four, three, 10; Principal, zero, zero, zero, three; Republic, one, two, one, two; RKO, zero, four, one, three; Roach, zero, two, zero, zero; Selznick, zero, zero,

(*Continued on page* 6)

Play Bureau Seeking Financing of Writer

The Bureau of New Plays, an organization sponsored by major film companies to discover and encourage new playwriting talent following the 1936 split with the Dramatists' Guild, yesterday met the guild's recent threat to boycott young dramatists associated with the bureau by issuing a challenge

(*Continued on page* 6)

20th-FOX NET 10 MILLION—SCHENCK

Best Yet for Company, He Says; Theatres Will Contribute

Twentieth Century-Fox will show an estimated net profit of $10,000,000 for 1937, Joseph M. Schenck, chairman of the board, stated yesterday on his arrival here from the coast.

The earnings statement will be the best in the company's history and while it will reflect for the first time the earnings of National Theatres, which has been in reorganization during prior years, the parent company will receive dividends on only 42 per cent of the theatre company's stock, as contrasted with the 100 per cent ownership of theatre subsidiaries by most other large companies, it was pointed out.

Schenck stated that negotiations for the purchase by 20th Century-Fox of Chase National Bank's 58 per cent interest in National Theatres, which were under way several months ago, have been suspended with little likelihood of their being resumed in the near future.

"This is neither a seller's nor a buyer's market," Schenck commented.

Questioned concerning reports that

(*Continued on page* 7)

Kent Denies Any Plan to Retire; Health Gaining

Sidney R. Kent has no intention of retiring from an active capacity in 20th Century-Fox and the industry, he informed MOTION PICTURE DAILY yesterday.

Replying to reports which have been in circulation for the past few weeks, Kent declared, "When I'm flat on my back I'll retire, and when I am I'll be dead. I would be if I quit work, too."

Kent said his health had improved materially in recent weeks, but he is maintaining "an abbreviated work schedule" to hasten recovery from a recent illness. He plans to leave for Florida early next week for a rest.

He expressed himself as highly gratified over the company's operating results for the year just closed, declaring he believed it to be the best in the company's history.

Enough Applications In for Probe of GB

By AUBREY FLANAGAN

LONDON, Jan. 4.—The committee of shareholders of Gaumont British today reported receipt of the application forms for a Board of Trade inquiry into the affairs of the company from stockholders representing a total of 1,042,870 shares. The number exceeds the 10 per cent stipulated by law as necessary before such action may be taken.

Charles Nordon, head of the committee, has declared that he anticipates gaining still further support for his demand for an investigation from various investment trusts. He indicated that he may issue a further communication to stockholders on the situation, or may proceed immediately with the move for a Government inquiry into the company's affairs.

Trade Practice Meet May Be Held Shortly

The long delayed meeting of exhibitor organization leaders to formulate a "united front" in dealing with distributors on trade practice problems may be held next week or the week after, Harry Brandt, president of the I.T.O., said yesterday.

Brandt, who is sponsoring the meet-

(*Continued on page* 6)

Para. Group Off for New Orleans Tonight

The Paramount home office delegation to the company's two-day sales meeting being held in New Orleans Friday and Saturday will leave here tonight in time to arrive in New Orleans tomorrow evening.

The home office party, which will meet with district managers from the field, includes Neil Agnew, vice-president in charge of distribution; J. J. Unger, Charles M. Reagan, G. B. J. Frawley, Alec Moss and Don Velde,

(*Continued on page* 7)

RCA Plans No Rise In Service Charges

RCA Photophone will not increase its service charges to exhibitors as a result of the unionization of the sound service field with its accompanying large increase in salaries of service men, E. C. Cahill, service manager for the company, said yesterday.

L. W. Conrow, president of Altec Service Corp., stated earlier that the prevailing service charges of his company would continue unchanged. Altec signed contracts with the

(*Continued on page* 7)

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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Finestone Joins Daily

A. L. Finestone, formerly with *Motion Picture Herald* and *Box Office,* has joined the editorial staff of Motion Picture Daily.

From 1931 to 1935 Finestone was the *Herald's* correspondent in Kansas City. In 1936 he was transferred to the home office editorial staff.

O. R. Harvey Dies

Montreal, Jan. 4.—O. R. Harvey, general manager of Dominion Sound Equipments, Ltd., Canadian agency for Western Electric and RCA sound systems and service, is dead here of heart failure.

I. V. Hart Passes

Baltimore, Jan. 4.—I. V. Hart, for many years active in theatre work here as a publicity agent and lately engaged by Keith's, the Maryland and Auditorium, died at his home yesterday. He underwent two major operations recently.

Start "Antoinette"

Hollywood, Jan. 4.—"Marie Antoinette" went into production yesterday at M-G-M. Norma Shearer has the title role and is supported by Tyrone Power and Robert Morley.

Purely Personal

W. G. VAN SCHMUS, managing director of the Music Hall, will leave today for the coast, to be gone about three weeks on an annual product survey.

•

George Pratt, Erpi west coast division manager, is due here in a few days for conferences with Whitford Drake, president, who will return from a Florida vacation this week.

•

Richard Wormser's story, "Featherfingers Takes a Drink," and "Three Loves Has Nancy" by Lee Loeb and Mort Braus, have been purchased by M-G-M.

•

Matthew M. Levy has resigned as counsel for operators' Local 306, following his appointment as a Municipal Court justice by Mayor LaGuardia.

•

Lucien Hubbard, James Hogan and Charles C. Cook are en route to Texas to seek locations for Paramount's forthcoming "Marching Herds."

•

Miriam Howell this week assumed her new post as eastern story editor for Samuel Goldwyn. She was formerly with Leland Heyward.

•

John Hay Whitney will leave today for the coast, flying to Chicago and continuing from there by train. He will be gone indefinitely.

•

Max Roth, midwest Republic district manager, has gone back to Chicago after several days here conferring with circuit heads.

•

Thomas Orchard, March of Time associate producer, has returned to New York after a week in Pittsburgh.

•

Howard Dietz plans to remain on the coast about three weeks. He arrived in Culver City yesterday.

•

Sally Fisher of the Allied of N. J. office is among those making the southern cruise.

•

Harry Sherman is in from the coast.

Alley Leaves Chicago

Chicago, Jan. 4.—Norman Alley, Universal newsreel cameraman who shot the pictures of the *Panay* incident in China, today checked out of the Blackstone Hotel. It is reported that he is bound for New York. Rumors that he contemplates a change are denied by his friends here.

Form Cavalcade Pictures

Cavalcade Pictures, Inc., has been formed here to distribute commercial pictures. The company is headed by Andrew Bryne, formerly of Signer and Bryne, producers of commercial subjects, who plans to establish 32 exchanges throughout the country.

Ampa Meets Tomorrow

The Ampa resumes its weekly meetings tomorrow at the International Casino. Ralph Rolan, president, is expected to preside. A program of entertainment is being worked out.

Union Beau Geste

Kansas City, Jan. 4.—A nine-inch, four-column advertisement was purchased in the Kansas City *Star* January 2 by Stage Employes' Local 31 and Musicians' Ass'n Local 34 to thank the Fox Tower and the Musical Hall for stage shows in 1937.

Horne Plans Office As Producer Agent

Hal Horne yesterday declared he will open offices in the RKO Bldg. to act as a producers' representative, with clients including Walt Disney Prod., Edward Small Prod. and a group of British producers whom he did not identify.

Horne said he would have an interest in the Small company, which is now in process of organization. Small's last affiliation was with Harry Goetz, distributing through U. A. Production and distribution plans of the new company are still to be set, Horne said.

Hal Sloane continues in charge of Disney's eastern office.

Cameramen to Pick Own Awards Winner

Hollywood, Jan. 4.—A vote of all directors of photography in the industry will determine the Award of Achievement in Cinematography presented by the photographic section of the Technicians' Branch of the Academy, it has been decided by the awards committee of the organization. Previously the photography winner has been decided by a vote of the entire membership.

Nomination procedure this year will not change—each director of photography in the industry will name two productions for consideration. They may be his own work or that of another cinematographer.

Cagney to Complete G. N. Pact—Alperson

James Cagney will complete his contract commitments with Grand National and production on "Angels with Dirty Faces," his next for the company, will get under way at once, Edward Alperson, Grand National president, said on his return from the coast yesterday.

Cagney will return to Warners on March 14 but his next Grand National picture is expected to be completed by that time.

Hays to Coast Jan. 18

Will H. Hays is scheduled to leave on his annual winter trip to the coast Jan. 18 or 19. He delayed his trip until after the Poor Richard dinner in Philadelphia Jan. 17 when he is to receive the advertising club's gold medal of achievement.

MPPDA Board Meets

An adjourned meeting of the board of the M. P. P. D. A. was held yesterday. No statement was issued following the session. Will H. Hays, president, plans to leave for Hollywood for an extended stay shortly after the middle of the month.

Warner Coast Meet Will Date Releases

Hollywood, Jan. 4.—Warner production conferences now in progress here are being attended by Harry M. and Jack L. Warner, Hal B. Wallis, Joseph Bernhard, Gradwell L. Sears, S. Charles Einfeld and Sam Schneider. At the conference, release dates will be set for the product to be offered during the Sears Drive, which is now in its second week.

The new pictures include "Tovarich," "Hollywood Hotel," "Gold Is Where You Find It," "Swing Your Lady," "Girls on Probation," "Sergeant Murphy," "The Kid Comes Back," "Penrod and His Twin Brother," "Jezebel," "A Slight Case of Murder," "Food for Scandal" and "Women Are Like That."

Set New Powell Vehicle

Hollywood, Jan. 4.—Warners will star Dick Powell in "The Dude Rancher," a new musical to go into production next week. Mary Maguire and Pat O'Brien will be featured in support.

Legion Commends Decision of Graves

The National Legion of Decency, in a communication signed by Rev. John J. McClafferty and Mrs. James F. Looram, has commended Frank R. Graves, Commissioner of Education of New York State, for his action in upholding the decision of state censor banning the film, "Birth of a Baby."

The communication from the Legion of Decency declared the organization's belief that the endorsement of the film by several reputable medical organizations was based on the picture's scientific and technical merit, and not as theatre entertainment.

The latter points out that the film is a "definite violation of the Production Code which governs the film production of the companies signatory to the Code." The Legion's reviewers, according to the letter, "unanimously agreed with the decision" rendered by Graves, that the picture is "indecent, immoral and would tend to corrupt morals."

Goetz Returns with Plan for New Plays

Harry M. Goetz, president of Max Gordon Plays & Pictures, Inc., returned to New York from the coast yesterday with plans for trying out several new plays on Broadway. One is "Spring Thaw," now playing in Baltimore and which may be opened on Broadway later. Goetz withheld the title of the second which he said is not ready for production yet.

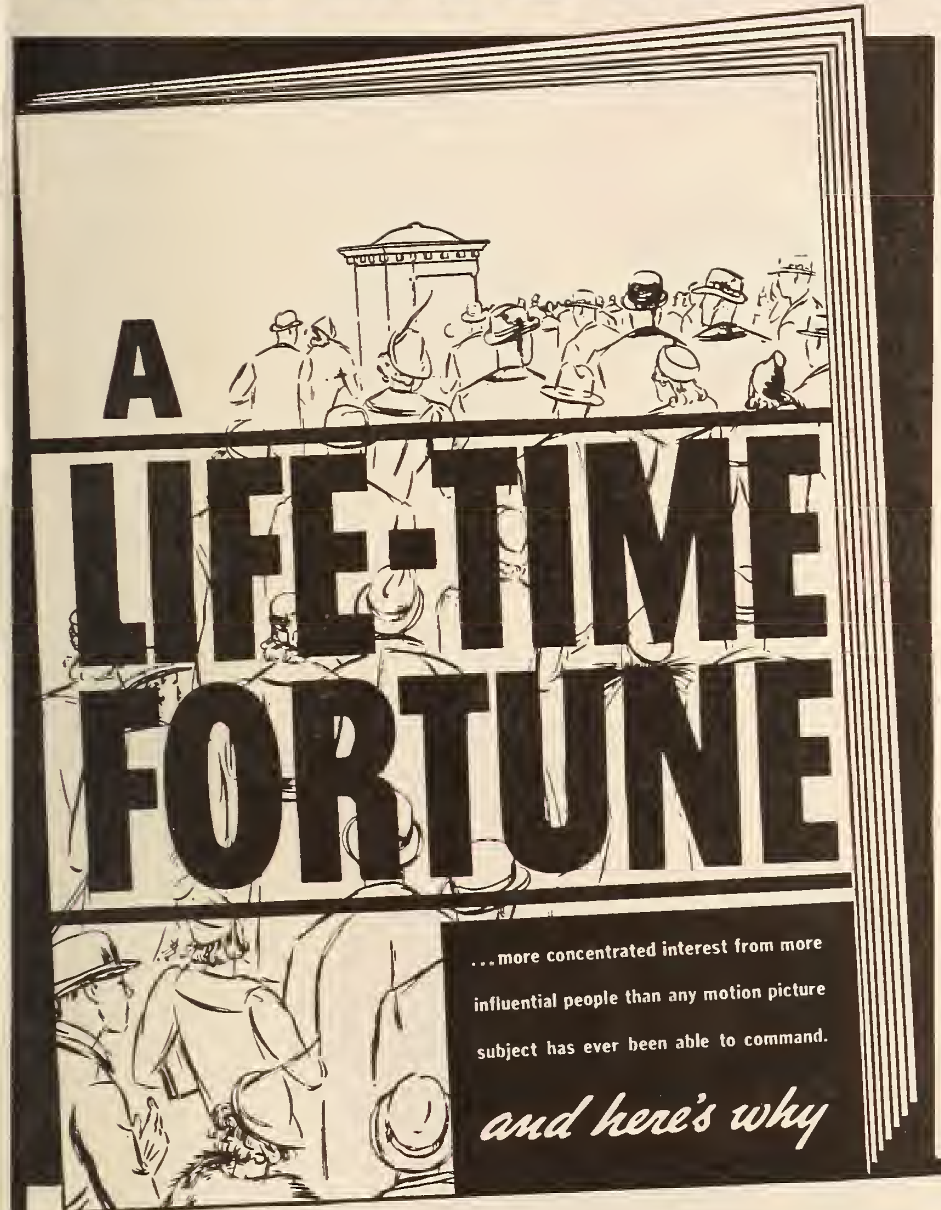
Neither play has been set for film production, but plans for proceeding with Hollywood production of "The Women," one of his company's properties, are continuing, Goetz said.

To Honor Louis Sobol

A luncheon in honor of Louis Sobol, Broadway columnist, will be held at the Hotel Astor on Jan. 14, under the sponsorship of a committee of representative amusement personalities. Ed Wynn is chairman of the luncheon committee. The luncheon is in connection with Sobol's work for the campaign of the Federation for the Support of Jewish Philanthropic Societies.

DON'T MISS THE

MARCH OF TIME



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(ISSUE OF JAN. 8)

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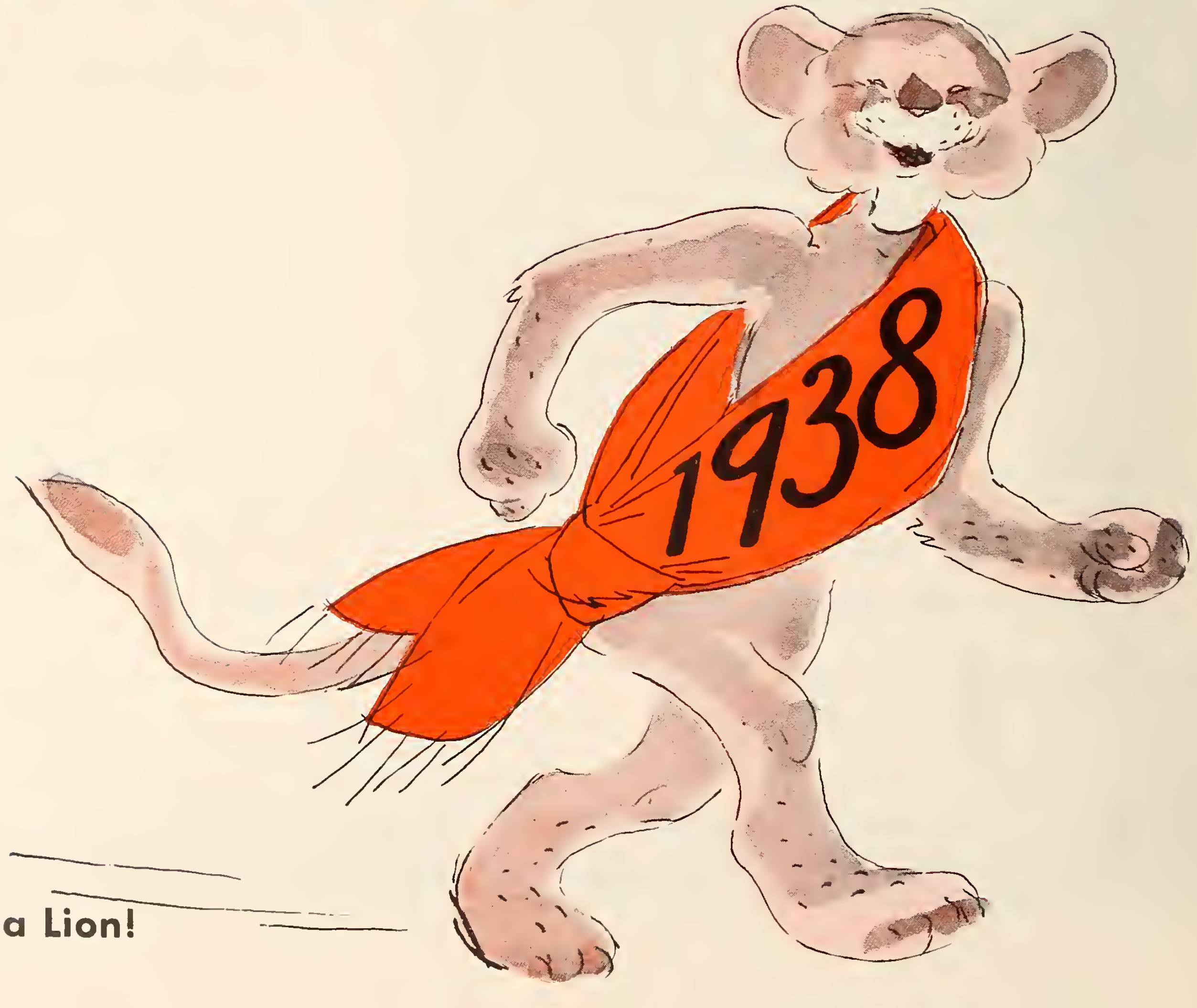


1938 is a Lion!

Nelson Eddy and Eleanor Powell

EVERYTHING'S "ROSALIE"!

Biggest opening at the Capitol, N. Y. since the inauguration of the straight picture policy three years ago! And all over the nation merry crowds are chanting "Rosalie I Love You." What a delightful way to start a brand new year!

Myrna Loy, Rosalind Russell, Franchot Tone

"MAN-PROOF" MARVELOUS!

Just after she's elected No. 1 Feminine Star of the Screen, Myrna Loy proves they not only vote for her in the nationwide poll but they say it with cash at the box-office. From Coast to Coast they're hailing Myrna in "Man-Proof."

Joan Crawford, Spencer Tracy

NEXT COMES "MANNEQUIN"

The best Joan Crawford picture in five years is the unanimous opinion of reviewers and the wise boys of Film Row. Joan's drama of a shopgirl's millions is down-to-earth in the "Possessed" manner. And another triumph for Tracy! "Mannequin" is *Money!*

THE COAST TIP-OFF!

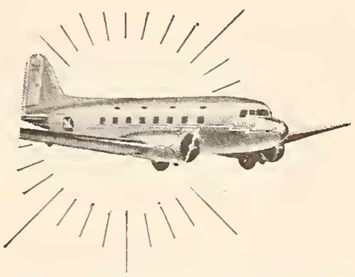
LEO HAS HIT A HIT-STRIDE THAT'S TERRIFIC!

Watch the trade papers for more!

ONE AIRLINE

takes you through Southern Sunshine

TO CALIFORNIA!



Nature designed this all-year airway . . . and only American uses it!

TURNING south out of New York, American's all-year route takes you quickly through Washington into Tennessee's friendly climate. Continues down to Texas and then across the sunny plains and deserts of the Southwest to California . . . Overnight!

This all-year route and American's giant Flagships explain why American carries more passengers than any other air line in the world. During the first 11 months of 1937 alone, nearly three hundred thousand people—virtually one-third of all the air travelers in the United States—chose American!

THE ONLY COMPLETE SLEEPER PLANES THROUGH TO LOS ANGELES

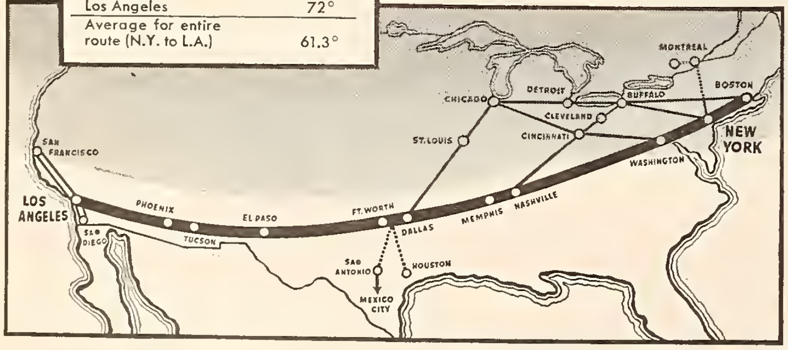
The American MERCURY leaves Newark Airport 5:10 pm, arrives Los Angeles 8:30 am; The SOUTHERNER leaves 9:00 pm, arrives 12:59 pm. No change of planes. Limited stops. Berths as large as twin beds for every passenger. Hot meals served without charge.

Quick Facts About American's Southern Sunshine Route

	Av. Winter Temper. (Doytime)
Noshville	52°
Memphis	64°
Ft. Worth-Dollas	72°
El Paso	74°
Tucson	74°
Phoenix	74°
Los Angeles	72°
Average for entire route (N.Y. to L.A.)	61.3°

FOR RESERVATIONS CALL YOUR TRAVEL AGENT OR VANDERBILT 3-2580

Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th Street



AMERICAN AIRLINES *Inc.*

FTC Is Told Music Group Eyeing Films

(Continued from page 1)

ent producers. who asserted that unless the code serves to equalize competition, his group "hasn't a chance" to survive.

Presentation of the association's plea was made by John G. Paine, former M. P. P. A. executive, who told the commission the code will place all on an equal footing, as it was under the NRA, and that all publishers whom he has approached are heartily in favor of it.

Paine admitted that the producer-owned publishers have decided advantages over the independents, but contended that it would be impossible to eliminate those advantages, arguing, however, that once competition was based on the worth of the musical compositions offered the independents would have a better chance. Denial of the code, he said, would imply that the commission saw no objection to paid plugging, in which event the independent would have no chance against the almost unlimited funds of the producer companies.

No Opposition to Code

With only a half-dozen representatives of the industry present at the hearing, there was no argument over any provisions of the code to which, as a whole, no opposition whatever was voiced. Lack of heavier attendance was attributed to the fact that the whole question was thoroughly canvassed at the first hearing on the code last October.

The large producers already have acquired a number of leading independent houses and are making overtures to many others, the F. T. C. officials were told. Already they dominate the industry to large extent because of their ability to secure publicity over the radio to a much greater extent than their independent competitors. At the close of the hearing, Director McCorkle announced the commission would take the code proposals under consideration. Since they were largely written by commission experts, it is anticipated approval will be announced in the near future.

No Music Talks Yet, Declares Pat Casey

Pat Casey, major studio labor contact, is deferring his return to Hollywood, scheduled for this week, until some time next week. Casey stated yesterday that preliminary arrangements for conferences with Joseph M. Weber of the American Federation of Musicians on spreading employment among studio musicians remain unchanged and that no conferences on the subject will be held here.

Weber plans to leave here next week for a Florida vacation and will go from there to the coast where the conferences with Casey will be held some time in February.

British Film Retitled

London Films has chosen "Troopship" as the final and definite title for its feature formerly known as "Farewell Again."

Play Bureau Seeking Financing of Write

(Continued from page 1)

that the guild establish a fund itsel with which to finance the educatio of the young playwright, replacin the work of the bureau.

The letter, signed by Theresa Helburn of the bureau, addressed to Robert Sherwood, Dramatists' Guil president, said that "if the guild' is meeting for the purpose of ra[illegible] barriers to obstruct our work, is it prepared to carry on this work as effectively as it has been conducted by the bureau?"

The guild, at its annual meeting some time ago, threatened to boycott from active membership in the guild any new playwright who accepted an award from the bureau or had his play produced as a result of the bureau's competitions. Sherwood's reply to Miss Helburn's letter stated that this action had not been taken yet by the guild council but that the matter would be considered at a meeting in the near future.

Trade Practice Meet May Be Held Shortly

(Continued from page 1)

ing, at which he will sit in, yesterday dispatched telegrams to Ed Kuykendall, president of the M.P.T.O.A., and Nathan Yamins, head of Allied States, in an attempt to set a definite date when both could be present in New York.

The organization heads had been unable to agree on a date mutually acceptable and Kuykendall indicated he would attend the meeting when he arrived here from the south some time this month.

Holiday Production Falls to 27 Films

(Continued from page 1)

zero, one; 20th Century-Fox, two, four, three, six; Universal, one, one, three, three; Wanger, zero, zero, zero, zero; Warners, zero, five, four, 19.

M-G-M finished one short subject, leaving none shooting. None started and three are being prepared. Ten are being edited.

Allied Unit to Bermuda

A party of 15 members of Allied Theatre Owners of N. J. will leave today on the *Queen of Bermuda* on a delayed cruise to Bermuda and Havana, to be gone eight days and return Jan. 14. A larger party was to have gone on a southern cruise recently but the trip was canceled by a maritime strike and members went on individual trips. Irving Dollinger, Allied president, returned from a cruise Monday.

Close Play Division

Selznick - International has closed its eastern play reading and talent department, resulting in the laying off of Miriam Meredith, play scout; Dorcas Ruthenberg, play reader, and Anton (Tony) Bundsmann, talent scout.

Sam Smith Returning

Sam Smith, head of British Lion, returned yesterday to England following conferences here with H. J. Yates. Smith is the Republic distributor in Great Britain.

Schenck Sees 20th-Fox Net Of 10 Million

(*Continued from page* 1)

Alexander Korda had been sought by [illegible]th Century-Fox to produce for that company in England, Schenck told Motion Picture Daily that it had been ascertained that Korda could not enter into an exclusive producing arrangement for 20th Century-Fox and that that was the only basis on which the company was willing to engage him for British production. Korda's United Artists commitments bar him from such a deal, it was pointed out. No discussions of a production deal are scheduled with Korda during Schenck's stay in New York, he said.

Schenck, who is also chairman of United Artists Theatre Circuit, expressed himself as satisfied with the 1937 earnings of that group. He said that no expansion of the circuit was planned at this time, but that desirable theatre properties would be added as the opportunity arose. He said that the stock partnership arrangement entered into with the Robb & Rowley Circuit in the southwest last year was "working out well" but that no similar alliances are in work at this time.

Arrived with Zanuck

No changes in the management-operating deals for United Artists Circuit first runs in Chicago and Detroit are in prospect in view of long term deals made last year, Schenck said.

Schenck arrived on the Century with Darryl Zanuck and a studio party to attend the opening of "In Old Chicago" at the Astor tomorrow night. With them were Mrs. Zanuck, Virginia Wertheimer, Alice Faye, Jay Paley, Gregory Ratoff, William Dover and Sid Grauman, Jr. At the station to meet them were Sidney R. Kent, Charles E. McCarthy, Harry Brand and Earl Wingart.

Zanuck described "In Old Chicago" as his "best picture to date." He said that no changes of importance were contemplated in the production staff, but confided that he was grooming a newcomer, David Hempstead, for an associate producer's berth. He said no changes in production schedules were contemplated and that the studio would make between 50 and 54 pictures for next season.

Producer Feted

Zanuck was guest of honor at a cocktail party given by Kent at the Waldorf-Astoria yesterday and tonight will be guest of honor at a dinner being tendered him by Winthrop W. Aldrich and H. Donald Campbell, Chase National Bank heads, at the Union Club. The dinner, which will be attended by men outstanding in financial and professional life, was described by 20th Century-Fox officials yesterday as "a friendly gesture and without other significance."

The studio party plans to leave for the coast this weekend.

Open Washington House

Washington, Jan. 4.—The Congress, new subsequent run house here, has opened.

20th-Fox Stars and Executives Come to Town

Arriving from the coast for a visit and to attend the opening of "In Old Chicago" at the Astor Thursday evening are, in the expected left to right order: Gregory Ratoff, Alice Faye, feminine lead; Joseph M. Schenck, board chairman; Mrs. Darryl Zanuck, Sidney Kent, 20th-Fox president, who acted as official greeter, and Darryl Zanuck, in charge of production, at Grand Central Station yesterday morning. [Photo by Cosmo-Sileo]

RCA Plans No Rise In Service Changes

(*Continued from page* 1)

I.A.T.S.E., which has been granted jurisdiction over the service men, and they are now in effect. RCA Photophone is still negotiating with the I.A. but an official of the company stated yesterday that he saw "no reason why contracts should not be signed ultimately."

The new union pacts establish a 54-hour maximum work week and scales of $80 weekly to service men and $110 to special inspectors. Altec scales formerly ranged from $65 to $85 and Photophone's from $40 to $70.

GB Adds Five Men

GB here has added five new men to the sales staff, as follows: Wade J. Whitman, Cleveland; J. H. Gruben, Dallas; Leonard Soskin, Detroit; Andrew Deitz, St. Louis, and Harry Charnas, Chicago. The RKO Metropolitan Circuit has booked two GB films, "Dr. Syn" and "Non-Stop New York."

Miller Condor Trustee

Los Angeles, Jan. 4. — Federal Judge George Cosgrave has appointed Chester E. Miller as permanent trustee of Condor Pictures, Inc., with instructions to propose plans for reorganization of the production firm under Section 77 B of the Bankruptcy Act. Miller had been temporary trustee.

"Zenda" Big In B.A.

"The Prisoner of Zenda" opened last Saturday at the Cine Opera in Buenos Aires to the biggest first day business in the theatre's history, according to a cable received by U.A.

To Start Branch Bldg.

Portland, Ore., Jan. 4.—Contracts for the construction of the new $20,000 film exchange building have been awarded by George W. Derr, Jr., to Reimers and Jovilette. It will be occupied about March 1.

Para. Group Off for New Orleans Tonight

(*Continued from page* 1)

while from the field force there will be Milt Kusell, W. H. Erbb, P. A. Bloch, H. H. Goldstein, Allen Usher, Oscar A. Morgan, J. B. Dugger, R. C. LiBeau, Hugh Braly, M. H. Lewis, Ben Blotcky, George A. Smith and M. A. Milligan.

Robert M. Gillham, director of advertising and publicity, arrived in New Orleans yesterday to aid William Pine, associate producer, with advance arrangements for the sessions. Cecil B. DeMille is also in New Orleans for the premiere and Eugene Zukor, who will represent the studio, is en route there.

The meetings, which will be held at the Roosevelt, are timed to coincide with the premiere of "The Buccaneer" at the Saenger, Friday. Five trade press representatives, guests of the company for the premiere, will accompany the home office delegation south today. They are Abel Green, *Variety*; Terry Ramsaye, *Motion Picture Herald*; A-Mike Vogel, Motion Picture Daily; "Red" Kann, *Box Office*, and Jack Harrower, *Film Daily*.

The party will leave New Orleans Saturday, returning to New York.

From the coast Akim Tamiroff and Margot Grahame will attend the opening. Gov. Richard W. Leche of Louisiana made mention of the film in his proclamation declaring Jan. 8 a legal holiday in the state, commemorating the Battle of New Orleans.

Plan Chicago Preview

Chicago, Jan. 4.—A preview of "The Buccaneer" will be held at the Chicago here on Jan. 13. B. & K. has made a practice recently of running "sneak previews" with considerable success.

DeMille to Atlanta Showing

Atlanta, Jan. 4.—Cecil B. DeMille will come to Atlanta Jan. 12 to attend a special preview showing of "The Buccaneer" at the Paramount.

Arnstein Song Suit Dismissed by Court

The complaint in the suit brought by Ira B. Arnstein, a songwriter, to compel his admission into Ascap, and for an accounting of the profits of 50 songs allegedly plagiarized from his compositions, was dismissed by Judge John C. Knox in the U. S. District Court here. Judge Knox's opinion ruled that the complaint was "defective in numerous particulars" and suggested that Arnstein retain an attorney to prosecute the case. The plaintiff was given 30 days to file an amended complaint.

Among the defendants were Ascap, Songwriters' Protective Ass'n, Music Publishers's Protective Ass'n, NBC, CBS, Warners, Gene Buck, E. C. Mills, M. Witmark & Sons, Edward B. Marks Music Co., T. B. Harms Music Co., Leo Feist, Inc., Remick Music Corp., Sam Fox Music Publishing Co., Robbins Music Corp. and Irving Berlin, Inc.

Audio Taking Over Studio in Astoria

Audio Prod., Inc., producers of industrial films and a subsidiary of Erpi, has acquired the General Service Studios in Astoria from Erpi. Produtiion activity has already started at the Long Island plant.

Arrangements also have been made to furnish a full crew of studio technicians and personnel to producers desirous of using the location for eastern production. The General Service Studios' west coast branch will continue operating as an independent subsidiary of Erpi.

Heads Ohio IA Local

Canton, O., Jan. 4. — John C. Walker was selected president of Canton Local 61, I.A.T.S.E., at the annual election. Others elected were: Harry Lane, vice-president; R. D. Leister, secretary and treasurer; J. Schumacher, business agent. R. Schlimmer, Jacob Tishoff and B. Spahr were named trustees.

Albany Scales Are Cut

Albany, Jan. 4.—Both Fabian's Palace and Warners' Strand have cut evening prices from 50 to 40 cents. The Warner cut was effective Jan. 1 and the Fabian slice yesterday. Matinee prices are 30 cents.

RESERVED SECTION
SOLD OUT

THEY BOUGHT 8220
TICKETS IN AN HOUR!

THEY JAMMED THE WORLD'S L

THEY OVERFLOWED 1500 FEET

SO RADIO CITY MUS
A SECOND WONDER
AND BOYER IN 'TOVA

AND *WARNER BROS.* HAVE A

RADIO CITY
MUSIC HALL
RKO
RADIO CITY

RGEST LOBBY!

THE SIDEWALKS OF NEW YORK!

C HALL GOES INTO
WEEK OF COLBERT
RICH'! (accent on the *rich!*)

LDOVER HIT AGAIN!

CLAUDETTE COLBERT
CHARLES BOYER
in "TOVARICH" with
BASIL RATHBONE · ANITA
LOUISE · MELVILLE COOPER
ISABEL JEANS · Morris Carnovsky
Victor Kilian · An Anatole Litvak Prod'n
Screen Play by Casey Robinson · Adapted from the Play
by Jacques Deval · English Version by Robert E. Sherwood
Music by Max Steiner

"Rosalie" Big Chicago Draw With $19,600

CHICAGO, Jan. 4.—Business took an upward swing with "Rosalie" riding the crest at $19,600 in the United Artists. This was $4,600 better than average.

Also well on the profit side were "Love and Hisses" at the Roosevelt, "Submarine D-1" at the Oriental, "Fit for a King" at the State-Lake and "True Confession" at the Chicago. The last named film, playing a second week at B. & K.'s, ace Loop theatre, did more business for the final seven days than for the week previous. The gross was $35,600 for the second week, which was $3,600 above average and $9,300 better than the opening week.

The Apollo with "The Awful Truth" in a fifth Loop week, did more the last week than for the previous seven days.

Terrific business was recorded for the Christmas weekend.

The weather was cold and fair. The Sonja Henie ice show at the Chicago Stadium hurt business a little as the Norwegian star played to a capacity house every night of her eight day engagement.

Total first run business was $137,800. Average is $118,000.

Estimated takings:

Week Ending Dec. 30:

"TRUE CONFESSION" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: "Muriell Abbott Kiddie Revue." **Gross:** $35,600. (Average, $32,000)

"DAUGHTER OF SHANGHAI" (Para.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $6,100. (Average, $6,500)

"SUBMARINE D-1" (W. B.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $22,000. (Average, $18,000)

"HITTING A NEW HIGH" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Benny Fields and Revue. **Gross:** $18,400. (Average, $19,000)

"FIT FOR A KING" (RKO)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Vaudeville Revue. **Gross:** $15,200. (Average, $13,000)

Week Ending Dec. 31:

"THE AWFUL TRUTH" (Col.)
APOLLO—(1,400), 35c-55c-75c, 7 days, 3rd week. **Gross:** $6,000. (Average, $6,500)

"LOVE AND HISSES" (20th-Fox)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. **Gross:** $14,900. Average, $11,000)

"ROSALIE" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $19,600. (Average, $15,000)

William Fox Trust Litigation Closed

The $397,500 Sherman anti-trust suit brought by William Fox, Isis Investment Co., William Fox Exhibition, Inc., Fox Variety Co., Flatbush Avenue & Nevins St. Corp., Colwood Co. and Theatre Realty Co. against A. T. & T., Western Electric and Erpi was marked settled and discontinued in the U. S. District Court here yesterday. The amount of the settlement was not revealed.

An A. T. & T. spokesman said that the settlement of the action was in line with the company's policy, adopted early in 1937, of disposing of all pending litigation involving the sound equipment patents of itself and subsidiaries concurrently with their withdrawal from active participation in the sound reproducing field. Five or six similar actions were settled last summer and fall, all for small amounts.

The Newsreel Parade

Movietone News
Vol. 20, No. 33
(20th Century-Fox)

Among the best of the action shots of the China battlefront are included here. The concentrated attack of the Japanese fleet and land artillery smash the Nanking defenses and the sons of the Rising Sun swarm through the ancient walls. The bursting of the shells in midair is almost too realistic.

A martial note is also caught in that part of President Roosevelt's message to Congress in which he speaks about adequate national defense, which serves as a prelude to the Chinese war scenes and the Japanese celebration of the fall of Nanking. As the hordes of refugees are fed in Shanghai, U. S. Marines are shown marching on the China coast.

The rest is made up of the rescue of passengers from the storm-tossed *President Hoover* and a wrestling fracas lampooned by Lew Lehr, while Ed Thorgersen's sports department presents highlights from the New Year's Day "bowl" football games and other sports.

Running time, 9½ mins. F.

News of the Day
Vol. 9, No. 231
(M-G-M)

Here is an average newsreel issue with run-of-the-mill material. But there is one sequence that gives a novel and fresh aspect to the presentation of its idea. It revolves around the celebration attendant with the ushering in of the new year. A new-born baby is shown in silhouette being slapped into life, a standard obstetrical practice.

There is also President Roosevelt addressing the opening of Congress, marines parading in Shanghai, the Pasadena Rose Festival with a plug for "Rosalie" on a float, floods in Oregon and Washington, the Rose Bowl football game, a jai-alai game in Miami with vivid sound recording and New Year's Eve on Times Square with the new-born baby clip worked in the documentation.

Running time, 9 mins. P.

Paramount News
No. 43
(Paramount)

The most important clip in this issue of the reel, of course, is that in which President Roosevelt is pictured delivering his address on the state of the nation before the reconvened Congress, with emphasis on the highlights of the speech.

But the most interesting sequence is that in which the accidental grounding of the liner *President Hoover* is fully caught by the camera as the passengers, perfectly calm, are seen on deck in life preservers, brought ashore on a small island off Formosa coast in lifeboats, and welcoming the approaching U. S. destroyers rushing to the rescue. It is excellent newsreel material, excellently photographed.

The rest of the reel is devoted to scenes of dog sled racing in New Hampshire, a skiiers mass at a church in North Conway, N. H., with effective photography; the gay and mad bedlam which was Times Square on New Year's Eve, and a group of New Year's Day football games in the country's bowls—Rose, Sugar, Orange and Cotton, involving, respectively, California - Alabama, Santa Clara - Louisiana State, Auburn-Michigan State and Colorado-Rice.

Running time, 9½ mins. A.

Pathe News
Vol. 9, No. 48
(RKO)

A varied news and feature content gives this issue of the reel a full measure of zest and interest. Opening with President Roosevelt's message to the new session of Congress, the reel covers collegiate ski meets at Lake Placid, tryouts of model planes at Miami, the beginning of unemployment insurance registrations in 22 states, jai-alai games played to large audiences at Miami, New Year's Eve in Times Square, the annual Tournament of Roses at Pasadena and the accompanying Rose Bowl game between California and Alabama.

Photography, sound, narration and editing all contribute to an interesting and entertaining release.

Running time, 8½ mins. K.

Universal Newsreel
Vol. 10, No. 629
(Universal)

A regulation assortment of standard newsreel items is offered in this issue. The material is acceptable.

President Roosevelt's address opening the current session of Congress appropriately furnishes the lead. This initial clip is followed by flood scenes in Oregon, the demonstration of a new army tank at Fort Benning, Ga., a jai-alai match in Miami, the rose festival in Pasadena, Times Square atmosphere on New Year's Eve and the Alabama-California game at the Rose Bowl on New Year's Day, wherein the former fumbled the game away to the latter.

Running time, 9½ mins.

Delay Suit Testimony

BOSTON, Jan. 4—The taking of depositions in the Morse & Rothenberg anti-trust suit, scheduled to resume in New York today after a recess since before Christmas, today was put over until next Tuesday, because Boston lawyers involved are otherwise occupied.

RKO Is Awarded Fees

An award of $750 for attorney's fees was granted to RKO Radio Pictures, Inc., RKO Distributing Corp. and RKO Studios, Inc., by Federal Judge John M. Woolsey in the U. S District Court here yesterday for the successful defense of a plagiarism suit brought against them by Samuel Shipman and Clara Lipman, authors.

Judge Woolsey ruled that the writers must pay the fees in addition to costs.

The suit was started in April, 1936, and charged infringement of the plaintiffs' play "Depends on the Woman" in "I Dream Too Much." Judge Woolsey dismissed the action in Sept., 1937.

Nominations Voted In Poll of Journal

MINNEAPOLIS, Jan. 4.—"The Life of Emile Zola" led "Good Earth" by a narrow margin in voting on nominations by 80 prominent newspaper film critics, in the *Minneapolis Journal* "critics of America" poll. The eight other pictures nominated are: "A Star Is Born," "Captains Courageous," "Make Way for Tomorrow," "Lo[illegible] Horizon," "Night Must Fall," "Ro[illegible] and Juliet," "Stage Door," "They Won't Forget."

The actors nominated are: John Barrymore for "Romeo and Juliet," Freddie Bartholomew for "Captains Courageous," Charles Boyer for "Conquest," Fredric March for "A Star Is Born," Robert Montgomery for "Night Must Fall," Victor Moore for "Make Way for Tomorrow," Paul Muni for "The Life of Emile Zola," Claude Rains for "They Won't Forget," Burgess Meredith for "Winterset," Spencer Tracy for "Captains Courageous."

Actresses nominated are: Beulah Bondi in "Make Way for Tomorrow," Irene Dunne in "The Awful Truth," Greta Garbo in "Camille," Janet Gaynor in "A Star Is Born," Katharine Hepburn in "Stage Door," Andrea Leeds in "Stage Door," Bette Davis in "Marked Woman," Luise Rainer in "Good Earth," Barbara Stanwyck in "Stella Dallas," Norma Shearer in "Romeo and Juliet."

The ballots will go out to the film critic of every daily paper in the country on Thursday. Last year 621 critics participated, when "Mr. Deeds Goes to Town," Paul Muni for his work in "The Story of Louis Pasteur" and Luise Rainer for her performance in "Ziegfeld" won the awards.

To Ratify Fronkiss Post

Formal ratification of Leon Fronkiss' affiliation with Monogram as treasurer is scheduled at a board meeting Jan. 27. There will be no other changes, according to W. Ray Johnston, president.

Taylor to Monogram

ST. LOUIS, Jan. 4—Robert Taylor, former Chesterfield manager here, has joined Monogram here as vice-president and manager of the exchange.

Wall Street

Small Gains on Board

	Open	High	Low	Close	Net Change
Col.	12¾	12¾	12½	12¾	+ ¾
Cons.	1⅝	1⅝	1⅝	1⅝	.....
Cons. pfd..	5¾	5¾	5¾	5¾	+ ¼
E. K.......	163¼	163¼	163¼	163¼	+3¼
G. T. E....	12	12	12	12	+ ¼
Loew	45¾	47¼	45½	47¼	+2
Para.	9⅜	10	9¼	10	+ ⅞
Para. 2.....	10¼	10⅜	10	10	— ½
Pathe	5¼	5¼	4¾	4¾	— ¼
RKO	4	4⅛	4	4	+ ⅛
20th Fox...	19¾	20¼	19½	20¼	+ ⅝
20th pfd....	26¼	26¼	26¼	26¼	— ¾
W. B......	6⅜	6½	6⅛	6¼	+ ⅛

Technicolor Up on Curb

	Open	High	Low	Close	Net Change
G. N.......	¾	¾	11/16	11/16	—1/16
Sonotone ..	1⅞	1⅞	1¾	1¾	.....
Tech.	16⅝	18¼	16⅝	18⅛	+1⅞
Trans-Lux..	2¾	2¾	2½	2⅝	— ¼

Bonds in Light Decline

	High	Low	Close	Net Change
Para. Bway 3s '55	60	60	60	.....
Para. Pic. 6s '55..	90	90	90	—1⅛
W. B. 6s '39......	74½	74½	74½	— ½

(Quotations at close of Jan. 4)

"Bet you cigars
to doughnuts
...it's the
BEST of the
WESTS!"
Paramount Pictures

**Don't take it, Walter Catlett,
Ed Lowe is betting on a sure thing—**

See next page...

True Confessions
HUNDREDS OF PHOTOGRAPHS!
Silver Screen
SCREENLAND
Motion Picture
Movie Classic
MYRNA LOY'S INTIMATE
Modern Screen
SCREEN GUIDE
MOVIE STORY MAGAZINE
MOVIE
LOOK
KU KLUX KLAN
THE AMERICAN WEEKLY
LIFE
movie MIRROR

55,784,623

people will be told it's the Best of the Wests in this huge Paramount advertising drive for "Every Day's a Holiday"

LIFE
LOOK
AMERICAN WEEKLY
MOVIE CLASSIC
MOTION PICTURE
SCREEN BOOK
SCREEN PLAY
HOLLYWOOD
MOVIE STORY
MODERN SCREEN
SCREENLAND
SILVER SCREEN
MOVIE MIRROR
PICTURE PLAY
PHOTOPLAY
SCREEN GUIDE

TOTAL READING PUBLIC—55,784,623

MAE WEST in **"Every Day's A Holiday"** with EDMUND LOWE • CHARLES BUTTERWORTH
CHARLES WINNINGER • WALTER CATLETT • LLOYD NOLAN • HERMAN BING • CHESTER CONKLIN and LOUIS ARMSTRONG

Hearst Radio Sales Branch Is Realigned

Elliott Roosevelt, who was recent[illegible] named Hearst Radio, Inc., presi[illegible]t and general manager, yesterday instituted a drastic reorganization of the National Sales Division of the firm. With the reorganization follows a change in name from National Sales Division of Hearst Radio, Inc., to International Radio Sales. Under the new setup, Murray Grabhorn, newly elected vice-president of Hearst Radio, will head the new subsidiary.

Simultaneously with this development came news of the resignation of Oscar Tunnel, assistant treasurer of Hearst Radio and of the election of Albert H. Cormier as vice-president of Hearst Radio. Cormier was recently appointed manager of WINS. He will retain his station duties, adding them to his new duties as executive assistant to Roosevelt.

Willson Offered Post

Curt Willson, formerly manager of the National Sales Division, has been offered the managership of the new San Francisco office of International Radio Sales, but it is not known at this time whether he will accept.

An almost entirely new sales staff has been retained, supplanting the old. Lincoln P. Simonds and Frank Fenton, formerly with the New York staff of John Blair & Co., will become associated with the organization Monday, working with Ed Harvey, who has been retained as a salesman. These three will constitute the New York sales staff of the company.

International Sales, with Grabhorn at the helm, will introduce various new services in the field of station representation. According to the plans stations located in cities not now being served by a station in the Hearst group will be added to the list of stations represented by International Radio Sales, in order to provide advertisers with an increased selection of stations in key market areas.

Howard Essary in Charge

The organization of International Radio Productions, which will be a department of International Radio Sales, has already been formed and will provide complete transcription and production facilities to advertisers and stations. This will be under the direction of Howard Essary, formerly program manager of KEHE in Los Angeles. The headquarters for this department will be in Hollywood in order that it can avail itself of economies on the manufacture of transcriptions, and be centered in the midst of Hollywood talent.

In the new setup International Radio Sales is planning to relieve the stations which it represents of all responsibility of billing and credits, assuming this as a special accounting function of the organization. A number of further new developments are being planned, with announcements following shortly.

Told that Motion Picture Daily was in receipt of information that he planned a reorganization of KEHE, Hearst Los Angeles station, Grabhorn entered an "emphatic" denial of such an impending step.

Jack Smith to WCAU For Sustaining Show

Philadelphia, Jan. 4.—WCAU has signed "Whispering" Jack Smith for a new series of sustaining programs to begin Jan. 10. Smith's show the first week will be aired Sunday through Saturday from 11 to 11:10 P.M., and thereafter Sunday, Monday, Wednesday and Friday at the same time.

Katzman, Silver Rejoin WINS

Lou Katzman and orchestra, and Henry Silver, organist, whose contracts were not renewed by WINS when they expired some weeks ago, have rejoined the station. The Katzman unit now numbers 10 men, and he will again serve as musical director of the station.

Borden Extends NBC Network

The Borden Co. has extended the network for its new series starting on NBC Jan. 31 from 23 stations to a coast-to-coast hookup of 31 stations. The program will be broadcast five days a week, Mondays through Fridays from 4:30 to 4:45 P. M. Young & Rubicam is the agency.

No Comment on Fidler Suit

Cincinnati, Jan. 4.—Questioned regarding the $250,000 damage suit against Jimmy Fidler, whose program is sponsored by Procter & Gamble, company officials here stated: "We are just trying to find out what this suit is all about. We have no statement to make now."

New Licenses Add 51 Radio Units in Year

By CLARENCE LINZ

Washington, Jan. 4.—Fifty-one new broadcasting stations were licensed and seven were deleted during the fiscal year ended June 30, last, and a total of 704 stations were operating or under construction on that date, Congress was told today in the annual report of the F. C. C.

Because of the fact that Frank R. McNinch was not appointed chairman and the program for reorganization of the commission's work was not initiated until after the end of the fiscal year, the report gives no information as to what has been accomplished or what is planned by President Roosevelt's "clean-up" man.

A study of assignments, the report disclosed, shows that of the 376 American cities having populations in excess of 25,000, 143 have no radio station, while of the 606 cities between 10,000 and 25,000 population, 471 have no stations although, it was declared, all but 111 of the 614 cities having no stations of their own receive primary service from at least one outside broadcasting station. In 359 cities, 88 of which have a population in excess of 25,000, there is but one radio station for local service.

New Shows on the Air

"True or False"

"True or False" is still another variation of the audience participation idea, and like all of its kind it is a vastly amusing and entertaining show. Dr. Harry Hagen is the conductor.

The initial airing featured a battle of wits and luck between two teams, one comprising internes, the other Fanchon & Marco chorus girls. The internes made suckers of the chorus girls, proving the virtues of higher education—or something. The weekly prizes are $5 to each member of a team, and a grand prize of $25 to the individual with the best score.

Luck plays a predominant part in "True or False." Hagen reads a statement, and the participant answers that it is either true or false. Disqualification follows an incorrect answer. One of the girls almost broke this listener down when she answered "Oh, dear," to Hagen's question, "the plural of mongoose is mongeese." Such utter despair one never heard before. At any rate, she stabbed desperately and said it was false, saving her goose until the next round of questions.

"True or False" is sponsored by the J. B. Williams Co. Mondays from 10 to 10:30 P. M. over Mutual.

"Dick Tracy"

Dick Tracy, the comic strip detective who has more lives than even the screen serial heroes and heroines of old, which is indeed something, steps out of the ink and before the microphone in a new series for the Quaker Oats Co., Mondays through Fridays from 5 to 5:15 P. M. on the NBC-Blue. Aimed for the kids, it will prove to be a popular and well-liked feature with the juvenile listeners.

The story details are unimportant and just what might be expected, but for the record, here they are: Dick gets on the trail of an auto hijack gang, and at last report his life was in peril. The cast, comprising Ed Jerome, Howard Smith, Walter Kinsella, Andrew Donnelly and Ned Weaver in the title role, is good.

"Philadelphia Orchestra Series"

Continuing to afford listeners pluperfect musical and vocal entertainment, the Philadelphia Orchestra series, cooperatively sponsored coast-to-coast by a group of banks, Monday night presented Lucy Monroe, lyric soprano, as featured guest.

Miss Monroe, whose star has been in brilliant ascendancy during the two past seasons, contributed Mozart's "Hallelujah," Rimsky - Korsakoff's "Nightingale and the Rose" and Debussy's "Air de Lia." Labeled by competent music critics everywhere as the coming great American lyric soprano, Miss Monroe by her performance Monday enhanced her prospect of bearing out this collective critical prophecy.

The orchestra, ever excellent, rendered the "Overture to William Tell," "Dance of the Tumblers" and Ravel's "Daphnes and Cloe." Fritz Reiner conducted. The customary Washington News Letter by W. M. Kiplinger filled the intermission period. The series is presented Mondays from 9 to 10 P. M. on the NBC-Blue.

Banner

CBS Will Seek New Talent, Novel Ideas

(Continued from page 1)

of broadcasts dedicated to improved relations with South American countries.

Other CBS plans are new methods of presenting educational programs. Studio applause will be discouraged in the future, he said, and a ban would be placed on forced applause. CBS mail contains more objections to studio applause than anything else, he said.

Lewis also expressed the opinion that radio needs new writing talent and new material.

Massachusetts Has Radio Control Bill

(Continued from page 1)

full power to prescribe rules, regulations and conditions under which all radio stations shall be operated and conducted within the state." Violations of the commission's rules and regulations are punishable by a fine of not more than $5,000 or imprisonment for not more than one year or both.

Discussing his bill, Bowker referred to the recent Mae West broadcast as "deplorable" and said adoption of his bill would prevent a recurrence of that "or similarly offensive broadcasts."

WLAK in Florida Sold to Publishers

Lakeland, Fla., Jan. 4.—Contract for the sale of controlling stock in local Station WLAK has been disclosed by J. P. Marchant, president of Lake Region Broadcasting Corp., who named David E. Smiley and Ralph Nicholson of Tampa as the purchasers. Smiley and Richardson publish the *Tampa Daily Times* and operate WDAE in that city. Marchant said neither of the Tampa concerns was involved in the local deal and that he will retain a substantial interest in WLAK.

Extend "Neighbor" Program

Star Radio's program, "Good Morning Neighbor," has been sold to KGB, San Diego; WGBI, Scranton; CFAR in Manitoba and CJKL in Ontario. These stations will begin airing the program this week. "Good Morning Neighbor" is now in its third year and is broadcast daily by more than 100 stations.

Blessed Events
NEW BUSINESS
1938
100% RENEWALS
WBNX NEW YORK
1000 WATTS DAY AND NIGHT
The Station that Speaks Your Language

The holidays are gone . . . *but* **THE HOLIDAY BUSINESS IS STILL HERE FOR**

"YOU'RE A SWEETHEART"

HELD OVER *for* **2nd WEEK!**

- CHICAGO
- ST. LOUIS
- BUFFALO
- TRENTON
- KANSAS CITY
- NEW ORLEANS
- SAN FRANCISCO
- ROCHESTER

... *and* MORE *to* COME!

IT'S A NEW UNIVERSAL!

DO NOT REMOVE

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

[illegible]L. 43. NO. 4 NEW YORK, THURSDAY, JANUARY 6, 1938 TEN CENTS

Estimate RKO 1937 Net at $1,900,000

Figure About $650,000 Under '36 Profit

RKO's consolidated net earnings for 937 were estimated yesterday at $1,-00,000 by financial interests associated with the company. The figure is approximately $650,000 below the company's net for the preceding year.

Earnings of the company for the rst three quarters of 1937 were $1,-43,000. The fourth quarter, according to preliminary estimates, will not ome up to earlier expectations and s subject, as well, to year-end adjustments which may reduce the estimated gure to some extent.

Peter Rathvon, Atlas Corp. associte and active in the investment company's RKO interests, arrived on the oast yesterday to join Floyd Odlum, Atlas head; Andrew Christiansen, RKO trustee's representative; O. C. Doering, of trustee's counsel, and Leo

(Continued on page 8)

International Sales Signs 2 Executives

International Radio Sales, newly itled division in the Hearst Radio etup, yesterday signed Peggy Stone f CBS and Naylor Rogers, formerly ice-president and general manager f KNX, Hollywood. Both will serve n executive capacities.

Miss Stone, long in the CBS sta-ion relations division under Herbert Ackerberg, will join International Sales as its station relations director within the next week or so.

Rogers, now in New York, will eave for Chicago Jan. 15 to take over he management of the International Sales office in that city.

Cohn Hits at Radio Work of Film Names

Citing specific instances of theatre business having fallen below reasonble expectations on nights on which Hollywood radio programs were broadcast. Jack Cohn, vice-president of Columbia, yesterday called upon the ndustry to heed exhibitor complaints and take steps "to end film star competition with motion picture theatres."

Declaring himself to be "unquali-iedly opposed" to Hollywood stars

(Continued on page 10)

More Radio—P. 10

Quota Uncertainty Stymies Korda Moves on Production

Uncertainty as to the extent to which American companies will be required to engage in British production is stymieing all deals for Alexander Korda to handle the new British quota requirements of several leading companies, it was learned authoritatively yesterday.

Korda, frankly dissatisfied with his present producing and releasing arrangements with United Artists, has discussed British producing deals with 20th Century-Fox, M-G-M and Paramount. Overtures have also been made by Korda to Columbia, but a high official of that company stated yesterday that no British producing arrangements would be made by Columbia until the new quota bill has been enacted. Joseph M. Schenck, chairman of 20th Century-Fox, told MOTION PICTURE DAILY this week that his company was not interested in a producing deal with Korda unless his services could be obtained exclusively. Korda's United Artists commitments prohibit such an arrangement and, moreover, an exclusive producing deal is contrary to

(Continued on page 8)

Joint Session Of Exhibitors Seems Nearer

Prospects for a trade practice meeting of exhibitor organization heads, which has been sought by Harry Brandt, president of the I. T. O. A., since last October, brightened yesterday when Ed Kuykendall, M. P. T. O. A. head, wired Brandt, in reply to his query, that he could meet with him and Nathan Yamins, Allied States president, "any day after Jan. 17."

Brandt late yesterday wired Yamins asking him to set a date. Since Yamins will attend the Allied board meeting in Washington Jan. 18 and 19, it is presumed that the session will take place later that week or early the following week.

Kuykendall has advised the M. P.

(Continued on page 8)

Astor Spruced for "Chicago" Opening

A broadcast from the theatre lobby, a host of prominent persons from stage, screen, radio and society, grinding newsreel cameras and the usual flood of arc lights on Broadway will be a part of the opening tonight at the Astor of the 20th Century-Fox film, "In Old Chicago," which will play indefinitely on a two-a-day policy.

Striking lobby decorations in the atmosphere of the period of the film, the 1860's and 1870's, with an illuminated photomural of a street scene in the Chicago of the 19th Century, and general lobby fittings in keeping with the scene of the picture, have been designed for the opening. Letters, each 15 feet high, emblazon the

(Continued on page 7)

Slight Hope Held for End Of Giveaways

Little hope for the elimination of cash giveaways in Greater New York came from RKO yesterday with the assertion by John J. O'Connor, film buyer of that circuit, that it is up to the I. T. O. A. members to show their sincerity in making the first move.

O'Connor, who is handling the circuit's executive functions with Major L. E. Thompson pending appointment of a successor to Nate J. Blumberg, recalled that the independents did not fulfill their promise when RKO and Loew's abandoned giveaways a year ago.

Harry Brandt, president of the I. T. O., yesterday reiterated that "we would be more than glad to talk with

(Continued on page 8)

Columbia Revamps Exploitation Work

Columbia has completed reorganization of its field exploitation department and will concentrate more of the activities in the home office, Frank McGrann, exploitation manager, said yesterday.

Asserting that the field staff was not being disbanded, although three men have been dismissed, McGrann described the move as designed to provide "more personalized service" from New York whereby "each situation would be handled as separate units." The reorganization will eventually result in an augmented home office exploitation staff, McGrann declared.

In addition to New York, the work will be handled by three district rep-

(Continued on page 8)

Congress Rush May Sidetrack Picture Bills

Some Favor Merging All Pending Measures

By BERTRAM F. LINZ

WASHINGTON, Jan. 5. — Heavy schedules which must be cleaned up before the end of the session and a general expectation that the projected monopoly legislation will be sufficiently strong to take care of the situation makes improbable serious consideration of any film legislation this session, it was said at the Capitol today.

Following a conference with Congressman Lea of California, chairman of the Interstate and Foreign Commerce Committee of the House, Congressman Boren of Oklahoma tonight indicated that he probably would not introduce his bill to divorce production from exhibition.

"There is no sense in introducing a bill if it is not going to be acted upon," Boren said, "and Chairman Lea expressed doubt whether the committee, which has a heavy schedule that must be disposed of, could find time to give the measure consideration at this session."

At the same time, the Congressman pointed out that the proposed anti-trust legislation may be sufficiently broad to take care of any monopoly situation in the film industry. In other

(Continued on page 8)

Expect 5% Drop in Ticket Tax Revenue

WASHINGTON, Jan. 5.—A drop of more than five per cent is expected in collections from the admissions tax as a result of the current depression, and total receipts from that source for the fiscal year beginning July 1, next, are estimated at $18,400,000, as compared with an estimated collection of $19,500,000 for the current year, it was disclosed today in President Roosevelt's annual budget message to Congress.

Collection of even this amount, it

(Continued on page 8)

W. A. Scully to Tour Universal Exchanges

William A. Scully, Universal general sales manager, will begin a series of weekend trips to the company's eastern exchanges on Friday, which will be continued through January. About Feb. 1 Scully will leave on a tour of the remainder of the Universal branches requiring several weeks.

The purpose of the trips is to

(Continued on page 8)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
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Set Editing Award Rules

HOLLYWOOD, Jan. 5.—The Academy Awards Committee has approved the rules governing the film editing award. Each film editor will list his choice of the five best examples of editing, and the five receiving the greatest number of votes under a preferential system of counting will be nominated for further consideration.

Closed Ampa Meet Today

A closed meeting will be held today by Ampa at the International Casino.

WANTED
REPRESENTATIVE

Familiar with Foreign Film Distribution; single; American. Knowledge of at least two foreign languages (preferably French and German). Box 950, MOTION PICTURE DAILY.

Purely Personal

NED E. DEPINET, vice-president in charge of RKO distribution, in New Orleans with JULES LEVY, general sales-manager, will return to New York tomorrow morning, while LEVY will remain in the south a short time longer, probably going to Miami before his return to town.

•

WARREN SCOTT and HORTENSE L. WILLIAMS have sold an original, "Connie Goes to College," to 20th Century-Fox. Another original sold to the same company is "The Battle of Broadway," NORMAN HOUSTON the author.

•

OSCAR MICHEAUX has completed production plant for an all-Negro feature which is slated to go into production at the Producers' Service Studios today, under his own direction. LESTER LANG is the cameraman.

•

HOWARD DIETZ, now on the coast for studio conferences, hopes to get away for a short vacation in Honolulu at the end of this week, in which event he will return here in about a month.

•

ED KUYKENDALL, president of the M. P. T. O. A., has been attending to his duties as a governor of International Rotary and has been visiting clubs in his southern district.

•

ELLA LOGAN, comedienne featured in "The Goldwyn Follies," left yesterday for Boston to begin a series of personal appearances.

•

AL SELIG, who resigned as G. B. advertising manager, said yesterday he has two offers and would announce plans next week.

•

W. J. MERRILL, RKO financial advisor for Atlas Corp., left yesterday for a 10-day vacation at Logan, Utah, his native city.

•

GUS SCHAEFER, Universal export manager, has been ill at his home for the past several days.

Schlesinger Named In Labor Complaint

HOLLYWOOD, Jan. 5. — Charges of failure to bargain collectively, in violation of the Wagner Act, today were filed against Leon Schlesinger Prod., Inc., and the Schlesinger Corp. by the Screen Cartoon Guild before the Regional Labor Relations Board.

The guild claims a majority of the workers at the Schlesinger plant, which produces cartoons for Warner release. Dr. Towne Nylander, Labor Relations Board director, said an informal conference between the producer and guild representatives on the complaint will be held Friday.

W. B. Cagney Film Set

HOLLYWOOD, Jan. 5.—"Boy Meets Girl" will be James Cagney's first film upon his return to Warners March 14. Pat O'Brien will be co-starred.

Monogram Gets Stay On "Limberlost" Use

A permanent injunction restraining Morris Kleinerman, who does business as Exhibitors Film Exchange, Star Safety Laboratory and Screen Attractions Corp., from further alleged infringement of "Girl of the Limberlost" was granted to Monogram by Judge Francis G. Caffey in the U. S. District Court here yesterday. The decree was entered on consent of both sides.

Monogram filed suit on December 10, charging copyright infringement by the defendants, who allegedly were engaged in the sale of home movies in the eight and 16 mm. sizes. Monogram sold the safety film rights to its pictures several days before the suit was brought. The decree does not contain any provision for damages or an accounting. The U. S. Marshal was ordered to seize all infringing prints of the picture for destruction.

"Ecstasy" Case Goes Up to Appeals Court

ALBANY, Jan. 5.—Samuel Cummins has taken his fight for removal of the censors' ban on "Ecstasy" to the Court of Appeals. His move is in the form of a plea for a review of the Appellate Division's refusal to permit him to take an appeal.

In view of the fact that the Appellate Division's decision was unanimous, the Court of Appeals does not have to grant either the review or an appeal. An early decision is expected.

Start N. D. Depositions

MINNEAPOLIS, Jan. 5.—The taking of the deposition of Ben Blotcky, Paramount sales manager here, in connection with his company's action to test the constitutionality of the North Dakota theatre "divorce" law was completed here today. Blotcky was the first witness heard in the preliminary proceedings under way here.

The depositions are being taken on behalf of officials of North Dakota who have been made defendants in Paramount's action to enjoin the state from putting the statute into effect. The depositions of all branch managers here and of officials of Minnesota and American Amusement companies will be sought during the preliminary sessions. The court hearing of the action is not expected to get under way before spring.

Fixture Suit Trial Ordered

A suit brought to determine ownership of equipment and fixtures of the theatre at 165 East 125th St. was ordered to trial before a jury by Justice William H. Black in N. Y. Supreme Court yesterday.

Capitol M. P. Supply Corp. brought suit in City Court against Triboro Playhouses, Inc., and obtained a writ of attachment.

Morris Freedman, said to be the father-in-law of Sidney Goren, president of Triboro, filed a claim with the sheriff that he owns the fixtures which were seized. Capitol thereupon brought suit to determine title. The nature of the suit in the City Court and the amount sought were not revealed.

Fredric March on Mend

Fredric March left the Doctors' Hospital yesterday, having recovered from an operation on an infected leg.

Miss Kingsley Files Action on "Rosalie"

LOS ANGELES, Jan. 5. — Sylvia Kingsley today filed an action in Federal Court here demanding $100,000 damages and an accounting of "Rosalie" profits from M-G-M, William Anthony McGuire and Guy Bolton. Miss Kingsley claimed that she is the original author of "Rosalie" and that Bolton wrote the libretto [illegible] the Ziegfield-McGuire production under a contract whereby she was to receive 25 per cent of the profits of stage presentation while McGuire and Bolton were to get the other 75 per cent. She further claimed she did not authorize the use of "Rosalie" for films.

Miss Kingsley asks an injunction against further payments to Bolton and McGuire.

"Life of Zola" Wins Poll of Film Daily

"The Life of Emile Zola" won first place in the poll of film critics conducted annually by *Film Daily*. The nine following pictures, in the order of their ranking, were as follows: "The Good Earth," "Captains Courageous," "Lost Horizon," "A Star Is Born," "Romeo and Juliet," "Stage Door," "Dead End," "Winterset" and "The Awful Truth." "The Life of Emile Zola" received 453 votes, while the second choice received 424.

Call "Zola" Best of Year

"The Life of Emile Zola" has been selected by Dee Lowrance, film editor of *Young America*, as the best film of the year among those suitable for children between the ages of eight and 16. The nine following, in the order of ranking, are: "Captains Courageous," "A Star Is Born," "Elephant Boy," "Victoria the Great," "Shall We Dance," "The Man Who Could Work Miracles," "The Prince and the Pauper," "Fire Over England" and "Thin Ice."

Wall Street

Board Rises Continue

	Open	High	Low	Close	Net Change
Col.	12¾	12¾	12¾	12¾	.....
Col. pfd.	30	30	30	30	+3
Cons.	1¾	1¾	1⅝	1⅝	.....
Cons. pfd.	6	6	6	6	+ ¼
E. K.	165	167	165	166	+2¾
E. K. pfd.	157	157	157	157	+1
Loew	47⅛	47⅝	46¾	47	— ¼
Loew, pfd.	105	105	105	105	— ½
Para.	10¼	10¼	9⅞	10	.....
Para. 1	87	87	87	87	+2¼
Para. 2	10½	10½	10¼	10¼	+ ¼
Pathe	5	5¼	5	5¼	+ ½
RKO	4⅛	4¼	4	4	.....
20th Fox	20⅛	20¾	19¾	20¾	+ ½
20th pfd.	27½	27½	27½	27½	+1¼
W. B.	6½	6⅝	6⅜	6⅜	+ ⅛
W. B. pfd.	36	36	36	36	—2

Curb Decline Halts; Issues Up

	Open	High	Low	Close	Net Change
G. N.	13/16	1⅛	13/16	1	+ ¼
Monogram	1⅝	1¾	1⅝	1¾	+ ¼
Sentry	¼	¼	¼	¼	— ⅛
Tech.	18⅛	18⅛	17¼	17¼	— ⅞
Trans-Lux	2½	2¾	2½	2¾	+ ⅛
Univ. Corp.	2	2	2	2	+ ¼
Univ. Pict.	4	4	4	4	—1

Warner Bonds in 2 Point Gain

	High	Low	Close	Net Change
Loew 3½s '46	97½	97½	97½	— ¼
Para. B'way 3s '55	59½	59½	59½	.....
Para. Pict. '47	73¼	73¼	73¼	+1⅞
W. B. 6s '39	77	77	77	+2½

(Quotations at close of Jan. 5)

HOLLYWOOD HOTEL

REGISTER

ME

REMARKS

Dick Powell
Rosemary Lane
Hugh Herbert
Glenda Farrell
Lola Lane
Johnnie Davis
Alan Mowbray
Mabel Todd
Allyn Joslyn
Edgar Kennedy.

The Hollywood Hotel
Program
Louella Parsons
Frances Langford, Jerry Cooper
Ken Niles, Duane Thompson
Raymond Paige & his orchestra

Benny Goodman
and his swing band

All
The
Guests
Are
Celebrities . . .

And
All
The
Celebrities
Are
Great!

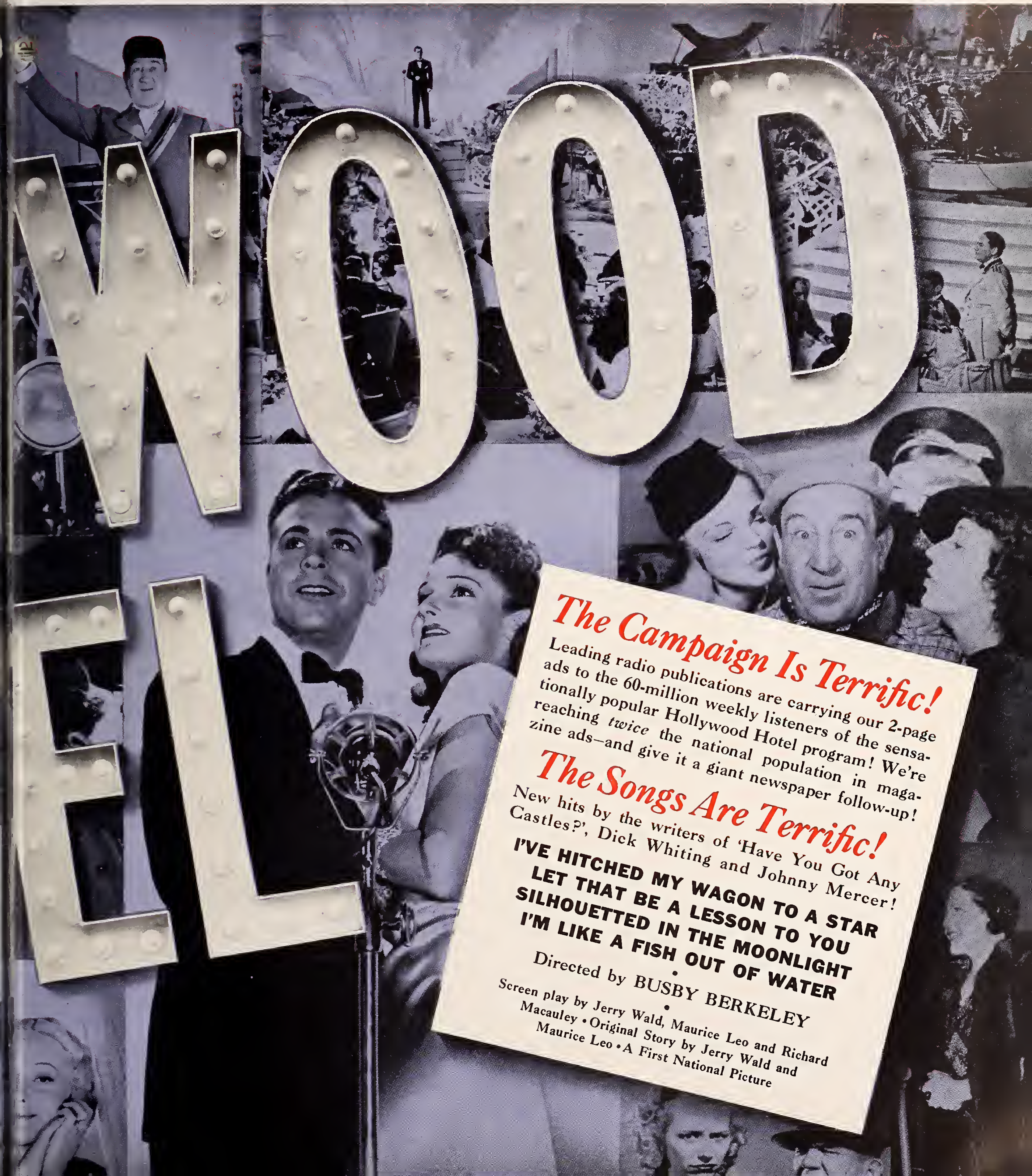
Come over - - it's the gayest spot on earth! ➡

Radio Made it Famous.. *Warne*
Show for Any Man's Thea

HOLLY
HOT
GK

Bros. Made it "A Knockout
e and Any Audience Anywhere!"

Hollywood Reporter



The Campaign Is Terrific!

Leading radio publications are carrying our 2-page ads to the 60-million weekly listeners of the sensationally popular Hollywood Hotel program! We're reaching *twice* the national population in magazine ads—and give it a giant newspaper follow-up!

The Songs Are Terrific!

New hits by the writers of 'Have You Got Any Castles?', Dick Whiting and Johnny Mercer!

I'VE HITCHED MY WAGON TO A STAR
LET THAT BE A LESSON TO YOU
SILHOUETTED IN THE MOONLIGHT
I'M LIKE A FISH OUT OF WATER

•

Directed by BUSBY BERKELEY

•

Screen play by Jerry Wald, Maurice Leo and Richard Macauley • Original Story by Jerry Wald and Maurice Leo • A First National Picture

HOLLYWOOD HOTEL

follows

TOVARICH

(Claudette Colbert • Charles Boyer • Basil Rathbone • Anita Louise • Melville Cooper)

⬇

SWING YOUR LADY

(Humphrey Bogart • Frank McHugh • Louise Fazenda • Nat Pendleton • Penny Singleton • Allen Jenkins
The Weaver Brothers and Elviry)

follows

HOLLYWOOD HOTEL

⬇

GOLD IS WHERE YOU FIND IT

(In Technicolor • George Brent • Olivia de Havilland • Claude Rains • Margaret Lindsay • Barton MacLane)

follows

SWING YOUR LADY

⬇

A SLIGHT CASE OF MURDER

(Edward G. Robinson • Jane Bryan • Allen Jenkins • Ruth Donnelly • Willard Parker)

follows

GOLD IS WHERE YOU FIND IT

⬇

JEZEBEL

(Bette Davis • Henry Fonda • George Brent • Margaret Lindsay • Fay Bainter • Richard Cromwell • Donald Crisp)

follows

A SLIGHT CASE OF MURDER

⬇

ADVENTURES OF ROBIN HOOD

(In Technicolor • Errol Flynn • Olivia de Havilland • Ian Hunter • Claude Rains • Basil Rathbone • Patric Knowles)

follows

JEZEBEL

⬇

SUCCESS

follows

WARNER BROS. EVERYWHERE IN 1938

Caught by the Roving Cameraman at Darryl Zanuck Cocktail Party

Industry Leaders Turn Out in Force — Columnists, Critics, Writers Also There.

Industry leaders turned out in force or the cocktail party given by 20th Century-Fox in honor of Darryl Zanuck.

It was probably the biggest collection of names in years, with top ranking executives of all the major companies present. Also seen in the gathering were representatives of a number of magazines — the literary variety as well as fan; most of the columnists who happen to be in town; drama and film critics, and quite a number of well-known writers.

Among those present, other than those included in the accompanying photograph were: Sid Grauman, Ethel Merman, R. H. Cochrane, Harry Goetz, Truman Talley, Walter Winchell, Sidney Towell, W. C. Michel, Adela Rogers St. John, Thyra Samter Winslow, Louis Sobol, Whitney Bolton, Hal Horne, Jean Hersholt, oe Moscowitz, Charles E. McCarthy, ack Alicoate and Gregory Ratoff.

[Photos by Cosmo-Sileo]

Top—Left to right: Martin Quigley, Joseph M. Schenck and Alice Faye; Lower left—Walter J. Hutchinson, Darryl Zanuck, Spyros Skouras and Truman Talley; Lower right—Barney Balaban, Jack Cohn and S. R. Kent.

Astor Spruced for "Chicago" Opening

(Continued from page 1)

name of the picture across the top of the house, above the marquee.

Darryl F. Zanuck, production chief, will play host to a party of 30 at the opening. Among those scheduled to attend are:

Joseph M. Schenck, Sidney R. Kent, Will H. Hays, John D. Clark, Alice Faye, Jean Hersholt, Ben Bernie, Ethel Merman, Gregory Ratoff, Bill Robinson, Sidney Towell, W. C. Michel, Truman Talley, Sid Grauman, Jason S. Joy, Dan Michalove, Charles E. McCarthy, Harry Brand, Harry Brandt, Harry Goetz, George Schenck, Charles Moskowitz, Spyros and Charles Skouras, W. J. Hutchinson, Ben Miggins, F. L. Harley, Joseph Moskowitz, Franklin Underwood, Joseph Pincus.

Also, William Brandt, Al Suchman, Harry Shiffman, Sam Rinzler, Louis Frisch, Walter Reade, Sam Cocalis, Joseph Seider, Joseph Vogel, Eugene Picker, J. Robert Rubin, Joel Levy, Ben Joel, Leon Netter, Louis Notarius. John O'Connor, Fred Meyers, Max Fellerman, Clayton Bond, Joe Bernhard, Leonard Schlessinger, Louis Kaufman, Nat Fellman, Ed Hinchy, Walter Vincent, Harry Arthur, Irving Lesser, Si Fabian, Eddie Grainger, Richard Kearney, Jack Shea, Frank Walker, John Nolan, Jack Cohn, Harry Buxbaum, Joe Lee, A. R. Boyd, Al Lewis, Si Seadler, Charles Blake, J. P. O'Loughlin, W. C. Gehring, W. J. Kupper, William Clark, E. H. Collins, C. Hake.

Einfeld Back Jan. 15

S. Charles Einfeld, Warner advertising and publicity director, is due back at the home office January 15 after an extended stay on the coast. While his future schedule is uncertain, he will probably spend more time on the coast than has been his custom in the past.

New Yorkers Leave For N. O. Premiere

The New York delegation to the Paramount two-day sales meeting in New Orleans left here yesterday afternoon and will arrive there this evening. The sales session at the Roosevelt, which will be attended by district managers from the field, will be held tomorrow and Saturday. In conjunction with it will be the opening of "The Buccaneer" at the Saenger tomorrow night, for which William Pine, from the coast, and Robert M. Gillham, director of advertising and publicity, from the home office, have been making arrangements.

The executives who are en route from here include: Neil Agnew, vice-president in charge of distribution; J. J. Unger, Charles M. Reagan, G. B. J. Frawley, Alec Moss and Don Velde. The party will leave for New York on Saturday. Five trade paper representatives accompanied the delegates.

Following the opening of "The Buccaneer" here, Cecil B. DeMille, producer, will attend one-night previews in Atlanta, Jan. 12; Washington, Jan. 13; New York, Jan. 17; Boston, Jan. 18; Chicago, Jan. 19, and Kansas City, Jan. 20, after which he will return to the coast.

Paramount Claims New "Fargo" Mark

"Wells Fargo," now in its second week at the Paramount, is set for a third week. In its first seven days, ending Tuesday night, the picture, coupled with Fred Waring and His Pennsylvanians, set a new record with an attendance of 159,000 persons, according to the theatre.

The show drew $9,000 more than any since the start of the Paramount's combination policy two years ago, it was announced.

Another likely third week holdover is "Submarine D-1" at the Strand, where it began a second week yesterday.

Evelyn Keyes Cancels

Hollywood, Jan. 5.—Evelyn Keyes, featured in "The Buccaneer," has been forced to cancel her planned personal appearance at the New Orleans premiere of the film. The actress is ill with diphtheria.

Joint Session Of Exhibitors Seems Nearer

(*Continued from page* 1)

T. O. A.'s local office that he planned to attend the convention of the Southeast Theatre Owners' Ass'n in Atlanta next week. He is expected to leave for New York shortly afterwards.

Brandt last October initiated his move for a "united front" of exhibitor interests in formulating a trade practice program or "code" to which the major distributors would be asked to subscribe. Following a statement by Kuykendall that he would be willing that the M. P. T. O. A. cooperate with Allied toward "constructive measures," Brandt issued an "open letter" to the heads of both national exhibitor groups.

Brandt at the time declared "it is time to call a spade a spade and to admit that neither of the two national organizations is functioning on all cylinders." He said also that "whether the plan adopted" as a result of the proposed meeting would be the M. P. T. O. A. program of conciliation or Abram F. Myers' proposal for industry control along the lines of the Guffey Act "is of secondary importance." "The main point," Brandt asserted, "is that a united front would accomplish many benefits that are now unobtainable."

Other Meets Would Follow

The forthcoming conference would be only preliminary to further discussions, it was pointed out yesterday, and the extent to which the national organization's directorates and member units would be asked to participate depends on the outcome of the first three-way meeting.

It was pointed out also that neither Kuykendall nor Yamins can commit themselves to a program or policies without the authorization of their respective boards. While Yamins no doubt will discuss the matter at the Allied board meeting next week, the M. P. T. O. A. directors could be canvassed by mail.

Sell Jersey City House

The Saooky Realty Corp. has bought the Cameo in Jersey City from Anna Gorlin and others for a reported price of $137,500 over an $87,500 first mortgage held by the Trust Co. of Jersey City.

Fourth Son to Crosby

HOLLYWOOD, Jan. 5.—A son, her fourth, was born today at Cedars of Lebanon Hospital to Dixie Lee Crosby, wife of Bing Crosby.

Open Lust House Today

WASHINGTON, Jan. 5.—The Marlboro, Upper Marlboro, Md., the latest link in the circuit of Sidney B. Lust houses, will open tomorrow.

Muni Ill in Budapest

BUDAPEST, Jan. 5.—Paul Muni entered a sanitarium here yesterday for treatment for a slight attack of tonsilitis.

Quota Uncertainty Stymies Korda Moves on Production

(*Continued from page* 1)

Korda's plans. He is seeking volume production to keep the Denham studio busy.

MOTION PICTURE DAILY was informed by a high official of Paramount yesterday that that company, too, would make no British producing arrangements until the new quota law has been enacted and it is definitely known what type and what amount of production will be necessary. Even at such a time, it was said, the deal would be handled by Paramount's office in London.

M-G-M's attitude toward a British producing deal with Korda could not be ascertained in the absence of high company officials from New York. Indications are, however, that Korda is remaining here for another week or 10 days to engage in final parleys with Metro officials on their return.

Meanwhile, Korda has been unable to obtain a release from United Artists on his exclusive producing contract with that company but, as reported in MOTION PICTURE DAILY several weeks ago, he stands ready to relinquish his owner-partnership in United Artists to gain his release, either a complete severance from the company or a revision of his contract which would eliminate the exclusive producing feature. His producing contract with United Artists runs to 1940 and his partnership stock purchase commitment, which is payable out of dividends he receives from the company, is only one-sixth paid up.

Maurice Silverstone, United Artists British head, is remaining in New York with Korda.

Musso Closes Deal With "U" for Italy

A new five-year distributing deal for Universal product in Italy and the Italian colonies has been closed with Commendatore G. D. Musso prior to Musso's departure on the *Rex* yesterday.

The deal is retroactive to the European release date on "100 Men and a Girl" and will continue through 1942. It replaces a two-year agreement, just expired. No provision is made for the distribution in America of any Italian pictures, but the deal requires Musso to distribute the Universal product through his own organization, banning secondary deals with independent distributors in Italy, which have been made in the past. The distribution terms are subject to adjustment after the first two years of the contract life.

Edward Fenton, who accompanied Musso to America, left with him on the *Rex*.

Columbia Revamps Exploitation Work

(*Continued from page* 1)

resentatives, including Ed Rosenbaum, transferred from Boston to Philadelphia; Jack Thoma, Chicago, and Mike Newman, Los Angeles. These men will be sent wherever required.

The men let out are Mike Roth, exploiteer for Columbia in the Kansas City area the last four years; Robert Sidman, Philadelphia, and Don Prince, Atlanta.

Edward M. Young Dies

HOLLYWOOD, Jan. 5.—Edward M. Kimball, 79, father of Clara Kimball Young, star of silent films, and himself a stage and screen veteran, died in Hollywood Hospital yesterday from a stroke he suffered on New Year's Day.

Wanger Film Debut Set

PHILADELPHIA, Jan. 5. — Walter Wanger's "I Met My Love Again," starring Joan Bennett and Henry Fonda, will have its world premiere at the Aldine here following the close of "The Hurricane."

Estimate RKO 1937 Net at $1,900,000

(*Continued from page* 1)

Spitz in current conferences there on the company's new studio setup. Rathvon was called west by Odlum after the former had concluded negotiations for the one-year extension of the Atlas-Lehman option to purchase the remainder of RCA's holdings of RKO securities. Indications are that the conferences may continue into next week as, up to yesterday, no decision had been reached on the designation of a successor to Sam Briskin as RKO studio head. Company officials have been desirous of having Pandro Berman assume charge of production, as reported in MOTION PICTURE DAILY earlier, but Berman has demurred, advancing his preference to handle "A" productions only.

Some discussion may be held during the coast sessions on the naming of a successor to Nate Blumberg as RKO theatre operator, official quarters here believe, but the designation is not expected to be made until Spitz's return here some time in February. For the time being, theatre department heads are continuing their respective operations.

Slight Hope Is Held For Ending of Games

(*Continued from page* 1)

Thompson or O'Connor on a plan to abolish giveaways."

Failing an agreement between the circuits and the independents, the I. T. O., Brandt said, "is definitely going ahead with a series of mass giveaways that will astound the industry." This, he said, would be designed "to more than offset anything the circuits are going to do." Brandt at the same time did not express any hope for an early agreement.

United Artists Adds Two

Ed Fisher, formerly of Columbia publicity department, and Joe Longo, Boston theatre man, have joined the exploitation staff at United Artists. Fisher will cover "The Hurricane" in Cleveland, while Longo will handle "Nothing Sacred" in Boston.

Congress Rush May Sidetrack Picture Bills

(*Continued from page* 1)

Capitol quarters it was indicated th[illegible] if the committee undertakes a st[illegible] of film legislation which is pending, it would demand that all bills be merged into one general measure and, particularly, that Boren's divorce bill be joined with the block booking ban proposed by Congressman Pettengill of Indiana. There is considerable doubt whether all the authors of film legislation would be willing to waive their right to have their names at the tops of their bills, in which event the committee could not get anywhere.

Defense Pictures Prohibited

WASHINGTON, Jan. 5. — Legislation prohibiting the making of still or motion pictures, sketches or maps of military and naval defenses of the United States and its possessions was passed by the House of Representatives today. The bill was passed by the Senate last session.

Action on the bill was speeded by protests of the War Dept. that there have been numerous cases of photographing defenses on the Pacific Coast, the Panama Canal and Manila. It was pointed out that present law applies only to the continental United States and carries no penalty.

Expect 5% Drop in Ticket Tax Revenue

(*Continued from page* 1)

was stressed, is dependent upon business and industrial stability.

Estimates of expenditures in the budget are kept as close as possible to present levels or under. The figures for the two departments which segregate their film activities show that the Navy will provide the usual $85,000 for film service and the Dept. of Agriculture $79,000, both the same as for the current year.

The F.C.C. estimate is $1,752,820, about $9,000 less than the current appropriation.

W. A. Scully to Tour Universal Exchanges

(*Continued from page* 1)

familiarize himself with the exchange personnel and to give personal attention to field sales problems. Following his inspection, Scully also will decide whether or not an appointment will be made to the post of western sales manager for which Lou Weinberg, Columbia circuit sales manager, was slated prior to his decision to remain in his present capacity. Universal's sales organization has never had a western sales manager, the duties of the post having been handled by district managers.

To Honor Jackie Cooper

Jackie Cooper, who recently completed "Boy of the Streets" for Monogram, will be the guest of honor at a reception tomorrow afternoon at the Waldorf-Astoria.

TOPPING THE BIGGEST WEEK IN THE BIGGEST YEAR THE ROXY HAS HAD IN 5 YEARS!

(HELD OVER . . . but naturally!)

AND HELD OVER IN PRE-RELEASE RUNS AT CHICAGO, ALBANY, LOUISVILLE, BALTIMORE, PHILADELPHIA, RICHMOND!

(day-and-date)

Currently proving 20th's top musical in: CINCINNATI, DAYTON, SAN FRANCISCO, INDIANAPOLIS! Mopping up in DETROIT, ST. LOUIS, SPRINGFIELD, PITTSBURGH, SEATTLE — as big news continues to pour in!

Walter **WINCHELL** · *Ben* **BERNIE**

SIMONE SIMON

LOVE AND HISSES

Darryl F. Zanuck's latest great musical!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

◂ Radio Personals ▸

MRS. KEN SISSON, wife of the bandleader, has returned with her two children from Montreal where they visited Sisson. He is the producer and musical director of "Canada 1938" . . . Charles Stark, WHN salesman, has returned from Florida where he spent two weeks . . . Fred Raphael, program director at WHN, left yesterday for a winter vacation in Florida . . . Peter de Rose is engaged in writing a folk opera . . . Arthur Boran will join the Cantor show when the latter comes to New York . . . Milli Craig will return to Martin Block's "Swing Session" for her third consecutive appearance on Sunday as solo singer with Merle Pitt's orchestra. Fay Wray will appear on the "Seein' Stars in Hollywood" program Sunday.

✚

Joseph N. Weber, president of the A. F. of M., has been home ill for the past two days. . . . A report has it that Harry Salter's orchestra will replace Dick Himber's on the American Tobacco Co. "Melody Puzzles" program on Mutual. . . . John Mercer, song writer who also sings, has been signed under CBS artists bureau management, the bureau to handle his singing engagements. He has been set for a guest shot on the Paul Whiteman show Jan. 14. Mercer, teamed with Jack Whiting, wrote the music for the Warner pictures, "Varsity Show" and "Hollywood Hotel." Nan Wynn, signed recently by the CBS artists bureau, has been given a network solo spot, to begin Jan. 8 and Saturdays thereafter at 10:45 P. M. . . . Thomas J. Buzalski, NBC television engineer, is the father of a baby boy, born this week. . . Jo Ranson is back at his post as radio editor of the *Brooklyn Eagle,* which is good news indeed.

American Tobacco to Have New Air Show

The American Tobacco Co. has contracted for two half-hour periods a week for Herbert Tareyton cigarettes on WQXR. The program will be titled "The Treasury of Music" and will be heard Mondays and Fridays from 8:30 to 9 P. M. beginning Jan. 10. The series will consist of transcriptions and recordings of music classics. L. H. Hartman Co. placed the contract.

"Shadow" to Add 24 Stations

"The Shadow," sponsored by Blue Coal over Mutual on a network limited to Chicago, will reach coast-to-coast audiences beginning Jan. 9 when it will add 24 stations, including the Don Lee system. The series is broadcast Sundays from 5:30 to 6 P. M. and features Orson Welles in the title role. Ruthrauff & Ryan, Inc., is the agency.

"Varieties" Program Extended

Lewis-Howe Co., sponsoring "Vocal Varieties" on WEAF only, Tuesdays and Thursdays from 7:15 to 7:30 P. M,. is extending the program to the network for the Thursday broadcasts only. The stations to be added include: WTAR, WPTF, WSOC, WCSC, WFLA, WJAX and WIOD.

CBS Serious Programs Hit 10-Year High in '37—Paley

CBS in 1937 presented more programs on serious music, education and cultural subjects than during any of its 10 previous years of broadcast service, according to William S. Paley, president of the network. The year too saw the network undertake a vast building program, new stations added, and the status of television advanced.

Impartial discussion of national issues in this and 28 other foreign countries accounted for 1,638 CBS programs occupying 378 hours of broadcast time. In 1936 the total for this category was 1,548 broadcasts and 351 hours. Not included are sports programs which accounted for 136 hours this year as against 103 hours the previous year. Sponsored and sustaining educational and cultural broadcasts, including serious music, numbered 5,845, or 2,089 hours, as compared with 5,716 broadcasts, or 1,934 hours, in 1936.

On national affairs and news, there were 1,300 broadcasts, sustaining only, representative of which were the opening of the 75th Congress and the second inauguration of President Roosevelt; 57 talks on the Supreme Court controversy; talks by the 10 members of the President's cabinet, the midwest floods, and the like. From abroad during 1937, CBS broadcast 290 times.

Featured Serious Music

During 1937 CBS made available to its listeners 1,250 broadcasts, sponsored and sustaining, of serious music. In addition to the increase in these broadcasts, CBS sponsored one of the notable developments of the year in the appointment of a second Columbia Composers' Commission. Presented during the year by the symphony under the direction of Howard Barlow were the works written specifically for radio by members of the first Columbia Composers' Commission. In addition to symphonic and instrumental music, CBS devoted some 300 broadcasts to performances of sacred music.

In drama as in music, CBS was active, presenting 70 broadcasts climaxed with the presentation of the cycle of eight Shakespearean plays.

Devoted to adult education during the year were 875 broadcasts, the subjects including government, economics, the social sciences, art, literature and history.

Childrens' programs during the year numbered 575 broadcasts. In accordance with a policy adopted by CBS in 1934, all broadcasts for children were prepared in consultation with a child psychologist of Columbia University and a staff of leaders in the children's field.

In all 21 new stations joined CBS during 1937. At present there are 108 stations in the chain. Concurrently, the network and its owned and affiliated stations undertook programs of construction and improvement of facilities. During the year, over half of the CBS outlets increased their power or installed new high fidelity equipment, vertical antennas, and other improved facilities. The installation in most CBS stations of a revolutionary "program amplifier" alone effected an increase in signal intensity equal to that which would be produced by a doubling of power.

Built in Hollywood

The chief item on Columbia's 1937 construction calendar was the new West Coast Broadcasting Center covering an entire city block in Hollywood. Ground-breaking ceremonies for the $2,000,000 project were held last spring, and the center will be ready for broadcasting by March.

A step forward in international short-wave broadcasting occurred this year when Columbia inaugurated a regular daily program service to Europe, the British Isles and South America over its new transmitter, W2XE.

In television CBS this year took three major steps. Work began on a new CBS transmitter, which is now being given final tests before installation in the Chrysler Tower. Plans were drawn and work scheduled on studios in the Grand Central Terminal Building nearby. To raise television program technique to entertainment levels already attained by the more mature arts of broadcasting and the screen, Gilbert Seldes, author and critic, was appointed to direct an experimental program department. Throughout the year, Columbia's television engineering staff worked on technical aspects of the art under the direction of Dr. Peter Goldmark.

"Hollywood Parade" Executives in Shift

HOLLYWOOD, Jan. 5.—The executive personnel of "Your Hollywood Parade," Warner program, today underwent minor changes when Robert Taplinger, studio publicity director, became coordinator between the studio and Lord & Thomas, producers of the Lucky Strike show. Taplinger will also handle all publicity for the program.

Don Becker of Transamerica, who had been handling studio contacts in the past, will leave for New York this week. George Bilson, formerly on the publicity staff, will join the writing group. Leo Forbstein, musical director, will drop this post to continue as head of the studio music department. Al Goodman will replace him on the air show. He will leave New York for the coast this week.

Three Firms Renew 6 Programs on NBC

American Home Products, Cities Service and Sterling Products have renewed six of their shows over NBC networks, effective the first week in February. The programs are:

"The Easy Aces," broadcast Tuesdays, Wednesdays and Thursdays on the Blue, from 7 to 7:15 P. M., effective Feb. 1.

"Mr. Kean, Tracer of Lost Persons," Tuesdays, Wednesdays and Thursdays on the Blue, from 7:15 to 7:30 P. M., effective Feb. 1. Both are American Home Products programs, through Blackett-Sample-Hummert, Inc.

"Cities Service Concerts," Red network, Fridays from 8 to 9 P. M., effective Feb. 4. Lord & Thomas, Inc., is the agency.

"Manhattan - Merry - Go - Round," Sundays on the Red from 9 to 9:30 P. M., effective Feb. 6.

"American Album of Familiar Music," Sundays on the Red from 9:30 to 10 P. M., effective Feb. 6.

"Waltz Time," Fridays from 9 to 9:30 P. M. on the Red, effective Feb. 4. The above three are sponsored by Sterling Products, through Blackett-Sample-Hummert, Inc.

Canada Delegates to Cairo to Sail Today

SAINT JOHN, N. B., Jan. 5.—Canada's delegation to the World Radio Convention to be held in Cairo, Egypt, starting Feb. 1, will sail from here tomorrow on the *Duchess of Bedford.*

The group includes: Laurent Beaudry, Assistant Under Secretary of State, Dep't of External Aff[illegible] with his daughter and sister; W. [illegible] Rush, Controller of Radio, Dep't of Transport, and his daughter; G. C. Browne, Assistant Controller of Radio; J. A. Holmes, Superintendent of Radio; Colonel P. Earnshaw, Director of Signals, Dep't of Transport, and Mrs. Earnshaw, all of Ottawa.

Dr. Auguste Frigon, director of the Canadian Broadcasting Corp., who represented that body at Havana and originally intended to sail with the Cairo party, cancelled his passage.

Cohn Hits at Radio Work of Film Names

(*Continued from page* 1)

and scripts on the radio, Cohn asserted that he would aid exhibitors in any move they undertook to gain industry control or elimination of such broadcasts.

Cohn was among the first to predict a serious competitive problem developing from the increasing appearances of Hollywood stars on the air. Early in 1936, in an interview with MOTION PICTURE DAILY, he described the radio situation as placing the industry in the position of having to sell what radio was giving away, and later described the lending of stars for air programs as "selling ammunition to the enemy."

Cohn cited resolutions adopted recently by the I.T.O. of Ohio and the Indiana T. O., calling upon the industry to end radio competition with theatres and stated that he believed the protests to be "well grounded" and "should be taken cognizance of by the industry."

WBEN & KRKO Ask Increases in Power

WASHINGTON, Jan. 5.—Applications for increases of power have been filed with the F.C.C. by two stations.

WBEN, Buffalo, has asked for an increase from 1,000 to 5,000 watts for night operation, and KRKO, Everett, Wash., seeks an increase from 50 watts to 100 watts night, 250 watts day.

The commission announced approval of an application for an increase in power from 10,000 to 50,000 watts for WWL, New Orleans, and the granting of a construction permit to W. E. Whitmore, Hobbs, N. M., for a new 1,500-kilocycle, 100-watt, daytime station, and an operating license to C. A. Rowley, Ashtabula, O., for a new station, WICA, to operate on 940 kilocycles with 250 watts power, day only.

SALLY EILERS

Lady Behave!

WITH

NEIL HAMILTON · JOSEPH SCHILDKRAUT

MARCIA MAE JONES · GEORGE ERNEST

directed by Lloyd Corrigan · screen play by Joseph Krumgold, Olive Cooper

original story by Joseph Krumgold · Associate Producer ALBERT E. LEVOY

ots of fun and
one of the
stest moving
medies of the
year."
ELLA O. PARSONS

Republic

THERE IS A NEW NAME THAT MEANS "BOX OFFICE INSURANCE" TO EVERY EXHIBITOR

THIS page is an announcement—and a dedication.

It is addressed to the motion picture exhibitors of America.

It announces a new organization in the field of service to the nation's exhibitors.

It dedicates itself to a broader and more complete conception of technical service than the exhibitor has known in the past. It aims to be a vital element in "box office insurance"—"that your theatre may never be dark"....

Altec Service Corporation dares to make so sweeping a self-dedication because Altec, although a new and wholly independent organization, soundly organized, soundly financed and soundly manned, is at the same time a mature, seasoned organization, backed by ten years' experience in the field.

Altec embarks on its independent career with the integrated knowledge and capacity for team play of picked men from the engineering, sales and service staffs of Electrical Research Products, Inc., and still enjoys the co-operation of Bell Telephone Laboratories, as well as the full resources in the field, in men and materiel, established by Electrical Research Products, Inc.

Altec Service Corporation, alert, alive, aggressive, will do everything in its power to deserve, to secure and to maintain, the esteem and the good will of the exhibitors of America.

it is **ALTEC**

SERVICE CORPORATION

NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

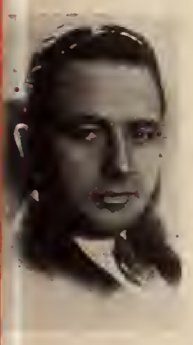
MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 5 NEW YORK, FRIDAY, JANUARY 7, 1938 TEN CENTS

eidelman Is Made Foreign Head for "U"

lected Vice - President With Scully, Fox



oseph H. Seidelman

Joseph H. Seidelman, Columbia forgn sales manager, was elected a vice president of Universal Pictures at a meeting of the latter company's board of directors yesterday and becomes general manager of Universal foreign sales on Monday.

At the same meeting, Nate J. Blumberg, new Universal president, was elected to the boards of directors of both niversal Pictures Co., Inc., and Unirsal Corp., the parent holding comny. William A. Scully, general

(Continued on page 4)

sk Curb on Federal Film, Radio Expense

WASHINGTON, Jan. 6.—Substantial eduction of expenditures by indeendent Government agencies for moon pictures and broadcasting, "the rimary purpose of which is to build p a public demand for the services the agency issuing the publicity," as called for today by the House ppropriations Committee.

Criticism of the film and radio acvities of some of the agencies was oiced by the committee in reporting e first appropriation bill of the cur-

(Continued on page 6)

ates Quits WOR; Danzig to Succeed

John Bates, WOR commercial proram manager, yesterday tendered his esignation, effective Jan. 15. Apointed Bates' successor is Jerry anzig, of the station's special events ivision.

Bates will establish a radio producion agency of his own, with several ccounts already in hand, it is undertood. "Famous Fortunes," a series or the General Shoe Corp., which will

(Continued on page 7)

More Radio—P. 7

"Chicago" Opening a Blend Of New Year's and Legion

ASTOR THEATRE
IN OLD CHICAGO
Camels
DOUGHNUTS
TYSON THEATRE TICKETS

(*Cosmo-Sileo Photo*)

By J. M. JERAULD

It was a mixture of New Year's Eve and the American Legion convention, with a touch of the Rough Riders' charge up San Juan Hill around the Astor Theatre last night. It started out to be a premiere for "In Old Chicago" and wound up as the busiest evening the Times Square police have had since the Automat strike was settled.

All these openings seem to be different. This one started out quietly with a half dozen policemen keeping the north and south pedestrians moving and the usual crowd on the safety zone that separates Broadway from 7th Ave., but about 8:20 things began to pop. It couldn't have been the big electric sign. They've had big signs there before. And it obviously wasn't the quaint 1870 style wallpaper and other odd lobby decorations; it must have been the word-of-mouth advertising that Alice Faye and Gregory Ratoff and Darryl Zanuck and others were expected.

At 8:22 a pained look passed across

(Continued on page 4)

Mexico Censors "U" Reel on the Panay

By JAMES LOCKHART

MEXICO CITY, Jan. 6.—The Mexican censor performed a wholesale cutting job on the Universal Newsreel scenes of the bombing of the American gunboat *Panay*, as taken by Norman Alley, before it went into the Cine Regis, where it currently is exciting considerable interest among cultured Mexicans and members of the Anglo-American and other foreign colonies.

It is understood that the drastic deletions in the newsreel were made at the request of the Japanese minister, who objected to the scenes of the bombing and the attempt to machine-gun survivors of the sinking. The showing was widely advertised here. The Cine Regis is running the film exclusively.

Northwest Allied Plans Celebration

Ambitious plans are being worked out here for the 25th anniversary meeting of Allied Exhibitors of the Northwest, which will be held at the Nicollet Hotel, Minneapolis, on Jan. 31, and Feb. 1 and 2.

W. A. Steffes, one of the founders of the organization and a leader in its activities for the 25 years of its life, is in charge of the arrangements and has been in New York for the past week visiting industry leaders here who will attend the meeting. Among the guests will be the last six living members of the original organization. They are Harry Sherman, now a producer for Paramount; C. E. Van Duzee, retired, and a resident of Los Angeles, who left exhibition many

(Continued on page 4)

Majors Study Resumption of Japan Imports

Currency Withdrawals to Be Limited Under Plan

Major distributors are studying a proposal from a Japanese financial organization which proffers an opportunity for resuming film shipments to Japan under a plan of deferred currency withdrawals from the country, it was learned yesterday.

Submitted to the distributors recently by a private individual representing the Japanese concern, the proposal, nevertheless, has the approval of Tokyo officialdom, it was said. Under its provisions, the American companies would be permitted to resume film shipments to Japan, which were prohibited entirely several months ago for an indefinite period. The Tokyo financial interests would issue three-year promissory notes to the American companies for their cash balances, which would be impounded in Japan.

The deferred cash withdrawal would comply with Japan's emergency financial control regulations, which brought about the ban on film imports.

An industry spokesman stated that there were numerous supplementary considerations involved in the proposal which would require considerable time and study, and indicated that a decision on acceptance or rejection of the plan might not be possible for another month or more.

Yamins Says Allied Will Join in Talks

The new president of Allied States will attend the joint trade practice meeting with Ed Kuykendall, president of the M.P.T.O.A., and Harry Brandt, president of the I.T.O.A., to be held in New York, probably in two weeks.

Nathan Yamins, Allied head, yesterday advised MOTION PICTURE DAILY in a telegram: "Allied board of directors meets in Washington Jan. 19

(Continued on page 4)

"Hurricane" $108,186 In 8 Weeks at Astor

A gross of $108,186 was garnered by "The Hurricane" in seven weeks and six days of its two-a-day showing at the Astor, according to United Artists. The run ended Sunday night.

The weekly takes, in consecutive order, were: $19,561, $17,169, $17,118, $10,849, $10,485, $9,339, $8,878 and

(Continued on page 6)

MOTION PICTURE DAILY
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Ampa Decides Upon Associate Members

The Ampa membership at a closed meeting at the International Casino yesterday voted to establish associate memberships for persons in the industry residing outside New York. Initiation fee and annual dues were set at $5 each.

The programs for the next five meetings were discussed and it was decided to hold a closed business meeting once a month. "Metro Day" has been deferred from Jan. 27 to some time in February because Howard Dietz, who is arranging the program, is now on the coast.

Norman Alley to Rest

Norman W. Alley, Universal cameraman who covered the sinking of the *Panay*, is due to leave for his home in Los Angeles today or tomorrow. He has not been feeling well since his race to New York City last week and will probably take a rest before being assigned, Charles E. Ford, editor of Universal Newsreel, said yesterday. His family will accompany him west.

Alley took a bow at the Advertising Club luncheon yesterday after being introduced by Lowell Thomas, club president.

◂ Purely Personal ▸

STANTON GRIFFIS, chairman of the Paramount executive committee, returned yesterday from a 10-day Florida fishing trip. He leaves today for Ithaca to attend a meeting of the board of trustees of Cornell University, of which he is a member.

•

Major LESLIE E. THOMPSON has been awarded a parchment scroll by JOHN W. DAVIS, chairman of the United Hospital Campaign. THOMPSON was chairman of the film division of the drive.

•

BENNY BERGER, Minneapolis exhibitor, left New York yesterday for Miami to meet Mrs. Berger. They will return in 10 days. He arrived here earlier this week with AL STEFFES.

•

PARE LORENTZ, author and director of "The River," is in Washington to discuss plans for the production of other documentary films for the Government.

•

JESS GOURLAY, Warner home office art director, is in Polyclinic Hospital, having suffered a broken leg Wednesday night when he was struck by a taxi.

•

HELEN BRODERICK is here for a month's vacation and will attend the premiere of "She's Got Everything" at the Criterion Jan. 14.

•

E. THORNTON KELLY, Allied of N. J. contact man, is in charge of the office while SALLY FISHER is cruising in the tropics.

•

ELSA NEWBERGER has joined the eastern story department of Selznick International. She was formerly with Universal.

•

JOE PASTOR, Chicago and Milwaukee exhibitor, has been here this week on a film buying trip. He will leave tomorrow.

•

THOMAS A. KILFOIL has been named booking director of sponsored shorts by Caravel Distributing Corp.

•

FRED AYER, who staged "Parnell," plans another Broadway production soon. He has a script.

•

ANATOLE LITVAK will leave for the coast next week to direct "The Amazing Dr. Clitterhouse."

•

FRANCIS SIMON has joined the United Artists publicity staff as a feature writer.

•

C. C. PETTIJOHN and family have returned from a holiday cruise to the West Indies.

•

HARRY GOLDBERG of Warners was in Philadelphia yesterday.

•

LOUIS NIZER returned yesterday from a Caribbean cruise.

Sid Rogell to Marry

HOLLYWOOD, Jan. 6.—Sid Rogell, RKO studio manager, and June Clayworth are to be married this month, they said today.

Midland Asks Court For Reorganization

KANSAS CITY, Jan. 6.—The Midland Investment Co., which controls the Midland theatre and office building here, has filed a petition with Judge Albert L. Reeves in U. S. District Court for permission to reorganize under 77B of the bankruptcy act.

Loew's, Inc., owns half of the 1,000 shares of no par value capital stock: the other half is held by the Woolford Investment Co. (Herbert Woof and M. B. Shanberg).

The original mortgage was for $2,500,000, and bonds were issued May 15, 1926, to cover. Outstanding principal on the bonds is $1,867,500, the petition sets out. On Nov. 15, 1937, $46,500 worth of bonds matured, but the company had only $38,760 deposited to that account. Consequently, trustees served notice of default. The investment company does have, however, $104,000 in cash on hand, and interest obligations have been met.

The ten-year lease on the theatre and office building, which was held by Loew's, Inc., expired Oct. 27, 1937, and was renewed on a short-time, one-year basis because the project was losing money. The new one-year lease calls for 15 per cent of box-office returns.

Milwaukee's Police Raid Seven Theatres

MILWAUKEE, Jan. 6.—Despite the refusal of the City Attorney to issue warrants against seven theatres previously charged with operating illegal lotteries in Bank Night, Bingo, Hollywood and similar games, the Police Dep't last night seized files and papers of the Oriental, Tower, Modjeska, Uptown, Savoy, Sherman, Garfield, Milwaukee, Parkway, Lake and Avalon where games were in progress.

Theatres previously raided included the Ritz, Varsity, Plaza, Atlas, Egyptian and Roosevelt.

City Attorney Walter J. Mattison maintains that none of the cases presents all the conditions of an illegal lottery necessary for a test case.

To Appeal Kentucky Verdict

PADUCAH, Ky., Jan. 6.—W. V. Eaton, counsel for the Columbia Amusement Co., operators of two theatres here whose Thrift Night and Bank Night awards were held to be a lottery by Judge Joe L. Price in an opinion handed down in McCracken Circuit Court, has declared that he will recommend that the case be taken to the Court of Appeals.

Meantime, the company has suspended the awards each Monday night.

Two Managers Sued

SHENANDOAH, Ia., Jan. 6. — The managers of the State and Mayfair, B. B. Holdridge and Charles Stewart, respectively, are defendants in a Bank Night suit for $150 filed in District Court here by Eddie Jarman, through his mother, Lena Jarman. The plaintiffs claim the boy attended one of the theatres on a Bank Night when his name was drawn as winner but the money was withheld by the managers. It is regarded as a test case.

May Roadshow "Gold"

HOLLYWOOD, Jan. 6.—Warners are contemplating the roadshowing of "Gold Is Where You Find It" at the New York Hollywood.

Paramount to Talk Operation, Slogan

By A-MIKE VOGEL

NEW ORLEANS, Jan. 6.—Discussion of operation and the adoption of a slogan for Paramount's three-month international sales drive, starting in March, will occupy a good part of the company's two-day meeting attended by division and district distrib[illegible]n heads starting tomorrow morning [illegible]t the Hotel Roosevelt here. In addition, according to Neil F. Agnew, general sales manager, the sales policy for the new season's product will be taken up as well as product still to be released on this season's program.

Awards will be offered for the best results in the spring drive which will take in every Paramount sales territory in all parts of the world. Agnew also will announce extra awards for theatre men playing Paramount during the competition who turn in the best selling job during the three months. Further details are to be worked out.

Friday's session will be a general one and it is expected that production and theatre executives in New Orleans for the world premiere of C. B. DeMille's "The Buccaneer" will address the gathering. Saturday will be given over to individual meetings called by the division heads.

Personnel Changes Due

To be announced Friday by Agnew are the following changes in distribution personnel:

Hugh Brawley, Salt Lake and Denver district manager, to the supervision of the Texas district, replacing Jack Dugger, recently deceased. No successor to Brawley will be appointed; the district will be transferred to Myke Lewis' west coast division. To assist Lewis in the operation of the enlarged territory will be George Smith, San Francisco branch manager, whose place will be taken by H. Neal East, Seattle branch manager. Morris Siegel, Paramount Seattle salesman, will succeed East.

Agnew will be in the chair at the meeting. From the home office will be J. J. Unger, C. M. Reagan, G. B. J. Frawley, R. M. Gillham, Alec Moss and Don Velde. The district men include: M. S. Kusell, New York; W. H. Erbb, Boston; P. A. Bloch, Philadelphia; H. H. Goldstein, Cleveland; A. Usher, Chicago; Oscar Morgan, Atlanta; R. C. LiBeau, Kansas City; H. W. Braly, Denver; M. H. Lewis, Los Angeles; B. Blotcky, Minneapolis; G. A. Smith, San Francisco, and M. A. Milligan, Toronto.

Columbia Awards Set

Cash prizes totaling to $50,000 will be distributed among Columbia branch employes at the end of the Montague Sales and Billing Campaign which will start Jan. 15. Details of the plan are to be sent out next week, according to Jack Cohn.

Awards will be computed on the basis of the improvement in each exchange over the business done last year.

"Snow White" Shown

Several hundred persons connected with the music business attended a midnight screening last night of "Snow White and the Seven Dwarfs" at Loew's Ziegfeld.

AND THE NEW YEAR WILL BE EVEN BIGGER!

Last June we said: "It's been a great record, but we're not satisfied!"

Now we say: "Good as our product has been so far this season, the pictures to come are even bigger!"

LOVE AND HISSES

Darryl F. Zanuck's top-hit musical to date—already demonstrating at the boxoffice!

SALLY, IRENE AND MARY

With 20th's biggest big-name musical cast!

THE BARONESS AND THE BUTLER

Starring William Powell and Annabella!

KENTUCKY MOONSHINE

Starring those dizzy Ritz Brothers!

WOMEN ARE DANGEROUS

Starring Myrna Loy and Warner Baxter!

INTERNATIONAL SETTLEMENT

High-tension drama of today, vivid with real-life sock!

HAPPY LANDING

Starring Sonja Henie and Don Ameche!

Shirley Temple in

REBECCA OF SUNNYBROOK FARM

Your No. 1 star's No. 1 hit!

JOSETTE

Starring Simone Simon and Don Ameche

—and

The Great American Motion Picture

IN OLD CHICAGO

Darryl F. Zanuck's proudest achievement!

A PROPHECY 20TH'S RECORD GUARANTEES!

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Seidelman Is Made Foreign Head for "U"

(Continued from page 1)

sales manager, and Mathew Fox, assistant to the president, were elected vice presidents.

Ottavio Prochet, a member of the board of Universal Corp., was elected to the board of Universal Pictures Co., Inc.

Seidelman was given a long term contract by Universal. His Columbia contract had until Feb. 25 to run but amicable arrangements for his release to Universal at the beginning of next week were made, and are contingent only upon the availability of his successor, who has been decided upon already and whose appointment probably will be made known today. Seidelman has been with Columbia for the past three years and prior to that was foreign manager for Paramount. Gus Schaefer continues as export manager under Seidelman.

Yamins Says Allied Will Join in Talks

(Continued from page 1)

when in addition to other important matters officers will be elected for the ensuing year. Under these circumstances, I think it advisable to postpone the meeting until after the election. I am certain that the newly elected officers will attend any meeting held for the purpose of solving the important problems in our industry."

This statement would indicate that Yamins, who has held the presidency two years, does not consider himself a candidate fo re-election.

Kuykendall advised Brandt early this week that he would attend the proposed meeting here if it could be arranged after Jan. 17. No word has been received from him on when he expects to arrive in New York.

Allied of Michigan Asks Better Prints

Detroit, Jan. 6.—A campaign to assure subsequent run theatres of better prints and to protect them against liability for damaged film is being conducted by Allied of Michigan under the supervision of Ray Branch, president.

Most of the damage to prints is done in the earlier runs, Branch contends. If exhibitors in these situations will keep their machines clean and in proper adjustment, this damage will be reduced.

Branch said he was receiving cooperation from both exchanges and exhibitors as a result of a series of bulletins he is sending out concerning the matter.

Phila. Sees "Earth"

Philadelphia, Jan. 6.—"Spanish Earth" opened today at the Europa as a result of the overruling of the censors' ban by Governor Earle.

"Spain in Flames" was to have been shown with the film, but the censor board has appealed from Judge Louis E. Levinthal's overriding of its ban and the case is still pending.

"Chicago" Opening a Blend Of New Year's and Legion

(Continued from page 1)

Charlie McCarthy's face when women began to scream and he told the theatre manager to send in a riot call. In no time at all a squad car arrived with a load of bluecoats. They might just as well have leaned up against the Mississippi during a flood. Another squad car arrived. A half dozen mounted men galloped up—up was right. They bounced their snorting steeds right into the middle of the sidewalk and let the horses clear a lane from the curb to the door.

Women came in gasping and pulling their evening wraps together. Men counted their shirt studs to make sure everything was intact. Harry Brand ran around in circles and suggested loudly that "they" should be brought in the side door, but nobody could figure out how to get word to "they." Once their cars got into the jam at the front door they had to stay there.

Ruth Waterbury popped into sight from under a horse without batting an eyelash. Thyra Samter Winslow screamed and looked down at one of her feet. It was a short look, though; the crowd was pushing. An indignant dowager sat down on the WHN electrical equipment to examine a run in her stocking, but discovered she was getting sunburned on the back of her neck in front of a spotlight.

Radie Harris, Larry Reid, Luella Gear, Louis Sobol, Billy Wilkerson, Joe Moscowitz, Sidney Towell and others followed each other in. The WHN announcer had just started talking into a microphone when Will H. Hays was catapulted through the door. Earl Wingart ushered him to the microphone, but what he had to say was lost in the shouts of cameraman, "Look this way Mr. Hays—a big smile—up here Mr. Hays."

By the time he had eased himself under a tape Ben Bernie "Howdyed" the folks on the ether waves.

Hope Hampton came in with her husband, Jules Brulatour, and one of the cameramen remarked: "The opening's official now." She refused to broadcast, but posed for pictures. Ethel Merman did both.

At 8:49 S. R. Kent and party arrived. Two minutes later Darry[illegible]anuck and Mrs. Zanuck were squ[illegible]ed into the narrow opening around the microphone and Earl Allvine tried to shoo-o-o- a crowd of still photographers from in front of the Movietone camera lens.

By that time the flash bulbs were popping like machine guns, the crowd outside was shouting. Police, both afoot and mounted, were wishing they were some other place.

Beatrice Lillie's tricky Scotch highlander's cap caught the eye of the multitude. She tried to introduce a "Mr. Dannenburg" to somebody just inside the door, but "Mr. Dannenburg" was bounced out of voice range so fast he heard no more. Martin and Mrs. Quigley squeezed by about that time.

Hersholt and Tenor Arrive

Lauritz Melchior, the Metropolitan Opera singer, and Jean Hersholt arrived at about the same time. It was a tactical error. The crowd wanted to see them both, and did.

The big moment came when Gregory Ratoff, Alice Faye, Joseph M. Schenck, Sid Grauman and others appeared at 8:58.

Harry Brand looked them over for injuries. He found none and relaxed. Charlie McCarthy leaned up against the wall.

"They wanted an opening and they got it," he murmured in a daze.

The crowd thinned out in the lobby. Boys with toy brushes examined a pile of flashlight bulbs and decided to get a shovel.

"In Old Chicago" was on its way.

"Delightful Film"

London, Jan. 6.—Alexander Korda's "The Divorce of Lady X," which will be released by United Artists in the United States next month, and which opened at the Odeon here tonight, is delightfully polished entertainment, and a triumph for Tim Whelan, director. It is a demonstration of British ability to reach Hollywood standards in smoothness.

The romantic teamwork of Merle Oberon and Laurence Olivier is outstanding in a witty story of mistaken identity and the attorney's romance with a girl believed to be the wife of a divorce-seeking client. The settings and costumes are of high quality and the Technicolor extremely effective. FLANAGAN

20th-Fox Party to Return

The 20th Century-Fox studio party which came east to attend last night's opening of "In Old Chicago" at the Astor plans to leave for the coast today. Several members of the party who may be held overtime on business will leave tomorrow, all returning by train.

Northwest Allied Plans Celebration

(Continued from page 1)

years ago to become associated with old General Film Co.; Daniel Chamberlin, also retired and living in Los Angeles; Otto N. Raths, retired and a resident of St. Paul, and Henry P. Green and Steffes, the only two original members still active in exhibition, both in Minneapolis. Raths was the first president of the organization, which was known originally as the Minnesota Exhibitors' League.

Governors Benson of Minnesota and Langer of North Dakota will be guests at the banquet, Feb. 2. The Governor of South Dakota is expected to attend, but his acceptance has not been received yet. Representatives from every state in the Union are expected and all officers and directors of national Allied. Will H. Hays has been invited, but his present plans of leaving for the coast about Jan. 18 may prevent his attendance.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Swing Your Lady"

(Warners)

Hollywood, Jan. 6.—Professional wrestling and hill billyisms are combined in "Swing Your Lady" to produce a hilarious Ozark mountain piece which provides exhibitors and showmen, outside of Missouri at least, with a veritable fount of ideas for attracting the public to this musical film. It is made from start to finish for laughs and it obtained them at a Hollywood preview from the opening action to the final fade-out.

The picture treads dangerously on the civic pride of rural communities, but it nevertheless has a scapegoat at which small-town residents may emit chuckles—professional wrestling. The picture is based on the play by Kenyon Nicholson and Charles Robinson. The screenplay by Joseph Schrank and Maurice Leo is a swift moving piece of screen fun which Ray Enright paces neatly with his direction. The story is slowed down, however, by an over-long, incongruous dance number in which swing is introduced to Ozark folk. The cast provides competent names for marquee embellishment—Humphrey Bogart, Frank McHugh, Louise Fazenda, Nat Pendleton, Allen Jenkins and the Weaver Brothers and Elviry.

Bogart is the manager of Pendleton, a feeble-minded wrestler who is barnstorming with him and Frank McHugh and Jenkins. He gets the idea of matching Pendleton with Miss Fazenda, a woman blacksmith in the Ozarks. Pendleton falls in love with his opponent to the disgust of the crew. There comes menace in the form of Daniel Boone Savage, a well known figure in the Pacific coast wrestling field. He is the hill billy lover of Miss Fazenda. Bogart arranges a grudge match which Pendleton wins. Bogart then plans for a match in the big time and he goes awry as his wrestler claims his prize—Miss Fazenda—and elects to stay in the Ozarks.

There are five songs by M. K. Jerome and Jack Scholl in keeping with the hillbilly theme, and they offer added exploitation angles. Sam Bischoff produced.

Running time, 75 minutes. "G."

Film Daily's
Nationwide
Poll for 1937's
TEN BEST

M-G-M
3
NEXT COMPANY
2
NEXT COMPANY
2
NEXT COMPANY
2
NEXT COMPANY
1

Another Year! Another Ten Best! Another Victory for M-G-M!

The industry expects it, because it always happens! The Film Daily Annual poll for the year's Ten Best Pictures results in M-G-M leading all companies again. Three M-G-M pictures ("*Good Earth*", "*Captains Courageous*", "*Romeo and Juliet*") established M-G-M victory in the vote of hundreds of critics. It is an honor for Metro-Goldwyn-Mayer to receive this nationwide tribute but we share it with M-G-M exhibitors whose faith and support make possible M-G-M quality entertainments.

"Hurricane" $108,186 In 8 Weeks at Astor

(Continued from page 1)

$14,787. The last week's spurt is attributed to holiday business, including New Year's. The picture proved a strong matinee attraction, with the nights off, it was reported.

Broadway business generally continued at a rallying pace under the holiday impetus. "Tovarich" gave the Music Hall $115,800 for the week ending Wednesday, with about $82,000 for the first four days, ending Sunday, contributing materially. Now in a second stanza, the picture may go a third.

"Wells Fargo" and Fred Waring and his band on the stage grossed $72,000 in the week ending Tuesday night at the Paramount. This was reported as a two-year record. The picture is holding up strongly and a third week is scheduled.

The Roxy estimated $58,000 as the take for "Love and Hisses" for the week ending last night. The picture will go a second week.

"Submarine D-1" at the Strand ended its first week Tuesday with $38,162, warranting a second-week holdover.

"Rosalie," the Capitol's current holdover, was another big grosser the first week, although figures were not available. Business was up also at the Criterion with "Manhattan Merry-Go-Round."

The newsreels' pictures of the *Panay* sinking, which were heavily advertised, were generally credited as a box-office draw.

Flash Previews

"Love on a Budget". . . Jones Family . . . clean, wholesome, humorous and mildly exciting.

"The Old Barn Dance". . . Satisfying western entertainment with Gene Autry vocals.

"Hawaiian Buckaroo". . . In Hawaii, we are told, they raise plenty of cattle; have rustlers and land grabbers.

"Paroled to Die". . . Bob Steele is a cow-town cutup framed in a bank robbery . . . good western material.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Don Nichols Resigns

CHARLOTTE, Jan. 6.—Don Nichols manager of the Broadway here, has resigned. Nichols was manager of the Broadway for seven years and during that time won the Quigley award for exploitation for three years. For two years he won silver trophies for exploitation awarded by Warners. His future plans are not set.

Change Danish Title

The title of the film produced by the Danish company, Nordisk Kompagni, of Copenhagen, has been changed from "Laila" to "En Saga," for American distribution by Gustave Schwab. It is now playing at the Continental.

Selznick Buys "Wagon"

HOLLYWOOD, Jan. 6.—David O. Selznick has purchased "The Star Wagon," current Broadway play, as a vehicle for Janet Gaynor. The film will go into work late in the year.

The Newsreel Parade

Movietone News
Vol. 20, No. 34
(20th Century-Fox)

An average issue that presents regulation newsreel material in an acceptable form. It is the usual compilation of national politics, contests, fashions, aviation, sports and the light dialect touch by Lew Lehr.

Portrait shots of Justice Sutherland and Van Devanter in a Supreme Court sequence open the reel. It is followed by 80-year old Senator Glass being congratulated on his birthday and Alfred E. Smith as he observes his 64th year.

Then there are scenes of a poultry show with many prize fowl strutting before the camera, swimming and snow activities at Sun Valley, advance summer and spring fashions on fair models, a new European glider, skiing in New England, a speedboat trial in Florida, training huskies in New Hampshire and Lew Lehr commenting in his usual fashion while attractive camera compositions of girl sun-tanners in Florida are screened.

Running time, 8½ mins. P.

News of the Day
Vol. 9, No. 232
(M-G-M)

The makeup of this issue indicates a scarcity of acceptable newsreel material. But with the material on hand the editors have gotten up an interesting collection of items.

The lead is a bit of documentation revolving around the current legislation in Washington for additional defense appropriations. It is followed by Senator Glass on his 80th birthday, King Carol of Rumania revealed as an "Iron Man," and Secretary of State Roper and Colby M. Chester of the National Ass'n of Manufacturers in short speeches on methods to solve the current recession. The Woman's Page offer fashions in women's shoes, modes in dress for dogs, and sunbathing girls in Florida having their tans scientifically regulated. Horace Dodge races his *Delphine* in the sporting division which also includes a skiing sequence and sled-dog racing.

Running time, 8 mins. P.

Paramount News
No. 45
(Paramount)

This issue of the Paramount reel may be described as composed of interesting routine material, with a flash or two in keeping with the season, news of current importance, one feature type clip, and an intelligent use of the opportunity for fast action newsreel fare in a clip on a New York basketball game.

The current rage for skiing is viewed in a blizzard on Mt. Ranier, Wash., while in good contrast is pictured a number of celebrities basking in Florida's winter sunshine. The drama of death at sea is retold as the police and Government agents investigate the mysterious slaying of two aboard a pleasure yacht when it returns to Los Angeles.

Unusual timeliness in a news "break" is afforded with glimpses of Supreme Court Justice George Sutherland, just resigned, and of former Justice Van Devanter presiding as a visiting judge in a lower Federal Court in New York. There is interest in the scenes of an entire orchestra using Stradivarius violins in a concert commemorating the 200th anniversary of the death of the great violin maker, and Germany offers an impressive tribute to the memory of Gen. Erich Ludendorff at his funeral in Munich.

Long Island University shows the way to Southern Methodist in a fast basketball game at Madison Square Garden to end the reel.

Running time, 9 mins. A.

Pathe News
Vol. 9, No. 49
(RKO)

Pathe's editors have attempted to take an interpretive slant on the recent news developments in this week's issue. The results are interesting.

In presenting Justice Sutherland's retirement with comment by Andrew Baruch the pictures of a number of possible successors are introduced. Another Washington shot showing the Senate Unemployment Investigation Committee has closeups of the chairman, Senator Byrnes, explaining the purposes of the probe.

A behind-the-scenes slant on the Chinese situation shows how the Nanking Government gets enormous quantities of war supplies through Hong Kong, a British-controlled port. The same technique of presenting an illuminating sidelight has been used in showing activity at the Brooklyn Navy Yard in building up sea defenses.

A neat trick has been pulled on the fashion subjects by presenting a series of hats on girls in a fancy frame. The backgrounds are perfectly flat, but the lighting has been arranged to focus attention on the subjects in a smart manner.

Two subjects have been cut to lend a note of excitement. One gives varied angles on a bobsled descent and another shows how airplanes are tested for the Navy Dept.

Running time, 9 mins. A.

Universal Newsreel
Vol. 10, No. 630
(Universal)

This collection is fairly interesting chiefly because of the wide range of subjects.

A glimpse of Justice Sutherland, second conservative member of the Supreme Court to retire, starts off the reel, followed by a shot of Senator Carter Glass in connection with Congressional doings. Seasonal notes are the "skiers' mass" at North Conway, N. H., and young malamutes getting their first taste of sled harness at Wonalancet, N. H. A wrestling match in a muddy field will get a laugh. Chicago's shoe show and a "back watcher" guarding bathing beauties against sunburn at Miami are notable for their display of the feminine form.

There is also a shot of the U. S. National Guard's polo victory over the Cuban Army, with Col. Fulgencio Battista, Cuba's dictator, as a spectator; poultry show specimens and the Rangers-American hockey tilt in New York City.

Running time, 9 mins. F.

Ask Curb on Federa
Film, Radio Expens

(Continued from page 1)

rent session, covering the independ offices.

Hearings before the committee veloped that more than 300,000 feet film, chiefly from Government ag cies, but including some newsreel a historical feature material, alrea have been acquired by the n archives.

"Gorgas" Suit Settled

The $100,000 damage suit brought Richard Carroll and William Drake, writers, against Warners w marked settled and discontinued in t U. S. District Court here yesterd The authors alleged that after th story on the life of General Gorg and the construction of the Pana Canal had been rejected by Warne the title was registered with the Ha office. This, they claimed, prevent the sale of their story. The amou of the settlement was not revealed.

Mrs. Sam Abend Dies

KANSAS CITY, Jan. 6.—Mrs. Jen Abend, wife of Sam Abend, vice-pre dent and secretary of Exhibitors' Fi Delivery, died yesterday at her ho here. She was 40 years old, and f several years had been in ill heal

Members of Variety Club—film a theatre men and allied tradesmen— tended the funeral today.

Besides her husband, Mrs. Abe is survived by a daughter, Martha.

Benefit for Mrs. Heal

HOLLYWOOD, Jan. 6.—January has been set as the date for a bene show for the widow and infant of T Healy, who died impoverished. It w be held at midnight at Warne Hollywood. Stars listed to appear far include Eddie Cantor, Burns a Allen, Jack Benny, Bob Burns a George Jessel. Bryan Foy is charge of arrangements.

Wall Street

Board in Strong Revival

	Open	High	Low	Close	Ne Chan
Col.	12¾	13⅜	12¾	13⅜	+
Cons.	1⅝	1⅝	1⅝	1⅝	...
Cons. pfd.	6	6	6	6	...
E. K.	166	167	165	167	+1
G. T. E.	12½	12½	12½	12½	+
Loew	47¼	48¾	47	48½	+1
Loew, pfd.	105¾	105¾	105¾	105¾	+
Para.	10	10½	9⅞	10½	+
Para. 2	10¼	10½	10¼	10½	+
Pathe	5¼	5¾	5¼	5¾	+
RKO	4⅛	4⅜	4	4¼	+
20th Fox	20¾	21⅝	20¾	21⅝	+
Univ. pfd.	34½	36½	34½	36½	+7
W. B.	6½	6¾	6¼	6¾	+

"U" Best Curb Rise

	Open	High	Low	Close	Ne Chan
G. N.	⅞	⅞	½	¾	—
Monogram	1¾	1¾	1¾	1¾	...
Sonotone	1⅞	1⅞	1⅞	1⅞	...
Tech.	17⅝	17¾	17½	17⅝	+
Trans-Lux	2½	2½	2½	2½	—
Univ. Corp.	2	2½	2	2	...
Univ. Pict.	4¾	5	4¾	5	+1

RKO Bonds Drop 2 Points

	High	Low	Close	Ne Chan
Loew 3½s '46	98¼	98¼	98¼	+
Para. B'way 3s '55	59½	59½	59½	...
Para. Pict. '47	73¼	73¼	73¼	...
RKO 6s '41	77	75	75	—2
W. B. 6s '39	77½	77	77	...

(Quotations at close of Jan. 6)

aried Radio Hearing List Fixed by FCC

Vashington, Jan. 6.—The F.C.C. heduled hearings on a number adcasting cases, as follows:

an. 21, before the commission: gument on contesting applications the Port Huron Broadcasting Co. William W. Ottaway for a 1,370-ocycle, 250-watt, daytime station at t Huron, Mich.

an. 28, before the commission: gument on applications of Frontier adcasting Co. for a 1,420-kilocycle ion at Denver, with 100 watts er night, 250 watts day; and MEX, Boston, for change of fre- ncy from 1,500 to 1,470 kilocycles increase of power from 100 watts ht, 250 watts day, to 5,000 watts and night.

To Consider Contesting Pleas

eb. 4, before the commission: Re- ument on contesting applications Lillian E. Kiefer, Brooklyn; Paul Gollhofer, Brooklyn, and the Long ind Broadcasting Corp., Woodside, I., for a 1,500-kilocycle, 100-watt ion using the facilities of WMBQ, application of WMBQ, Brooklyn, renewal of license; and applica- ns of KDON, Del Monte, Cal., for nge of frequency from 1,210 to 00 kilocycles and increase of power n 100 watts to 250 watts night, 00 watts day.

eb. 9, before an examiner: Ap- ations of Harry M. Ayers for a 0-kilocycle, 100-watt, daytime sta- at Anniston, Ala.; S. B. Quigley a 1,200-kilocycle, 100-watt, day- e station at Mobile, and Roberts- cNab Co. for a 1,310-kilocycle sta- at Livingston, Mont., with 100 ts night, 250 watts day.

eb. 10, before an examiner: Ap- ation of N. B. Egeland for a 0-kilocycle, 100-watt, daytime sta- at Fort Dodge, Ia.

eb. 11, before an examiner: Ap- ations of KGGC, San Francisco, increase of time to operate nights for increase of power from 100 ts day to 100 watts night, 250 ts day, and KUJ, Walla Walla, sh., for change of frequency from 0 to 560 kilocycles and increase ower from 100 to 250 watts.

o Hear Nashville Application

eb. 15, before an examiner: Ap- ations of National Life & Acci- t Insurance Co., Inc., for a 1,370- ocycle station at Nashville, with watts night, 250 watts day; lington Broadcasting Co. for a 0-kilocycle, 100-watt station at lington, Ia.; Kathryn B. Gosselin a 1,500-kilocycle station at Aurora, with 100 watts night, 250 watts , and Clinton Broadcasting Co. for ,310-kilocycle station at Clinton, with 100 watts night, 250 watts .

eb. 21, before an examiner: Ap- ation of KAST, Astoria, Ore., for nge of frequency from 1,370 to 0 kilocycles, extension of time to rate nights and increase of power n 100 watts day to 100 watts night, watts day.

eb. 23, before an examiner: Ap- ations of Frank Ray for a 1,310 ocycle station at Dickinson, N. D., ase 100 watts night, 250 watts day; Jonas Weiland for a 1,370-kilocycle, 100-watt station at New Bern, N. C.; WFOY, St. Augustine, Fla., for change of frequency from 1,210 to 590 kilocycles and increase of night power from 100 to 250 watts, and KPAC, Port Arthur, Tex., for change of frequency from 1,260 to 1,350 kilocycles and increase of power from 500 to 1,000 watts.

Feb. 28, before an examiner: Applications of WMBS, Uniontown, Pa., for increase of time to operate nights with 100 watts, and WRDW, Augusta, Ga., for change of frequency from 1,500 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night and day.

Publication Asks Station

March 1, before an examiner: Application of the Union-Tribune Broadcasting Co. for a 1,480-kilocycle, 5,000-watt station at San Diego.

March 2, before an examiner: Applications of Larry Rhine for a 1,150-kilocycle, 1,000-watt, daytime station at San Francisco; Anne Jay Levine for a 1,370-kilocycle station at Palm Springs, Cal., to operate with 100 watts night, 250 watts day, and KGDM, Stockton, Cal., for change of frequency from 1,100 to 1,150 kilocycles and increase of power from 1,000 to 5,000 watts.

March 3, before the commission: Re-argument on application of KROY, Sacramento, for change of frequency from 1,210 to 1,340 kilocycles, increase of time and increase of power from 100 watts day to 250 watts night, 1,000 watts day.

March 4, before an examiner: Application of Mollin Investment Co. for a 1,160-kilocycle, 100-watt, daytime station at Huntington Park, Cal.

"Relations" Extends Web

"Court of Human Relations," which will start Sunday on Mutual, will add WAAB, Boston, and WBAL, Baltimore, to its network, making a total of 25 stations signed to carry the program. Albert M. Ross, Inc., is the agency.

Hollywood Town Pump

Hollywood, Jan. 6.—Connie Blake, assistant traffic manager at CBS, went to San Francisco over the weekend. . . . Campbell Cereal Co., exploiting Malt-o-Meal, has gone on KNX Mondays, Wednesdays and Fridays with a transcription for children, "Under the Sea with Jack Westaway." Ruthrauff & Ryan is the agency. . . . John Herstand is the announcer for the new Mickey Mouse program which started Sunday. Felix Mills is directing the orchestra.

Hugh Wedlock, Jr., and Howard Snyder, writers, have had their options picked up for another 13 weeks on the Jack Oakie air show. . . . Grace Moore and Melvyn Douglas will appear in RKO's "Enter, Madame," Jan. 10. . . . Ponds is sponsoring "Those We Love," NBC-Blue script show which started Jan. 4 and continues weekly. The time is 5 to 5:30 P.M., P.S.T. Nan Grey is the star. . . . After three years at other stations, Hal Berger and the "In-laws" have returned to KNX to be heard Mondays through Fridays from 3:15 to 3:30 P.M., P.S.T. The Columbia Pacific network picks up the program. . . . Fernand Gravet will be Paul Whiteman's guest on Chesterfield tomorrow.

KHJ and the Don Lee Mutual network will air a series of dramatic sketches prepared by the National Better Business Bureau to guide consumers against various rackets. The programs are aired Fridays, under the guidance of the Los Angeles Better Business Bureau. Heretofore the Bureau's 15-minute program had been devoted to talks. . . . Tom Breneman has originated a new program on the Columbia Pacific Network, "My Secret Ambition," in which the radio audience is invited to write their secret desires, the best two of which will be dramatized. . . . "House Not for Sale" is the title of KEHE's newest script show Mondays, Wednesdays, Fridays and Sundays.

Another new KEHE program is "The Negro Hour," conducted by and for Los Angeles negroes. It started Jan. 6 and is aired Thursday nights at 6 P.S.T. . . . Another new KNX program is "Strange as It Seems," John Hix's collection of rarities placed on platters. It will be heard Sundays at 3 P. M., P.S.T.

Bates Quits WOR; Danzig to Succeed

(*Continued from page 1*)

start over Mutual Feb. 8, is one of the programs to be produced by Bates.

Danzig will be succeeded in special events by Alvin Josephs of the *New York Herald-Tribune* editorial department. Danzig, however, will continue his work on the "Let's Visit" program, which he handles jointly with Dave Driscol.

Colgate Will Have CBS Script Series

Colgate-Palmolive-Peet has contracted for time on CBS for a new script series to begin Jan. 17. The series will be titled "Step-Mother" and will be heard Mondays through Fridays from 5:30 to 5:45 P. M. Francis X. Bushman will be starred. The series will originate in Chicago. The agency is Benton & Bowles of Chicago.

Book Firm Sponsors New WABC Program

Modern Age Book, Inc., will sponsor a new series locally over WABC only, starting Jan. 15, from 9:30 to 9:45 P. M. The series will be titled "By Popular Demand," and will feature commentators. H. V. Kaltenborn is set for the first assignment. Bachenheimer, Dundes & Frank is the agency.

Standard Radio Signs KARM

Standard Radio's latest Program Library Service subscriber is KARM, Fresno, Cal. The "Popular Supplement" library has been leased by the following stations: KBTM, Jonesboro, Ark.; WICA, Ashtabula, O., and WDZ, Tuscola, Ill. The "Sons of the Pioneers" goes to KGNC, Amarillo, Tex.

House Budget Slashes Fund For the FCC

By BERTRAM F. LINZ

Washington, Jan. 6.—An appropriation of $1,742,000, exclusive of $20,000 for a study of radio requirements for the Great Lakes was today recommended for the F. C. C. by the House Appropriations Committee in reporting the independent offices supply bill for the fiscal year beginning July 1.

The sum recommended is $17,000 under the appropriation for the current year.

Consideration of the F. C. C. budget by the committee was marked by sharp questioning of Commissioner T. A. M. Craven, both as to his personal interest in broadcasting stations with which he was connected before joining the commission, and the Mae West broadcast, which occurred just prior to the hearing.

While frankly explaining his relationship with broadcasting stations before joining the commission and the steps he took to sever his connections, Craven parried the committee's questions regarding the Mae West episode, saying that the question of censorship is one for Congress to work out.

To Study Medical Programs

"We don't undertake any censorship," he commented.

Craven disclosed, however, that the commission plans to make a study of patent medicine advertising over the air, on which complaint was voiced by committee members, but pointed out "there is a very grave question of constitutional rights with respect to censorship which we must regard as well as everybody else."

Members of the committee evinced interest in the possibility of charging fees for broadcasting licenses, regarding which Craven said he had no suggestions to make other than that a very complete study should be made before anything is done, particularly from the point of providing an implication of property rights in the future to licensees.

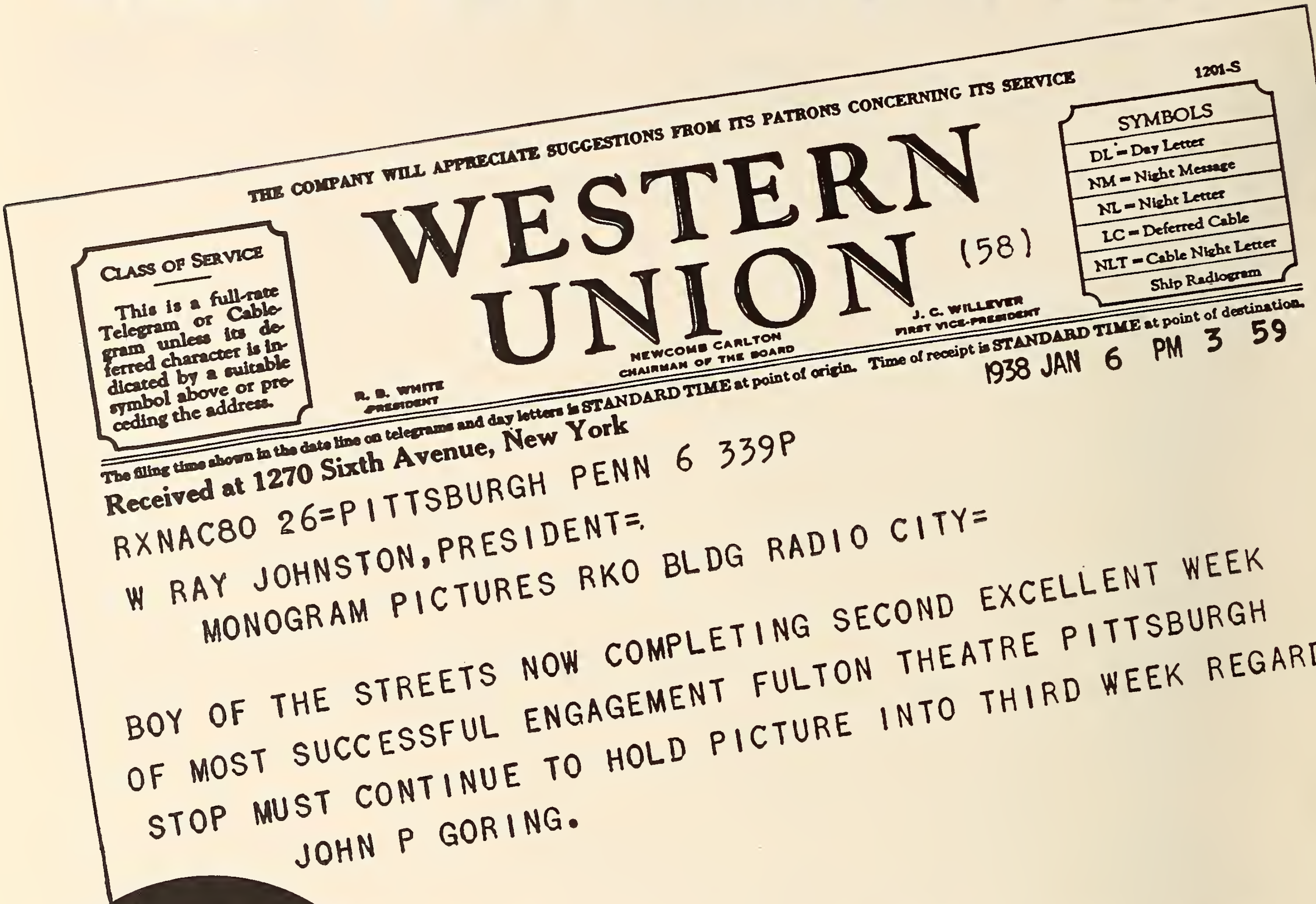
Bill Aims to Limit Radio Libel Actions

Albany, Jan. 6.—A bill aimed to limit libel suits against radio stations is to be introduced Monday night by Assemblyman Phelps Phelps, commentator over WMCA and WNEW. Many recent suits have developed out of quizzes and uncensored speeches.

Phelps contends stations should not be held responsible for inadvertent statements made by persons not employed in the industry and whose remarks cannot be anticipated on non-rehearsed programs.

KEN SISSON
AMERICA'S MUSICAL AMBASSADOR TO CANADA

HELD OVER THIRD WEEK!



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L. 43. NO. 6 NEW YORK, SATURDAY, JANUARY 8, 1938 TEN CENTS

oldwyn Pact uns 7 Years, ays Pickford

onclad, She Declares, Answering Reports

amuel Goldwyn's releasing conct with U. A., which has seven and alf years to run, is iron-clad, of ich he had made certain when it s signed two and a half years ago, ry Pickford, a U. A. partner, l following her arrival here yester-.

his statement was made in reply inquiries concerning current rets that Goldwyn would refuse to tinue production for U. A. unless is authorized to make pictures for er companies.

A similar contractual situation, she l, applies to Alexander Korda.

J. A. is negotiating with several ducers, she declared, refusing to ne them. Carl Laemmle, Jr., retedly is one. Regarding David znick's expected departure from

(*Continued on page* 3)

ot Opposing Korda lans, Says Goldwyn

HOLLYWOOD, Jan. 7.—Samuel Goldn, on the eve of his departure for a nth's vacation in Honolulu, today l, "It has been stated that I am oped to Alexander Korda's making ns for outside interests. This is inrect. I have been asked to sanction nges in his contract and have exssed a willingness to do so proed identical changes are made in ne. There has been no opposition Korda's plans from me."

Goldwyn had "no comment to make" cerning rumors that he has dissed affiliation with RKO. Further uiry along this line elicited the inmation that the present so-called t-down" is in line with the usual ldwyn practice of shutting down at end of each year's schedule.

FRA Officers Hold alks with CBS, NBC

American Federation of Radio tists officials conferred with NBC l CBS yesterday at separate meetgs, opening negotiations for concts with both chains for radio gers, players and announcers.

While knowledge of what developed

(*Continued on page* 4)

More Radio—P. 4

Pettengill Seeks Action on Booking

WASHINGTON, Jan. 7.—Block booking legislation will be brought before the House Interstate and Foreign Commerce Committee at the earliest opportunity, it was declared today by Representative Samuel B. Pettengill (Dem., Ind.), who denied reports recently published that he would not press the measure this session.

Pettengill said delay in seeking action on the bill has been due to the fact that the committee has not met to consider its calendar for the session. When it does meet, he will seek prompt hearings on his legislation.

"More mail on the subject of block booking is coming in from all over the country than ever before," the Congressman said.

"While undoubtedly the mere introduction of the legislation has accomplished something toward eliminating unfair practices, I am not satisfied with the situation and intend to ask the committee to consider the bill at the first meeting called to discuss its program."

Zanuck Threatens to Close Door to Radio

Even a mild repetition of an affair such as the recent Mae West broadcast automatically will close the doors of his company to radio, according to Darryl Zanuck, production head of 20th Century-Fox, in New York yesterday.

Discussing the background of the program on which Miss West appeared, Zanuck described how Don Ameche, who is a 20th Century-Fox player and a regular member of the Chase & Sanborn program, balked at appearing on the show at his first reading of the script. Whereupon the lines were toned down, but shortly before air time the original script was again submitted, and under pressure from agency officials, Ameche agreed under protest to participate.

McConville Is New Columbia Foreign Head

Named as Successor to J. H. Seidelman

J. A. McConville

Joseph A. McConville, Columbia sales supervisor, yesterday was appointed general foreign sales manager of the company by Jack Cohn, vice president. He succeeds Joseph Seidelman, who was elected vice-president of Universal in charge of that company's foreign sales on Thursday.

McConville's appointment is effective immediately and thus makes it possible for Seidelman to take over the new post at Universal on Monday. The latter's contract at Columbia had until Feb. 25 to run.

McConville, a veteran in the industry, has been with Columbia virtually

(*Continued on page* 3)

Lehman Corp. Sells Stock of Paramount

The Lehman Corp. closed out its holdings of Paramount second preferred stock with the disposal of a final 1,900 shares during the three months ended Dec. 31, it was revealed yesterday with the release of the company's portfolio as of that date. Its holdings of Paramount first preferred and common shares remained unchanged during the quarter,

(*Continued on page* 3)

British-U.S. Trade Talk to Include Films

Kennedy as Ambassador Interests Industry

By BERTRAM F. LINZ

WASHINGTON, Jan. 7.—That films will figure in the negotiations for a reciprocal trade agreement with the United Kingdom was made known tonight by the State Dept. in a formal announcement.

Only a short time before this announcement President Roosevelt stated at his press conference that he intended to name Joseph P. Kennedy as Ambassador to Great Britain. This was official confirmation of a report current for some time. It is of especial interest to the film industry because of Kennedy's familiarity with the details of its workings and the advanced stage of discussion of a new quota law in the House of Commons. Confirmation of Kennedy's appointment is expected by most Washington observers.

Included among the several hundred items which the United States is prepared to discuss are motion picture negatives, both undeveloped and developed, on which the tariff now is 2 cents per linear foot for the former

(*Continued on page* 3)

New G. N. Financing Expected in 2 Weeks

New financing for Grand National is expected to be available in about two weeks, a company official said yesterday, basing his assertion on the present status of negotiations with Wall St. interests. The company some time ago had hoped to raise $250,000 for production and distribution operations but the negotiations have not been concluded.

Edward Alperson, president, arrived yesterday on the coast following four

(*Continued on page* 3)

Study Physical Harm Of Duals in Chicago

CHICAGO, Jan. 7.—Corporation Counsel Barnet Hodes late today was asked for an opinion as to whether double features could be barred by city ordinance. The request was made by Arthur G. Lindell, who is chairman of the committee seeking to determine whether it harms children to sit through double bills.

Hodes' opinion on the question is expected to be handed down some time next week.

"Buccaneer" Opens at N.O. With Hollywood's Fanfare

By A-MIKE VOGEL

NEW ORLEANS, Jan. 7.—Paramount opened Cecil B. DeMille's "The Buccaneer" here tonight at the Saenger with top grade Hollywood technique from arc lamps to microphones—and all the way between—with the addition of Louisiana's leading lights of official and social circles.

New Orleans had long known about the picture. From the time the idea was conceived, through the prolonged period of local research, filming of backgrounds in the bayou country, Louisianans had anticipated tonight's opening, which coincided with the city's observance of the Battle of New Orleans—one of the picture's highlights.

As was expected, the opening was

(*Continued on page* 2)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Branson Will Start RKO Buffalo Drive

BUFFALO, Jan. 7.—Walter Branson, RKO midwestern district manager and leader of the Ned E. Depinet sales drive, is scheduled to arrive here Saturday to start the annual billings and sales contest locally. With him are E. L. McEvoy, eastern and Canadian sales manager; Harry Gittleson of the home office, and Nat Levy, eastern central district manager.

The party comes here after meetings with the Toronto and Montreal branches earlier. The drive was opened on Thursdav with meetings at New Haven and Boston. Their itinerary will take them to all other eastern exchanges between now and Jan. 13.

Holds Regional Meeting

SEATTLE, Jan. 7.—Bill Heineman, Universal western division sales manager, held a regional conference here at the Washington Athletic Club. In attendance from the local exchange were Manager L. J. McGinley, James Ewing, Al Bloom and Sammy Samuelson. Portland was represented by Manager Les Theurkauf and Gordon Craddock, S. Wilson and John Harvey.

"The Buccaneer"

(DeMille-Paramount)

NEW ORLEANS, Jan. 7.—Cecil B. DeMille's second production expedition into the early American scene, "The Buccaneer," emerges upon the screen as an attraction of hit quality.

Admitting the Louisiana enthusiasm for a Louisiana classic, the picture nevertheless looks like big merchandise for the big world screen. The prime elements are Fredric March and romantic piracy. They offer twin appeal for both sides of the house and, of course, all the offspring. Against the background of the War of 1812 and the early days of New Orleans, the producer tells the story of Jean LaFitte, called at various times, America's first racketeer, the nation's savior and Nature's Nobleman. In the telling, DeMille remains reasonably close to history, compressing, adapting and changing to fit the needs of story, all strictly in keeping with the retention of drama values.

Dealing substantially with the part played in history by LaFitte and his notorious crew, the production highlights, and engagingly, the episodic career of the buccaneer which keeps pace with the efforts of Governor Claiborne, of Louisiana Territory, and General Andrew Jackson to defeat the British. Into the narrative are interwoven pirate attacks, walking the plank, the pirate's rendezvous in the bayous where all New Orleans comes to buy their captured wares, the battle of New Orleans, and the gala ball to celebrate the victory.

Told romantically through it all is the triangular love story of LaFitte, Anette De Remy and Gretchen. Though it might be expected that the picture would end with the victory ball, DeMille devises further suspense and drama by an ensuing sequence which serves to decide for the pirate chief the woman of his choice.

Performances for the most part are excellent. As LaFitte, Fredric March is handsomely at home in the role of the swashbuckling and nerveless buccaneer. Running March a close second and supplying the comic relief is Akim Tamiroff, the fabulous Dominique. In his first big part Hugh Southern is the story book Andy Jackson. His portrayal keeps easy pace with the skillful delineations of the other male leads. The women leads, Margot Grahame, as Anette, and Franciska Gaal, as Gretchen, handle their assignments well, and the rest of the casting is in keeping with the high degree of production found throughout the picture.

Based on the story "LaFitte the Pirate," by Lyle Saxon, Jeanie MacPherson turns in a workmanlike job of adapting and the screenplay by Edwin Justus Mayer, Harold Lamb and C. Gardner Sullivan follows through commendably. The musical score by George Antheil and the musical direction by Boris Morros sharpen the moment of high drama and the many pictorial values are skillfully realized by Victor Milner's photography.

With the premier of "The Buccaneer" come the knighting of a new figure in the Hollywood production roster with screen credit to William H. Pine as associate producer.

"Buccaneer" Opens at N.O. With Hollywood's Fanfare

(*Continued from page* 1)

swank—all the way. The state's proudest families, together with visiting industry executives, stars of the film and other guests pushed their way through throngs which blocked gala Canal St. and caused the local gendarmerie many an anxious moment. It was a press agent's dream come true.

Everything was white tie and ermine. The studio's arc lamps were in full bloom, and celebrities broadcast. At the close of the performance DeMille received an ovation from the assembled Louisianians.

With cooperation from state and local officials, the forces of Paramount, DeMille and E. V. Richards, theatre operator, executed an advance campaign of no mean proportions. On hand to lead the procession, DeMille was run ragged by the efforts of Robert Gillham, from the home office; Bill Pine, from the studio, and Robert Blair, Saenger Theatre publicity head. No less than 10 downtown 24-sheet stands were used for welcoming signs to DeMille and the picture.

The board of curators of the Louisiana State Museum gave a Creole breakfast for the producer, and DeMille, in turn, gave the museum screen credit for research aid on the story. There were numerous luncheons and all proceedings were broadcast by WSMB, WWL and WDSU, while cocktail parties took their share of the visitors' time.

The evening ended with still another party after the performance, at which Richards played host at the Hotel Roosevelt, and that went on into the small hours.

Para. Borrows Ameche

HOLLYWOOD, Jan. 7.—Paramount has borrowed Don Ameche from 20th Century-Fox to co-star with Bing Crosby in "Harmony for Three," which Wesley Ruggles will produce and direct from a Claude Binyon screenplay.

Purely Personal

W. A. STEFFES will return t Minneapolis today after a week in New York. He will not attend the annual meeting of the boar[illegible] of Allied States in Washington[illegible] 18 and 19, due to conflicting engage ments in his home city.

•

GERTRUDE MERRIAM, associate editor of the Managers' Round Table o *Motion Picture Herald,* will celebrat a birthday Monday. Also FLORENC GREENE of *Better Theatres.*

•

J. J. MILSTEIN, formerly Republi vice-president in charge of sales, wil arrive on the coast today from Ne York for an indefinite stay. Lo Angeles is his home.

•

VLADIMIR I. VERLINSKY, presiden of Amkino, who left Dec. 8 for conferences at Moscow, is not expecte back until late in February.

•

WALTER READE, SR. and JOE LE are among those making the Bermuda-Havana cruise.

•

LIONEL TOLL of the I. T. O. A. i spending the weekend in Scranton, P

•

NED E. DEPINET is expected bac from New Orleans this weekend.

Eastman Raises Stock

Eastman Kodak Co. has increase the stated value of its common stoc from $10 a share to $40 a share, i order to reflect more nearly on th books the amount of capital permanently employed in the business, according to a statement filed with th S. E. C. and made available at th New York Stock Exchange yesterday. The aggregate increase in th stock's stated value was from $22 509,210 to $90,036,840.

Alley Gets Old Post

Norman W. Alley, who made th pictures of the *Panay* sinking f Universal News, returned yesterda with his family to Los Angeles whe he will resume charge of the newsreel's office. He was stationed on th coast before his China assignmen Sam Savitt, who was transferred t the coast in Alley's absence, will return to Chicago.

George Krainukov is Univers News' sole cameraman in the F East war area.

Cohen Estate $652,767

Sydney Cohen, former exhibit leader and at one time president the M.P.T.O.A., who died in December, 1935, left a gross estate of $727 214, according to a transfer tax appraisal filed yesterday. The net esta amounted to $652,767. The enti estate was left to Cohen's two children, Richard and Dorothy Cohen.

Miss DeMille to Wed

NEW ORLEANS, Jan. 7. — Cecil DeMille revealed here today that h daughter, Cecilia, will be married Jan. 21 in Kansas City to Joseph V Harper, connected with the publishing house of that name.

Goldwyn Pact Runs 7 Years, Says Pickford

(Continued from page 1)

A. to join M-G-M, Miss Pickford said, "It certainly looks like it."

"Goldwyn has made six lovely pic-ures, for which we are grateful," she eclared.

"Regardless of the statements and ounter-statements involving the com-any, it is enjoying one of the most uccessful years in its 19 years of his-ory. Its future will be equally as rilliant if those in the company are ssured that no one man is going to un the organization.

"The company is fundamentally ight and its structure is one that makes for successful operation. We im to treat everyone in the organiza-ion fairly, whether he makes one pic-ure a year or several.

"I want no part of running the or-anization. It is not a woman's place nd certainly not my ambition. I am erfectly willing to leave that to busi-ess people. I am not anxious about he future."

Miss Pickford expected to leave Sunday, but may stay until Monday or Tuesday. She said she would spend a day with Buddy Rogers, her husband, who is appearing with his band at the College Inn, Chicago, where he may remain three months. From here she will continue to the coast.

Pickford Interested In Projector Device

Mary Pickford has invested in an nvention which is a projector attachment designed to prevent film fires, she disclosed here yesterday. The development of this device and other business outside U. A. are what brought her here, she said.

The mechanism not only prevents ires, she said, but also polishes and cleans the film, prolonging its life rom 50 to 100 per cent.

Frank Reilly, who controls the moving signs on Broadway, interested her in making the investment, she revealed.

Moore Addresses Council

Jacksonville, Jan. 7.—With M. C. Moore, president of the Southeastern M.P.T.O., as its featured speaker, the Motion Picture Council met yesterday and recommended several pictures.

Moore, who operates the Riverside, gave a talk on exhibitors' relations with producers.

The council recommended "First Lady," "Tovarich," "Rosalie," "Dead End," "Wells Fargo" and "Hitting a New High" to the theatre going pub-ic for this month.

John Boles Taken Ill

Hollywood, Jan. 7.—John Boles yesterday was taken ill with influenza and was ordered to bed by his doctor on the eve of a planned departure for a concert tour in the east.

Son Born to Lugosi

Hollywood, Jan. 7.—Bela Lugosi is the father of a seven and one-half pound boy born to Mrs. Lugosi here Wednesday.

President 18 Years

Boston, Jan. 7.—Thad C. Barrows, projectionist at the Metropolitan, has been unanimously reelected as president of operators' union Local 182 for the eighteenth consecutive year.

Also reelected were: James Burke, business manager; Joseph Rosen, treasurer; Joseph Muzzolo, Louis Pirovano and James Gibbons, executive board.

Philadelphia Court Hears Amkino Appeal

Philadelphia, Jan. 7.—Amkino's appeal from the Pennsylvania censor board's rejection of "Baltic Deputy" was held under consideration today by Judges Curtis Bok, Gerald F. Flood and Louis E. Levinthal until counsel for both sides file briefs on legal angles involved.

The board alleged the picture was "revolutionary, subversive to government and apt to cause undue publicity, excitement and disturbance, and possible riot." The accusations were categorically denied by Amkino, represented by Attorneys Francis Biddle and Louis McCabe. The censors were represented by Deputy Attorney General Macwell E. Seidman. The three board members, including Mrs. A. Mitchell Palmer, were called to testify.

SEC, Torr Suit Goes On

Trial of the suit for a permanent injunction brought by the S. E. C. against Torr & Co. and others, to enjoin them from alleged practices prohibited by the Securities Act of 1933 and one of the manipulative provisions of the Securities and Exchange Act of 1934, continued yesterday before Federal Judge John M. Woolsey in the U. S. District Court.

The S. E. C. alleges that practices in violation of the act took place in the trading in Trans-Lux Daylight Screen Corp. stock during November and December, 1935. The trial is expected to continue all of next week.

Enjoins "Wind" Title

Atlanta, Jan. 7.—Judge Paul S. Etheridge in Superior Court has signed a temporary injunction against the use of the title, "Gone with the Wind Country," by Ted Toddy, producer of a travelogue bearing that name. The injunction was obtained by attorneys for Selznick International, owners of the film rights to the Margaret Mitchell novel. A hearing has been set for Jan. 14.

Ohio Allots Relief Tax

Columbus, Jan. 7.—The Senate has passed a bill earmarking $1,500,000 from admission tax collections for relief purposes. The same bill allots $6,000,000 from sales tax receipts for relief. The measure is expected to pass the House.

Study "River" for Award

"The River," three-reel film produced by Pare Lorentz for the U. S. Dep't of Agriculture, will be considered for an Academy award this year, it is learned here. Paramount will distribute the film after Jan. 15.

McConville Is New Columbia Foreign Head

(Continued from page 1)

since its organization. He entered the industry as a B. F. Keith employe in Portland, Me., after schooling at Holy Cross College and a brief period with the *Portland Evening Express*. He was later associated with Hiram Abrams in the Famous Players Film Co. of New England, later becoming branch manager for Paramount at Boston. He became an independent exchange operator and one of the owners of Independent Films, Inc., Boston, in association with Abe Montague, Columbia's present general sales manager. He became a Columbia franchise holder early in the company's existence and later became its division manager for the New England territory. When Columbia became a national organization he came to the home office as sales supervisor.

McConville's work will be absorbed by Montague, with the position of sales supervisor remaining vacant.

Lehman Corp. Sells Stock of Paramount

(Continued from page 1)

as did the investment company's RKO holdings.

The Lehman Corp. portfolio includes 3,100 shares of Paramount cumulative convertible first preferred, and 4,593 shares of Paramount common, as of Dec. 31. Its RKO holdings on that date consisted of $685,065 face amount of RKO debentures and 84,802 shares of common stock.

Lehman Corp. reported no other motion picture investments in its portfolio. Lehman Bros., its affiliate, is understood to hold additional Paramount and RKO bonds.

20th-Fox Party Leaving

Joseph M. Schenck, Darryl F. Zanuck and Joseph Moskowitz head a 20th Century-Fox group leaving here by train today for the studio. With them are Mrs. Zanuck, Alice Faye, Jean Hersholt, Gregory Ratoff, William Dover and Sid Grauman. Harry Brand left by train yesterday.

Sidney R. Kent, 20th Century-Fox president, will leave for Florida tomorrow or Monday.

Yellen Quits Leff-Myers

Salem Yellen, general manager and booker of the Leff-Myers circuit in the Bronx, resigned yesterday, effective immediately, and is negotiating the purchase of a theatre in the Bronx. No successor to Yellen has been named as yet.

Warner's Lake to Close

Cleveland, Jan. 7.—Warners' Lake, 800-seat downtown theatre which opened last September after having been closed for two years, will again go dark the end of this week.

"Cantor" in Third Week

"The Cantor's Son" is playing its third week at the Squire here and is in the second week at the Walnut in Philadelphia.

British-U.S. Trade Talk to Include Films

(Continued from page 1)

and 3 cents for the latter, and positives, on which a duty of 1 cent per foot is imposed. No information was made available as to the commodities on which the department would ask concessions from England, although it is known that efforts will be made to secure relaxation of present restrictions on American pictures.

The department announced that it would receive briefs from any party interested in any commodity on the list up to Feb. 19 and that public hearings would be opened by the committee for reciprocity information on March 14.

New G. N. Financing Expected in 2 Weeks

(Continued from page 1)

days of meetings on the financial situation here. He was forced to cut his New York stay short because James Cagney's settlement with Warners came unexpectedly and he hurried back to determine the exact status of Cagney's picture commitment to Grand National.

Since Cagney does not start with Warners until March 14, Grand National expects that it will be able to make one picture in the meantime, according to Phil Krasne, studio executive who arrived here Monday with Alperson from the coast. Krasne plans to leave for Hollywood this afternoon.

Jaffee Joins Cine-Vox

Sam Jaffee, projection engineer, has joined Cine-Vox Co., new company which will handle standard film equipment, and offer a sound service to exhibitors. Samuel Lackoff is chief engineer and Nat Goros general manager.

Wall Street

Board Gains Hold

	Open	High	Low	Close	Net Change
Col.	14	14¼	13¾	13¾	+ ⅜
Cons.	1⅝	1⅝	1⅝	1⅝	.....
Cons. pfd.	6⅛	6⅛	6⅛	6⅛	+ ⅛
E. K.	164	164	164	164	—3
G. T. E.	12½	12¾	12½	12¾	+ ¼
Loew	48½	49⅝	48¼	49⅝	+1⅛
Para.	10½	11¼	10⅜	11⅛	+ ⅝
Para. 2.	10½	11	10½	11	+ ½
Pathe	5¾	5¾	5½	5½	— ¼
RKO	4⅜	4½	4¼	4⅜	+ ⅛
20th Fox	21¾	22⅛	21⅜	22⅛	+ ½
Univ. pfd.	40	40	40	40	+3½
W. B.	6⅝	7	6⅝	6¾	.....

Curb Issues Advance

	Open	High	Low	Close	Net Change
G. N.	11/16	11/16	⅝	⅝	—1/16
Monogram	1¾	1⅞	1¾	1⅞	+ ⅛
Sonotone	1⅞	1⅞	1⅞	1⅞	.....
Tech.	18	18	17⅝	17⅞	+ ¼
Trans-Lux	2½	2¾	2½	2¾	+ ¼
Univ. Corp.	3	3⅛	2⅞	3	+ ¼
Univ. Pict.	7½	7½	6⅝	6⅝	+1⅝

Fractional Bond Activity

	High	Low	Close	Net Change
Loew 3½s '46	98½	98¼	98½	+ ¼
Para. B'way 3s '55	59½	59½	59½	— ½
Para. Pict. '47	73	73	73	— ¼
W. B. 6s '39	77½	77½	77½	— ¼

(Quotations at close of Jan. 7)

Broadcasting Study Urged In Congress

By CLARENCE LINZ

WASHINGTON, Jan. 7.—Anti-Trust activities of the Administration should be directed first to conditions in the broadcasting industry, where there is a monopoly "directly fostered" by the Government, according to Representative Wigglesworth (Rep., Mass.).

Taking advantage of a House "field day" devoted to general debate, Wigglesworth yesterday launched a long attack against the F.C.C., criticizing it for its failure to "clean up" programs and asserting that 1,140 separate complaints against programs were received by the commission last year. But, he added, "No licenses have been revoked and no renewal applications have been refused as a result of any of these complaints."

An appeal for time for Chairman Frank R. McNinch to carry out the President's plan for reorganization of commission policies was made by Representative Woodrum (Dem., Va.), who, while admitting that conditions in the F.C.C. call for study, expressed the belief McNinch will be able to handle the matter satisfactorily.

The appointment of T. A. M. Craven as a member of the commission in view of his connection with broadcasting stations also was criticized by Wigglesworth and defended by Woodrum, who declared the situation had been thoroughly gone into by the Senate when the appointment was up for ratification.

Will Meet on IRNA Plan at Weber Home

Due to the continued illness of Joseph N. Weber, president of the A. F. of M., and the desire to complete negotiations between the Federation and I.R.N.A., a special meeting will be held today at Weber's home. It is expected that the plan may be declared operative following the meeting.

Those who will attend for I.R.N.A. are Samuel F. Rosenbaum and Emile Gough, of the negotiating committee.

Meanwhile, Mark Woods, NBC executive, visited Weber at the latter's home yesterday, presumably to discuss the contract for the key stations.

AGRAP's National Meeting Held Here

The national meeting of the A. G. R. A. P., announcers' and producers' union, was held yesterday in New York, with delegates from all the union's 27 chapters in attendance. The meeting was a closed affair, and at a late hour last night was still in progress.

Grier, Sissle in Rockwell Deal

Jimmy Grier's Orchestra, heard on the Joe Penner program, and Noble Sissle, have withdrawn from the Music Corp. and are now under management of Rockwell-O'Keefe, Inc.

Louis Panica, Chicago band leader, recently signed with Rockwell-O'Keefe.

It's a Headache

Kansas City, Jan. 7. — "You've just heard another Earl Smith newscast—have a BC headache powder" is the closing line on the 15-minute news program that BC Headache Powders have purchased on KMBC.

"Melody Puzzles" to Shift to NBC Blue

"Melody Puzzles," sponsored by the American Tobacco Co. for several months over Mutual, will switch to the NBC-Blue network beginning Jan. 10, and Mondays thereafter from 8 to 8:30 P. M. Because of a recent renewal on Mutual, however, the show will remain on that network until expiration of the contract. Until that time it will be heard over both chains.

The series features Harry Salter's orchestra, and Buddy Clark and Fredda Gibson, soloists. Lord & Thomas is the agency.

Major in Management Deal

Col. Jack Major has signed a contract with Wilson Powell & Hayward, under the terms of which Major will be handled jointly by the artist management firm and Columbia artists bureau. Set for a commercial show, Major will terminate his sustaining CBS program next week, following which he will embark on a short personal appearance tour. He will return to the air some time in March.

Salter Back from Boston

Bert Salter has just returned from Boston, where he booked his all-girl novelty orchestra, "Lee Elliott and her Queens of Rhythm," into the "Penthouse," at the Hotel Bradford, the engagement to start Jan. 17. This combination has just concluded a 15-week stint at the Stork Club in Providence.

John Nell Will Join WOR

John Nell, previously with the sales department of Talon, Inc., will join the WOR sales promotion division on Monday. He replaces Ed Clapham, who resigned recently to join *Scribner's Maganine.*

RCA Asks Rehearing Of the Philco Case

WILMINGTON, Jan. 7.—RCA filed a petition in Chancery Court here today asking for a reopening and rehearing of litigation brought by the Philadelphia Storage Battery Co., parent organization of Philco Radio & Television Corp., against RCA whereby PSB sought to enjoin RCA from terminating a licensing agreement.

The petition asked Chancellor Josiah O. Wolcott to issue an order permitting RCA to present further argument and to take further testimony, to introduce a letter from PSB to RCA attached to an affidavit of Lewis MacConnach, to introduce in evidence certain patents under which PSB has been licensed by RCA, to explain the principle of operation of inventions in patents and to compare claims of patents.

Abramson Sues Philco

Joseph L. Abramson, formerly sales manager and treasurer of Roskin Distributors, Inc., of Boston, filed a $100,000 damage suit against Philco Radio & Television Corp. in the U. S. District Court here yesterday. Abramson charged that as a result of an "unlawful and illegal conspiracy" he lost his employment. It is alleged that Philco threatened to cancel its exclusive distribution contract with Roskin Distributors unless the plaintiff was discharged.

AFRA Officers Hold Talks with CBS, NBC

(*Continued from page* 1)

at the meetings is not yet available, it is known that more meetings will be held on Tuesday, when A.G.R.A.P. will formally submit its demands covering wages, hours, and other concessions covered in yesterday's talks. A.F.R.A. attendants included Emily Holt, George Heller and Raymond Jones, and Henry Jaffee, attorney for the union.

Cancel Wednesday King Show

Lady Esther Co., now sponsoring Wayne King's orchestra twice weekly on the NBC-Red, Tuesdays and Wednesdays from 8:30 to 9 P. M., will cancel the Wednesday program effective Jan. 26. Lord & Thomas is the agency.

New Shows on the Air

"Those We Love"

There is an odd mixture of excellent and hokey writing in the new dramatic script series "Those We Love," which made its debut very recently on the NBC-Blue network, replacing "Husbands and Wives" for Pond's facial creams. As we interpret it, Agnes Ridgeway, who writes the script, obviously is sacrificing some of her ability for the sake of sure-fire, audience-tested hokum, which is too bad, for portions of the show sparkled with the best dialogue which has been heard on the air.

Even in its off moments, however, the program was never really bad, for it is blessed with a thoroughly competent cast. Incidentally, the players are all from the screen—Nan Grey, Owen Davis, Jr., Richard Cromwell, Alma Kreuger, Pedro de Cordoba and Virginia Sale.

The story is somewhat complicated, having several sets of central characters. One set has to do with boy and girl twins, Cathey and Kit, and another lad, Allen, the latter in love with Kit. Then there is Aunt Emmy; her brother John, who is the father of the twins; and a character as yet not introduced, Jerry, who was engaged to Aunt Emmy prior to the war. Emotionally shattered by his experience at the front he broke his engagement to Emmy upon his return, and there the situation rests, although Emmy is still devoted to him. Despite the story within a story, Miss Ridgeway keeps the script running smoothly, so that at no time is the listener confused. The show should prove popular. BANNER

◂ Radio Personals ▸

GEORGE McELRATH, NBC operating engineer, has left to look over the engineering situation in NBC studios in Hollywood, San Francisco, Denver, Chicago, Cleveland and Washington. . . . And Tom Belviso, manager of the NBC music division, is off for Boston, also on an inspection trip. . . . Rush Hughes, son of the novelist, Rupert Hughes, will headline the new Borden Milk Co. series starting Jan. 31. . . . Bess Flynn, author of "We Are Four" and "Bachelor's Children," both network serials, is visiting in New York. . . . Dr. Courbein, WOR chief organist, will be back on the air beginning tomorrow . . . Audrey Kerlee, who is here as a member of the Hearst radio staff, was formerly secretary to Gayle Grubb, manager of WKY in Oklahoma City. . . . Bryce Oliver, WHN commentator, will sail today for a two-week cruise to the West Indies. . . . His air spot will be filled by guests, the first to be Arthur Lockwood, the press agent. Rosalie Krause of WHN married Walter Jacobs yesterday, with a honeymoon trip to Florida. . . .

✚

Ben Lipset, agent, yesterday arranged a Linda Kellogg contract with Warners. . . . Helen Hover, recently of the Earle Ferris office, is now with the new magazine, *Click*. . . . Evelyne McKibbon, of NBC Civic Concert Bureau, today will wed George Watkins of the Roy Campbell Royalists, at the Little Church Around the Corner. . . . Bob T. Cottingham, formerly of NBC's special events department in New York and more recently at WRC-WMAL, Washington, has been transferred to the publicity department at KYW, Philadelphia.

Jell-O Adds Southern Web

Effective immediately, the Jell-O program, which features Jack Benny, will add the newly formed NBC Southern Mountain Group of stations to its already extensive network. The stations are KGHF, Pueblo, Col.; KTSM, El Paso, and KOB, Albuquerque, N. M. Young & Rubicam is the agency.

Ludy Joins Central States

LINCOLN, Jan. 7.—Ben Ludy, who was assistant to Don Searle when he was general manager of WIBW, the Capper station in Topeka, has been named general manager. Searle resigned Jan. 3 to join Central States Broadcasting Co.

Lowe New WCOL Chief

COLUMBUS, Jan. 7. — James E. Lowe, who has been with WCOL, local NBC-Red and Blue outlet for practically two years, has been named chief engineer. He formerly was with WBBR, Brooklyn.

George Arliss Set Jan. 17.

HOLLYWOOD, Jan. 7.—George and Florence Arliss will appear on the "Lux Radio Theatre" Jan. 17 in an undetermined vehicle. It will be the first appearance of Arliss on an American broadcast.

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3. NO. 7 NEW YORK, MONDAY, JANUARY 10, 1938 TEN CENTS

top "Fuss," Royal Urges Theatre Men

ould Be Grateful for Publicity, He Says

By JACK BANNER

hn F. Royal believes that exhibi- should cease "fussing" about ; should, in fact, show some itude to radio which, Royal said, ually donates millions of dollars ree publicity and exploitation to film industry.

yal is NBC vice-president in ge of programs. At the time he red radio he had 16 years of ex- nce behind him as a film exhibi- Therefore, he contends, he is qualified to speak of radio and theatre, and of exhibitor com- its that radio competition is ting the intake at the box-office. xhibitors haven't changed since days when I was one of them," he . "When we got a good picture,

(Continued on page 8)

cFarlane Demands uick Radio Probe

By BERTRAM F. LINZ

ASHINGTON, Jan. 9. — Immediate n by the House Rules Committee is resolution for investigation of dcasting was today declared by esentative McFarlane (Dem.,) to be necessary if conditions are e cleaned up and an appropriate rnment and industry policy ted before the advent of tele- n.

e Texas congressman on Friday

(Continued on page 8)

Additional developments in radio on page 8.

Find First Licensee

Cincinnati, Jan. 9.—Research nto local records discloses hat George Hill Lewis was he first person in the United tates to receive a radio cense. This was in 1911.

The records also show that rs. C. M. Simons of the Cin- innati Public Library was he first person in the country o broadcast a radio program n genealogy and heraldry, hich was in 1931 over WLW.

See Contracts Halting ITO's Attack on Air

Prevents Retaliation on Majors' Programs

Contractual commitments are now believed by I. T. O. A. spokesmen to prevent any effective measures by exhibitors in retaliation for major producers' sponsorship of radio programs.

Committees representing the New York group and Allied of N. J. are to meet shortly to adopt a joint program of "drastic action" in an attempt to force the studios to discontinue film star appearances on the air. The chief targets, of course, would be Warners and M-G-M.

What steps the organizations propose have been kept under cover until the committee authorizes action. Mo-

(Continued on page 3)

Monogram Predicts $750,000 for "Boy"

A gross of $750,000 has been set by Monogram in sales quotas apportioned to the company's distribution offices for "Boy of the Streets," W. Ray Johnston, Monogram president, said on Saturday. The figure is probably the highest to be set on an independent production in modern industry records.

The Jackie Cooper picture opened its most important engagements during the Christmas-New Year's holiday week and with that business impetus promises to reach the designated goal, Johnston said. The Monogram head exhibited sheaves of wires from circuit operators and exhibitors in all parts of the country which have been received during the past few days hailing the business being done by the picture.

Gerhardi Dismissed For Nazi Propaganda

PHILADELPHIA, Jan. 9.—George Gerhardi, director of a German program on WPEN here, was dismissed Saturday following an argument over broadcasting pro-Nazi propaganda, according to George Lasker, manager of the station.

Gerhardi was charged by an anti-Nazi group with inserting pro-Hitler remarks between commercial announcements. The station head said the propaganda programs were being eliminated since the change in management eight weeks ago. Gerhardi was with the station for five years, and his broadcasts had been under fire of a citizens' Anti-Nazi Committee.

DeMille in Plea For Big Pictures

By A-MIKE VOGEL

NEW ORLEANS, Jan. 9.—Production should not be asked to carry the entire load of increased costs of making pictures, said Cecil B. DeMille before Paramount's distribution heads meeting here at the Hotel Roosevelt. He contended that big pictures form the backbone of the industry and that unless means could be devised to bring in more revenue for this type of product the studios would be forced to discontinue making them.

Exhibitors may cooperate, DeMille said, by playing big pictures weekends. By doing otherwise, he contended, the exhibitor is using the producer's investment to bolster his midweek grosses and is not giving the producer the chance to get proper returns on the big productions.

"We feel," said DeMille, "that theatres should be prepared to share some of the burden at this time as an investment in their own future."

Moss Orders Clean Theatre Front Ads

Off-color theatre front advertising displays have been banned by License Commissioner Paul Moss under penalty of revocation of license, he said yesterday.

Managers of the Sam Harris, Liberty, Apollo, Lyric, Selwyn, Wallack and the New Amsterdam on 42nd St. and the Gaiety on Broadway were hailed before the Commissioner for a lecture late last week.

Moss warned them that if they persisted in the practice they would run into the same situation which brought

(Continued on page 7)

Rubin, Lichtman Due From Selznick Talks

With formal closing of the deal whereby David O. Selznick is to produce for M-G-M expected daily on the coast, Al Lichtman and J. Robert Rubin, who have been completing the final phases of the deal with Selznick, are expected back in New York during the week.

The deal provides for a 20 per

(Continued on page 7)

Service Employes to Continue Wage Talks

Conferences will continue this week on contracts sought by the Building Service Employes Union, Local 54, from Metropolitan Theatres. The union is asking 25% wage increases and revised working conditions.

Negotiations also have been started with Loew's, RKO and the I.T.O.A. houses.

RKO Backers Seek Accord On New Setup

Also Aim to Pick Studio And Theatre Heads

HOLLYWOOD, Jan. 9.—Agreements on a new board of directors and management for reorganized RKO are being sought by representatives of the leading financial interests associated with the company who have been conferring here for the past week, it was learned authoritatively today.

Although the conferences may continue another week and will be of vital import to the company's eventual setup prior to or upon its reorganization, any agreements which may be reached probably would not become effective immediately, always excepting, of course, the designation of a new RKO studio head and RKO theatre operator, which posts are scheduled to be filled at the earliest possible moment. Agreements on board and over-all management of the company, however, are subject in large part to court approval prior to RKO's final emergence from reorganization, and as such will be of a conditional nature.

The fact, however, that the company's principal financial interests are engaged in the conferences tends to

(Continued on page 3)

Photophone License Pacts Up on Coast

The renewal of RCA Photophone's recording license agreements with major producers will be undertaken by top executives of the company who are due to arrive in Hollywood today.

In the Photophone party are Frank R. Deakins, vice-president; Lewis M. Clement, vice-president in charge of

(Continued on page 3)

Lifts Panay Ban

Pittsfield, Mass., Jan. 9.—Mayor Allen H. Bagg banned the *Panay* films when a local minister charged they "were released by the Government to further propaganda to aid in building sentiment for an enlarged Navy." Local exhibitors went to bat and showed the pictures to the Mayor. He lifted the ban immediately thereafter.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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MARTIN QUIGLEY
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Show Cause Order Is Made in Newark Suit

Merritt Lane, counsel for major distributors in the anti-trust suit filed by Quemos Theatre Co., Inc., operator of the Mosque at Newark, has secured a show cause order from U. S. District Judge Guy L. Fake requiring the plaintiff to explain why the case should not be dismissed in the New Jersey jurisdiction.

Lane's brief contends that all film contracts involved were made in New York and that the defendant companies have their offices in New York.

WANTED
REPRESENTATIVE

Familiar with Foreign Film Distribution; single; American. Knowledge of at least two foreign languages (preferably French and German). Box 950, MOTION PICTURE DAILY.

Purely Personal

NED E. DEPINET, RKO vice-president in charge of distribution, returned from New Orleans on Saturday. JULES LEVY, sales manager, is continuing a tour of southern exchanges and may not be back for another week.

•

STANTON GRIFFIS, chairman of the Paramount executive committee, is due back in New York today from Ithaca, where he attended meetings of the board of trustees of Cornell University over the weekend.

•

ROBERT T. KANE, head of New World Prod., subsidiary of 20th Century-Fox, will return to England in about three weeks. He arrived here late last week for production conferences.

•

WHITFORD DRAKE, Erpi president, is due back today from a Florida vacation. GEORGE PRATT, Erpi west coast head, is expected here this week for conferences with Drake.

•

A. H. BLANK and G. R. BRANTON are due in New York today from Des Moines for conferences with Paramount home office officials.

•

CLINTON M. WHITE, G.B. assistant general manager, will leave St. Louis today for Chicago, in the course of a tour of midwest exchanges.

•

LUCIUS BEEBE, *Herald Tribune* columnist, is the author of "Cafe Society," which Paramount is producing.

•

DAVID GARRISON BERGER, film attorney, has become associated with the law firm of Hastings & Aranow.

•

ARTHUR GREENBLATT, G.B. eastern division manager, will return from New Haven today.

•

Y. FRANK FREEMAN, Paramount theatre head, returned from New Orleans yesterday.

•

MARTIN FINKELSTEIN of Globe Prod. returned over the weekend from Washington.

•

TULLIO CARMINATI will return tomorrow on the *Europa* from abroad.

SAM E. MORRIS, Warner vice-president in charge of foreign activities, and IRVING ASHER, English studio head, will leave the coast tomorrow for New York, ASHER will sail this week on the *Ile de France*, returning to England.

•

H. J. YATES is scheduled to leave for the coast Saturday to line up production on Republic's "Wagons Westward."

•

PHIL KRASNE, G. N. production executive is back on the coast after conferences here.

•

. . . Chicago

DOROTHY LAMOUR is here to visit her husband, Herbie Kay, now appearing with his band at the Drake hotel.

JAMES CHRISTY, RKO theatre executive is the father of a baby girl.

ROY BRUDER, manager of the Chicago, will leave next month for Palm Springs with MRS. BRUDER for a month's vacation.

DOROTHY DEERE, film editor of the *Chicago American* is being given a big publicity campaign by that paper in a drive for more amusement advertising.

•

. . . Denver

GEORGE and MRS. LUCE were in town over the holidays, from Bayard, Neb., where they formerly operated the Rex. They went on to California where they will probably make their home.

FRANK BOOST is back at his job as manager of the State, following a trip through the middle west.

BUZZ BRIGGS, GUS KOHN and DAN LEHRBERGER are expected home soon from Mexico City.

•

. . . Pittsburgh

JOE FELDMAN'S mother and father are here from New York for a short visit.

DICK STABILE and GRACIE BARRIE have left for a 10-day honeymoon in Miami.

LOU BOLTON, who has the Gali sisters under his wing, is in from Hollywood for a few days on business.

ART ROONEY has taken his family to Florida for the cold months.

Change "Torchy" Team

HOLLYWOOD, Jan. 9.—The "Torchy and Steve" combination of Glenda Farrell and Barton MacLane at Warners has been broken up, due to difficulties in arriving at new contracts for the pair. The "Torchy" series will be continued with Ann Sheridan and Humphrey Bogart taking the roles in the Bryan Foy productions.

Para. Re-Signs Sherman

NEW ORLEANS, Jan. 9.—Harry Sherman has signed a new two-year contract with Paramount to produce six Hopalong Cassidy features and two Zane Greys a year.

G. N. Ad Work to Coast

Grand National will establish its advertising and publicity department on the coast in about two or three weeks, Ed Finney, department head, said Saturday.

Barrett Wins Contest

KANSAS CITY, Jan. 9.—Commonwealth Amusement Corp. closed its annual fall and winter managers' contest with Rex Barrett, manager of the Uptown, Columbia, Mo., winning the grand prize.

The contest this year was divided into a six-week steeplechase and an eight-week fall derby, with lap, race and grand prizes. Barrett led in the first, with Jack Stevenson of the Gilloiz, Monett, Mo., second, and Wendell Lenhart of the Plaza and Royal, Trenton, Mo., third. Prize winners in the last eight-week run were M. B. Smith, State, Garden City, Kan.; L. W. Morris, Plaza and Strand, Great Bend, Kan., and Barrett.

Jersey Allied to Meet

Allied of N. J. will hold its first membership meeting of the year tomorrow at the Lincoln Hotel.

The I. T. O. A. will meet Wednesday in the same place.

Legion Approves 13 Of 14 New Picture

The National Legion of Decency in its list of 14 new pictures reviewe and classified for the current week has approved seven for general patronage, six for adults, and called on objectionable in part. The new pictures and their classification follow

Class A-1, Unobjectionable fo General Patronage— "The [illegible]caneer," "Everybody's Doing It," [illegible] "Tarzan's Revenge," "Zwei Lustig morous Night," "No Time to Marry," "Snow White and the Seven Dwarfs," Abenteurer" (German). Class A-2 Unobjectionable for Adults—"Cit Girl," "Der Etappenhase" (German) "Hollywood Hotel," "Klart Til Drabbning" (Swedish), "The Sp Ring," "Telephone Operator." Clas B, Objectionable in Part—"Mannequin."

"Youth" to Open Jan. 20

"Spirit of Youth," Globe Prod. picture featuring Joe Louis, heavyweight champ, will have its premiere at Lichtman's Lincoln, Washington, D C., Jan. 20, Ed Shanberg, president said Saturday. Louis will make a personal appearance on the opening night and is scheduled also to appear at New York, Philadelphia and Baltimore openings. A long-run engagement in Harlem is being negotiated. Grand National has the national release.

Air Express Record Set

Air express shipments handled in New York reached an all-time high during December—33,012 shipments, as a result of the shipments of photographs and films of the bombing of the *Panay* by the Japanese, according to the Railway Express Agency. The total was an increase of 12½ per cent over the total of 29,483 in December, 1936.

Fight Mexican Tax Bill

MEXICO CITY, Jan. 9.—Organized exhibitors have protested to Congress against the bill it is considering which provides an additional five per cent levy on all amusement in the Federal District, which includes this city. The exhibitors assert that this new tax, added to those now in effect, which claim an average of 15 per cent of their income, would drive many of them out of business.

Mary Pickford Leaves

Mary Pickford is due to arrive on the coast next Friday. She left here yesterday afternoon after a three-day stay during which she conferred with George J. Schaefer, U. A. vice-president, and Dennis F. O'Brien, her attorney. After a two-day stopover in Chicago with her husband, Buddy Rogers, she will proceed west.

Present Critics' Awards

The annual awards of the New York Film Critics for the film "bests" of 1937 were accepted in person or by proxy at a gathering in the Rainbow Room, Rockefeller Center, last night. The proceedings were broadcast over NBC from 6 to 6:30 o'clock. A cocktail session started at 5 o'clock.

KO Backers eek Accord On New Setup

(Continued from page 1)

ny agreement which may be d on board and management a ostantial foundation which must ry considerable weight when subtted for the approval of the Fedl court.

The RKO reorganization plan proes for an initial board of nine mems. Of these nine, Atlas-Lehman, h an investment in RKO of apoximately $4,000,000 at current mar prices may emerge with only two presentatives on the board, due to failure of those investors to exise in full their option to acquire A's remaining holdings of RKO ck and debentures prior to last Dec.

The conditional extension of the tion for another year leaves RCA th a stake in RKO approximately ly $500,000, less than that of Atlashman. Thus, it may be assumed it RCA will have equal representan on the initial board of reorgand RKO and as influential a voice the designation of new management.

Odlum, Rathvon Representing

Floyd B. Odlum, Atlas head, and ter Rathvon, Odlum's financial assote and principal adviser on RKO atters, are representing that company the conferences current here. John Hertz, a partner in Lehman Bros., also here. W. G. Van Schmus rertedly is representing Rockefeller erests. Rockefeller Center, incintally, may have as important a ice in the board and management the reorganized company as the ner two interests, as it is proposed issue 465,000 shares of new RKO ock in settlement of the Center's ,100,000 claim against RKO. This uity may have a market value of proximately $3,000,000 upon reornization and may entitle Rockefeller nter to two representatives on the w board. Presumably, the three reaining posts would go to independent oups of creditors and security lders.

The designation of a new studio ad is expected daily, but because of conditional character of the board d management changes the latter obably would not be made public til ready for submission to the Fedal court for approval. The court represented in the current discusons by Andrew Christiansen and C. Doering, Jr., of the RKO astee's staff.

epresents Irish Studio

William Alexander has been named nerican representative of the Hirnia Film Studio, Irish producing mpany. The first film, "Dawn Over eland," will open late this month Philadelphia. The company plans release six pictures this year.

Ochs to Cleveland

Cleveland, Jan. 9.—Herbert Ochs, merly southern and western sales anager for Warners, has arrived re to take over the managership of local branch, succeeding Milton ooney.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The House of Mystery"

(Larry Darmour-Columbia)

Hollywood, Jan. 9.—Exhibitors who like to feature melodramatic mysteries and patrons who like to see them have a very pleasing treat in store for them in Larry Darmour's "House of Mystery." It is an intelligent combination of intriguing story, good acting, intelligent direction and quality production. Possessed of the necessary quota of chills and thrills, its comedy content is surprisingly ample and the dash of romance that has been included serves to round the entertainment value of the film out nicely.

Fast-moving, devoid of all non-essentials with dialogue, situations, characterizations and action so blended that interest is continually held at high pitch, preview audience reaction to the show indicated that film would have no difficulty satisfying whenever and wherever it is played.

For efficiency in preventing crime, Police Officer Jack Holt is promoted down stairs to the sticks. His newspaper pal, Craig Reynolds, goes along with him to see if he can devise some stunts that will keep Holt's name in the headlines. As Craig's plan to attract attention to Holt backfires, both find themselves in the center of a real murder mystery. As avail is made of all the melodramatic trappings including a stolen necklace, a mystery house, full of sliding doors, an erratic will and the "missing papers," all of which entail a couple of murders which cast suspicion on many people, Holt solves the crime. His reward is promotion to a commissionership and the promise that Reynolds will devote more time in the future to Beverly Roberts.

It is based on a story by Howard J. Green which Jefferson Parker and Green adapted, and was directed by Lewis D. Collins.

Running time, 65 minutes. "G."

"Everybody's Doing It"

(RKO)

Hollywood, Jan. 9.—It was more or less inevitable that the hullabaloo stirred up by the Old Gold cartoon puzzle contest would be echoed on the screen and this is the echo. It is a story by George Beck, screen play by J. Robert Bren, Edmund Joseph and Harry Segall, and it is a William Sistrom production directed by Christy Cabanne. Preston Foster, Sally Eilers, Guinn Williams, Cecil Kellaway and Lorraine Kreuger have the principal roles. It starts out as a comedy, turns melodramatic for a spell, then winds up with all hands knocking each other about the screen in the more or less approved manner of certain recent box-office hits, but quite a bit more so. It is an inexpensive fabrication that may be unusual enough to satisfy the moderate taste moderately.

Foster is an alcoholic artist commissioned to draw puzzle cartoons for an advertising campaign that clicks. Miss Eilers is the girl friend who hires Williams to abduct him with a view to keeping him sober until he has finished the series of drawings. Richard Lane, Williams' employer, is a gangster, who sells answers to the puzzles. The abduction turns real when Williams decides to hold Foster and win the first prize, but at this point proceedings degenerate into slapstick comedy with mobsters, police and principals lambasting each other until exhausted. Then comes the end.

The picture contains a song, "Put Your Heart Into Your Feet and Dance," by Hal Borne and Mort Greene, which Miss Krueger sings and dances slightly in the routine of a dumb dame role.

Running time, 62 minutes. "G."

(Additional Reviews on Page 6.)

Gable in Newsreel Film

Hollywood, Jan. 9.—Clark Gable's next at M-G-M will be "Too Hot to Handle," a story of newsreel cameramen to be written by John Lee Mahin and Laurence Stallings. Leonard Hammond, who filmed the Ethiopian conflict for Fox Movietone, will be technical adviser and Larry Weingarten will produce. The film will be started immediately after the finish of "Test Pilot" in which Gable is now working.

Fred Sliter Is Ill

Albany, N. Y., Jan. 9.—Fred Sliter, 20th Century-Fox salesman in Chicago, is ill at his home here.

To Attend Allied Meet

Des Moines, Jan. 9.—A group of Iowa Allied exhibitors, headed by Leo F. Wolcott, president, will attend the 25th anniversary convention of the Allied Theatre Owners of the Northwest in Minneapolis Jan. 31-Feb. 1-2.

Allied men of Iowa and Nebraska are making plans to hold a group of district meetings in Iowa early in the spring.

Franklin Joins Lloyd

Hollywood.—Dwight Franklin has joined the Harold Lloyd organization as technical adviser in charge of the preparation of Egyptian sequences and tableaux for "Professor Beware."

See Contracts Halting ITO's Attack on Air

(Continued from page 1)

tion Picture Daily learned over the weekend that the playing of a company's percentage pictures on the nights of the broadcasts was strongly favored and stood a good chance of being recommended to the memberships.

The I. T. O. A. has discovered, however, that this procedure could not be adopted since the bigger pictures of both Warners and M-G-M are designated for weekend playdates. Playdates on Wednesday and Thursday, the nights of the companies' broadcasts, therefore are impossible. This measure was originally proposed by Pete Wood of the Ohio I. T. O. A.

Meanwhile Jack Cohn's call to the industry to initiate measures "to end film star competition with motion picture theatres" was hailed by the I. T. O. A. as significant.

The organization believes Cohn's statement might "start the ball rolling" on the part of the major companies if other distribution executives felt likewise.

Spokesmen for the exhibitor group say there is evidence that the major companies, especially those controlling theatres, are becoming concerned over the situation. They indicated that the organization probably would defer any contemplated action until the attitude of the majors is more clearly defined.

Photophone License Pacts Up on Coast

(Continued from page 1)

engineering and research, and Harry L. Sommerer, manager of the RCA Photophone division. They will be on the coast several weeks completing the license renewal negotiations and inspecting Photophone's expanded facilities in Hollywood.

Among the company's licensees with whom renewal negotiations will be discussed are 20th Century-Fox, Warners and Columbia. Agreements subject to revision at this time were made with these studios last year covering a part of their recording requirements. They were the first pacts to be negotiated by Photophone with major studios other than RKO.

Sommerer, who supervised the erection of the company's first west coast recording studio in 1927, will visit Photophone's sound equipment factories in Chicago and Indianapolis.

Plan "Hotel" Selling

Hollywood, Jan. 9. — CBS and Warners are getting together on the exploitation of Warners' "Hollywood Hotel," based on the CBS radio program. Radio editors were invited to a special preview at the studio in joint letters signed by Hal Rorke of CBS and Robert S. Taplinger, Warner publicity director.

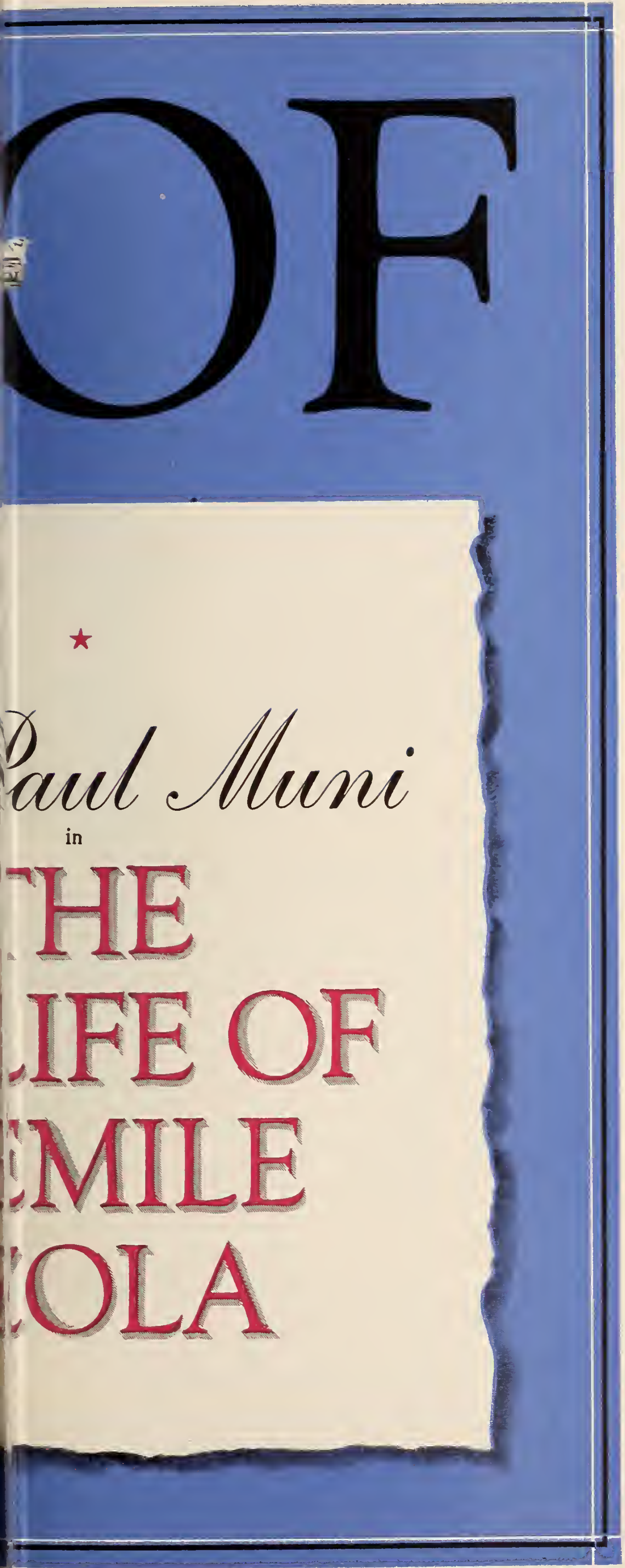
Republic Men to Meet

Republic franchise holders in the east will gather here tomorrow for a one-day meeting.

BEST
ALL

M

Voted the Best
Motion Picture of 1937
in the National Critics Poll
Conducted by Film Daily



Emile Zola	Paul Muni
Capt. Alfred Dreyfus	Joseph Schildkraut
Lucie Dreyfus	Gale Sondergaard
Alexandrine Zola	Gloria Holden
Maitre Labori	Donald Crisp
Nana	Erin O'Brien Moore
Col. Picquart	Henry O'Neill
Anatole France	Morris Carnovsky
Major Dort	Louis Calhern
Cezanne	Vladimir Sokoloff
Charpentier	John Litel
Pierre Dreyfus	Dickie Moore
Major Henry	Robert Warwick
Major Walsin-Esterhazy	Robert Barrat
M. Cavaignac	Montagu Love
Georges Clemenceau	Grant Mitchell
Jeanne Dreyfus	Rolla Gourvitch
Mathieu Dreyfus	Frank Mayo
Larue	Ferdinand Gottschalk
Violet Richards	Marcia Mae Jones
Minister of War	Gilbert Emery
Chief of Staff	Harry Davenport
Asst. Chief of Staff	Paul Everton
Commander of Paris	Ralph Morgan
Commander of Paris	Holmes Herbert
General Gillian	Robert Cummings
Col. Sandherr	Walter Kingsford
Col. von Schwatzkoppfen	William von Brincken
Brucker	Egon Brecher

*

Director, William Dieterle

*

Screen Play, Norman Reilly Raine,
Heinz Herald and Geza Herczeg
Story, Heinz Herald and Geza Herczeg
Music, Max Steiner
Orchestra, Leo Forbstein

*

Associate Producer, Henry Blanke
Asst. Director, Russ Saunders
Photographer, Tony Gaudio
Film Editor, Warren Lowe
Art Director, Anton Grot
Unit Manager, Al Alborn

*

Jack L. Warner
Vice-President in Charge of Production

Hal B. Wallis
Associate Executive in Charge of Production

*

WARNER BROS.
Producers

"Wells Fargo" Gets $26,097 On the Coast

Los Angeles, Jan. 9. — "Wells Fargo," with a stage show at the Paramount, was an outstanding attraction in a week of generally good grosses brought about by the New Year's holiday. The $26,097 take was over par by $8,097.

"Love and Hisses," on a dual with "Checkers," was in the money in a big way at both the Chinese and Loew's State. At the former the $16,676 take was $4,176 in the profit column, and at the latter the $19,336 total was up by $5,336.

"Snow White" picked up to a fast pace in its second week at the Carthay Circle, grossing $20,479, which was $3,479 over normal. "Tovarich" made an excellent showing at both the Warner houses, taking $21,200 at the Hollywood and $18,500 at the Downtown.

Total first run business was $147,709. Average is $110,450.

Estimated takings for the week ending Jan. 5:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 2nd week. **Gross:** $20,479. (Average, $17,000)

"LOVE AND HISSES" (20th-Fox)
"CHECKERS" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $16,676. (Average, $12,500)

"CLUB DES FEMMES" (French)
ESQUIRE—(900), 40c-75c, 7 days. Return engagement. **Gross:** $1,900. (Average, $2,500)

"DINNER AT THE RITZ" (20th-Fox)
"THE RIVER" (Dept. of Commerce)
4 STAR—(900), 40c-55c, 5 days, 2nd week. **Gross:** $2,430. (Average, $3,250)

"PETER I" (Amkino)
GRAND—(750), 35c-40c, 7 days. **Gross:** $2,100. (Average, $1,200)

"A DAMSEL IN DISTRESS" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $9,000. (Average, $8,000)

"LOVE AND HISSES" (20th-Fox)
"CHECKERS" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $19,336. (Average, $14,000)

"A DAMSEL IN DISTRESS" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $10,000. (Average, $8,000)

"WELLS FARGO" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. revue, "Folies of 1938." Special New Year's Eve showing of "Every Day's a Holiday" (Para.). **Gross:** $26,097. (Average, $18,000)

"TOVARICH" (W.B.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 6 days. **Gross:** $21,200. (Average, $14,000)

"TOVARICH" (W.B.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 6 days. **Gross:** $18,500. (Average, $12,000)

Mantha Injured Again

Detroit, Jan. 9.—Gus Mantha of the Saville is beginning to consider himself the unluckiest exhibitor in the state.

Recently he was blackjacked by three men whom he attempted to put out of the theatre for annoying women patrons and his head was badly cut.

Just recovered from that injury, he is now on crutches with a broken knee cap, sustained in an automobile collision on New Year's day on the road from Detroit to Ann Arbor.

Reopen Albany Eagle

Albany, Jan. 9.—Abraham Stone has reopened the Eagle after a renovation job that cost $40,000. His scale remains at 15 and 20 cents.

Looking 'Em Over

"I Met My Love Again"

(*Wanger-United Artists*)

From the novel by Allene Corless, "Summer Lighting," which, it might be well for the exhibitor to remember, was published serially before appearing in book form, Walter Wanger has devised a production which has moments of strength and of weakness, and on the whole may be considered good entertainment with a measure of popular appeal.

"I Met My Love Again," a title which gives more than a slight indication of the theme, is a drama of a young romance which was rudely shattered, and which came to a final reconciliation, but only in sequel to a series of bitter experiences. The film is well mounted and is characterized by strong performances, the quietly restrained work of Henry Fonda being particularly outstanding. Matching his work with an equally capable portrayal is that of Joan Bennett, while Dame May Whitty offers an excellently-turned character role, young Louise Platt shows promise as the spoiled child in love with her college professor, and Alan Marshal is properly objectionable as the worthless author who blights the romance originally.

The screenplay of David Hertz and Arthur Ripley has imparted probably no greater depths to the story than it originally possessed, but their script, under the directional hand of Joshua Logen, contrives to keep the story alive and moving. Fonda and Miss Bennett, in a small town, are engaged, and he plans to become a college professor like his father, now dead. Miss Bennett meets Marshal, and marries him. The marriage is a disappointment, Marshal is killed and Miss Bennett, 10 years later, returns to her aunt, Miss Whitty. Fonda refuses to return to their old basis, while complications enter as Miss Platt falls in love with him. When finally he does become reconciled with Miss Bennett, Fonda's mother stands in the way of their marriage as well as the girl, until Miss Bennett, in a highly melodramatic sequence, proves to the girl that her love for Fonda is not real, while he defies his unsympathetic mother.

Running time, 77 minutes. "G."

"The Old Barn Dance"

(*Republic*)

Gene Autry fans will find "The Old Barn Dance" satisfying western entertainment with excitement and musical treatment. The film was produced in good style and the story is spaced to insert comedy by Smiley Burnette and the Autry vocals.

Autry and his troupe are horse dealers who move from one town to another auctioning horses. The tractor industry puts a crimp in the business. He meets Helen Valkis when his selling is low and she deceives him into signing a radio contract whereby he will do his act for the benefit of a tractor company. A great deal of story unfolds and it eventually gets around to the point where the tractor dealer is shown up as an unscrupulous crook. Autry and the enraged farmers who have already lost their shirts, set out to beat the racket with horses, as the time for harvest draws near. Intermixed in the narrative are a number of misunderstandings between Autry, the irate farmers and Miss Valkis. But in good time the whole affair is ironed out.

The screenplay is by Bernard McConville and Charles Francis Royal. Joseph Kane directed. The support utilizes the talents of Sammy McKim, the Stafford Sisters, the Maple City Four, Karl Dwire, Carleton Young, Earle Hodgins and Walter Shrum and his Colorado Hillbillies. The musical acts are well turned.

Running time, 60 minutes. "G."

"Paroled to Die"

(*Republic*)

Most of the essentials that make westerns popular are found in this Bob Steele production. Steele rides hard, fights, shoots and finds time for a little romance. The background is picturesque.

Steele is a sort of cow-town cutup who annoys Karl Hackett, his rival in love, to distraction. This takes the form of a bit of dirty work. Hackett frames Steele with a bank robbery and Steele is eventually convicted. But in the ensuing riding and generally active culmination of the plot, Horace Murphy, who plays a dim-witted drifter, solves the mystery that has surrounded Hackett's skullduggery and with the aid of Steele arrests the culprit. Murphy, it is later shown, is an agent working out of the Governor's office. Of course the piece has an appropriate romantic finish with Steele and Kathleen Eliot.

Sam Newfield contributed lively direction. Miss Eliot rides better than most horse opera heroines. Her acting is convincing. The support includes Steve Clark, Budd Buster, Sherry Tansey and Frank Ball.

Running time, 60 minutes. "G."

Short Subjects

"The River"

(*Paramount*)

Produced under the supervision and sponsorship of the Farm Security Administration and the U. S. Dep't of Agriculture, this picture is presented with a definite purpose in view, that of impressing upon the public the national necessity of conservatio[illegible] natural resources, chiefly with res[illegible] to forests and farm land.

Actually directed and written by Pare Lorentz, and definitely characteristic of his symbolic technique, the film, excellent in dramatic and pictorial quality, probably is the most telling argument yet devised for pressing home the Government's point that such conservation is important to the country's welfare. The photography of Stacey Woodward, Floyd Crosby and Willard Alexander is notable, the musical score of Virgil Thomas, as rendered by the New York Philharmonic orchestra does much to enhance the effectiveness of the whole subject, and the voice of Thomas Chalmers is good. However, again peculiarly Lorentz' style, there is too much repetition of phrase in the accompanying dialogue.

The film tells the story of the great Mississippi, points to the forest and farm land devastation, and the resulting floods. Then is pictured the measures undertaken to curb the river, and its tributaries and the means devised for reforestation and reviving the fertitility of the soil.

Although designed for a purpose, the subject is at the same time good theatrical material.

Running time, 31 mins. "G."

"Script Girl"

(*Vitaphone*)

A two-reel musical that will appeal in every situation and leave the audience well satisfied. The slight story is set in a studio where Cross and Dunn are ready to make a picture. The director cannot start unless he has a script girl. The pair get him a naive blonde. The show resumes with surefire song numbers by the well known team, snappy routines by Gae Foster girls, including the Big Apple and more singing by Joan Abbott. Cross and Dunn also do a hilarious sketch called "A Hamburger for Madame." The short could stand advance billing. Running time, 20 mins. "G."

"Hollywood Picnic"

(*Columbia*)

The audience's sense of humor will determine the value of this cartoon. It is one of those caricatures featuring many film players in their more familiar actions. The manner of presenting the personalities is overdone and the film has the semblance of a daffy circus. It is in Technicolor. Running time, 8 mins. "G."

"Zula Hula"

(*Fleischer-Paramount*)

In this cartoon Betty Boop and her Gramp wreck their airplane on a desert island. Gramp puts his ingenuity to work and soon the place is as livable as home. But natives menace the place. Gramp solves the problem with a swing concert that diverts the savages. The pair depart in a cleverly improvised flying machine. It's acceptable cartoon fare. Running time, 7 mins. "G."

Sacred" Goes
ut Front at
an Francisco

N Francisco, Jan. 9.—"Nothing
d" was the big noise of a com-
tively dull week. It grossed
,000, over par by $4,000, at the
ited Artists, and took $7,000, up by
00, at the Embassy.

Tovarich," on a dual with "Daugh-
of Shanghai," pulled $15,000 at the
rfield. This was $2,000 into the
ck. "Rosalie" was good for $14,000
the Paramount, and "You're a
eetheart," with "The Shadow,"
t slightly over the line on a take
$9,000 at the Orpheum.

ther houses were weak.

otal first run business was $96,300.
erage is $87,500.

stimated takings:

Week Ending Dec. 28:

"TRUE CONFESSION" (Para.)
THOROUGHBREDS DON'T CRY" (M-G-M)
OX—(5,000), 15c-35c-40c-55c-75c, 6 days,
week. **Gross:** $16,000. (Average, $17,-

"DANGER PATROL" (RKO)
OLDEN GATE—(2,850), 15c-35c-40c-55c,
ays. Stage, vaudeville. **Gross:** $16,000.
erage, $16,000)

"ROSALIE" (M-G-M)
ARAMOUNT — 15c-35c-40c-50c-75c, 7
s. **Gross:** $14,000. (Average, $13,000)

"DR. SYN" (U. A.)
"FIRST LADY" (W. B.)
T. FRANCIS—(1,400), 15c-35c-40c-55c-75c,
ays, 2nd downtown week. **Gross:** $6,-
(Average, $7,000)

Week Ending Dec. 29:

OU'RE A SWEETHEART" (Univ.)
"SHADOW" (Col.)
RPHEUM—(2,440), 15c-35c-40c-55c, 7
s. **Gross:** $9,000. (Average, $8,500)

"TOVARICH" (Para.)
AUGHTER OF SHANGHAI" (Para.)
ARFIELD—(2,680), 15c-35c-40c-55c-75c,
ays. **Gross:** $15,000. (Average, $13,000)

Week Ending Dec. 30:

"NOTHING SACRED" (U. A.)
MBASSY—(1,400), 15c-35c-40c-55c-65c, 7
s. **Gross:** $7,000. (Average, $5,000)

"NOTHING SACRED" (U. A.)
NITED ARTISTS—(1,200), 15c-35c-40c-
75c, 7 days. **Gross:** $11,000. (Average,
00)

Week Ending Dec. 31:

"PETER, THE FIRST" (Amkino)
LAY—(400), 15c-35c-40c, 7 days. **Gross:**
00. (Average, $1,000)

Wall Street

Paramount Heads Board Rise

	Open	High	Low	Close	Net Change
....	14¼	15	14¼	15	+1¼
K........	164	165	164	165	+1
T. E....	13	13½	13	13½	+ ¾
w	49½	50¾	49½	50⅜	+ ¾
a.	11¼	12¼	11¼	12¼	+1⅛
a. 1.....	93½	93½	93½	93½	+6½
a. 2.....	11⅛	12	11⅛	11⅞	+ ⅞
e	5½	5¾	5⅜	5⅜	— ⅛
. O.....	4½	4¾	4½	4¾	+ ⅜
Fox....	22	23⅜	22	23⅜	+1¼
v., pfd..	42½	42½	42½	42½	+2½
B.......	6¾	7⅜	6¾	7⅜	+ ⅝

Curb Issues Increase

	Open	High	Low	Close	Net Change
N........	11/16	11/16	11/16	11/16	+1/16
tone ..	1¾	1¾	1¾	1¾	— ⅛
nicolor.	18	18⅛	18	18⅛	+ ¼
ns-Lux.	2¾	2¾	2¾	2¾	.....
v. Corp.	3¼	3¼	3¼	3¼	+ ¼

Light Bond Gains

	High	Low	Close	Net Change
a. Pict. 6s '55..	91½	91½	91½	+ ¼
B. 6s '39......	78	77¾	78	+ ½

(Quotations at close of Jan. 8.)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Love Is a Headache"

(M-G-M)

Hollywood, Jan. 9.—Authors Lou Heifetz and Herbert Klein thought up a unique and intriguing human interest story idea in "Love Is a Headache." Scenarists Marion Parsonnet, Harry Ruskin and William R. Lipman shot it through with smart down-to-earth humor in the dialogue, situations and characterizations. Producer Frederick Stephani assigned Gladys George, Franchot Tone, the late Ted Healy, Mickey Rooney, Frank Jenks, Ralph Morgan, Virginia Weidler, Jessie Ralph, Fay Holden, Barnett Parker and Julius Tannen to bring the story to the screen with all its realism. The film was given good production. Director Richard Thorpe was given a free rein to inject a maximum of showmanship values. All the above named turned out a romantic farce comedy that should rank with M-G-M's recent batch of entertaining successes.

The plot is a story of a vendetta that backfired. Tone, a columnist-broadcaster, is Miss George's greatest admirer and severest critic. Seeking a home for Rooney and Miss Weidler, a pair of orphans, Healy, Miss George's press agent, and Jenks, Tone's contact man, adopt the children for Miss George with appropriate fanfare. A feud flames up as Tone claims Miss George is no fit guardian and he plans to take the youngsters from her. But Miss George loves the kids despite the headaches they cause her and she wants to keep them. With things getting hot Jenks and Healy heighten the comedy by staging a fake kidnapping which threatens to dynamite the actress and columnist. But a pseudo shotgun wedding with Jessie Ralph performing the ceremony at pistol point obliterates all worries in a cyclone of fun.

Tone gives one of those performances in which people like to see him. Healy, Rooney, little Miss Weidler, Jenks and Ralph keep the comedy whirling at a giddy pace. Morgan pleases as the wealthy suitor who loved, tried and lost.

"Love Is a Headache" may be the title, but it should prove anything but a headache for the patrons preferring refreshing and clean comedy.

Running time, 70 minutes. "G."

"Love on a Budget"

(20th Century-Fox)

Hollywood, Jan. 9.—Those exhibitors who specialize in presenting the "Jones Family" series have a worthwhile attraction to offer their patrons in "Love on a Budget." Also, those to whom the series is unfamiliar should find the production worthy of investigation. In character "Love on a Budget" is the essence of family entertainment. Clean, wholesome, humorous and mildly exciting, the picture is well produced, directed and acted. The familiar personalities, Jed Prouty, Shirley Deane, Spring Byington, Russell Gleason, Kenneth Howell, George Ernest, June Carlson, Florence Roberts and Billy Mahan are again presented. Alan Dinehart is introduced in a characterization that gives the story a refreshing note and Marvin Stephens, seen in "Borrowing Trouble," has a couple of scenes that add much to the film's comedy nature.

As the family characters are identified, conflicting economic theories upset the happiness of Miss Deane a bride, and Gleason, the bridegroom. The kindly counsels of the entire family go for naught when "Uncle Charlie," Alan Dinehart, a windblown promoter, makes his appearance. By fast talking Dinehart convinces the timid Gleason how he can make a lot of money quickly and Miss Deane that there is nothing wrong in furnishing her house on the installment plan. The family party celebrating the furnishing is a comic tragedy when the dinner goes the way of all brides' dinners and frightened Gleason orders the furniture returned. Next Dinehart involves Mayor Prouty in a potential political scandal, but the lucky blowing up of an exposition hall which Prouty had condemned as a result of Dinehart's skullduggery saves the situation. When another lucky break pays off financially, as Dinehart had promised it would, the young couple are happily reunited and the rest of the family settles down to peace and quiet.

A high class all-family attraction, "Love on a Budget" is not lacking in the necessary exploitation availability.

Running time, 60 minutes. "G."

20th-Fox Borrows Toland

Hollywood, Jan. 9. — Twentieth Century-Fox has borrowed Gregg Toland, Goldwyn contract cinematographer, to work on "Kidnapped."

Davey Signs Tax Bill

Columbus, Jan. 9. — Governor Davey has signed the bill calling for the appropriation of $6,500,000 of the 1938 sales tax for relief.

Variety Club

Cincinnati

Cincinnati, Jan. 9.—**Stanley C. Jacques**, one of the charter members of Tent No. 3, has resumed membership after being absent for several months.

New applications approved for eligibility are **Warren C. Giles**, general manager of the Cincinnati Baseball Club, as a resident member, and **Bud Silverman**, of the Schine Enterprises, Bellefontaine, O., as a non-resident member.

Washington

Washington, Jan. 9.—Tent No. 11 has formally installed its newly elected officers, headed by **A. Julian Brylawski**, chief barker.

In his swan-song to the membership, retiring chief barker **Carter T. Barron** declared that the installation "is a most important function. It not only means that by your presence you are extending a vote of confidence in your new administration, but that you are prepared to launch the new year's activities with the proverbial bang. . . . I know that if you extend, the same helpful spirit in 1938 that you did in 1937, the continued progress of Variety is assured."

Moss Orders Clean Theatre Front Ads

(Continued from page 1)

about the death of indecent burlesque, that "because of the public outcry they would get in bad," he said. The managers promised to "clean up" the fronts.

Moss said the hearing resulted from the complaint of Rev. Joseph McCaffery, Police Dep't chaplain, who is pastor of the Holy Cross Church at 42nd St. and 8th Ave. The theatres complained against are in the parish. Father McCaffery was instrumental in bringing the burlesque "strip tease" situation to the fore.

The practice of using "exploitation fronts" of the type now banned was inaugurated several years ago by the former operator of the George M. Cohan in Times Square, Moss said. In addition to their indecency, such advertising displays are misleading, Moss charged.

Rubin, Lichtman Due From Selznick Talks

(Continued from page 1)

cent distribution charge on Selznick International productions here and abroad, and makes virtually all Metro production facilities available to Selznick for 18 pictures which he is to produce for the company under the 30-month contract. "Gone With the Wind" is scheduled to be the first starting picture under the agreement, with work on it slated to be begun during March.

Start Theatre Drive

Philadelphia, Jan. 9.—Warner theatres in this territory yesterday launched the third annual "managers' parade," a drive for grosses. The drive will run for eight weeks, and prizes totaling more than $1,700 will be awarded to the winning managers.

CBS Selects Board to Aid Air Teaching

CBS has formed an Adult Education Board under the guidance of which it will launch in the near future a series of educational programs in evening hours definitely reserved for that purpose.

The board is headed by Dr. Lyman Bryson, professor of education at Teachers' College, Columbia University. Other members are: Springfellow Barr, president of St. John's College; William Bentorn, vice-president, Chicago University; Harry Woodburn Chase, chancellor, New York University; Robert I. Gannon, president, Fordham University; Alvin S. Johnson, director of the New School for Social Research; Henry R. Luce, president of Time, Inc.; Ruth Bryan Rohde, former U. S. Minister to Denmark; Thomas V. Smith, professor of philosophy, University of Chicago; George Edgar Vincent, former president of the Rockefeller Foundation; William Allen White, editor of the *Emporia Gazette*; Ray Lyman Wilbur, president, Leland Stanford University; and Joseph H. Willits, Dean of the Wharton School of Finance, University of Pennsylvania.

To Meet January 17

The board will meet for the first time in New York on Jan. 17 and 18 to reach a practical decision as to the purpose and scope of adult education over the air. Thereafter the board and the network's own staff will cooperate in production.

Discussing the development, William S. Paley, president of CBS, said: "Adult education has been one of the most vexed and controversial questions in radio. A great deal that has been constructive already has been done . . . but the time appears to have come, however, when broadcasting should come more definitely to grips with the whole problem. After a long study we at CBS decided that a rightly constituted board of men and women . . . working with us would help to a degree to take the whole subject out of the realm of discussion and into the field of practical achievement."

Jennings Sales Head For WLW and WSAI

CINCINNATI, Jan. 9. — James D. Shouse, vice-president and general manager of the broadcast activities of the Crosley Radio Corp., yesterday appointed Robert G. Jennings as general sales manager of WLW and WSAI and assistant general manager of the station. Jennings for some time has been a vice-president of the organization.

Coupled with the recent appointment of Trans-American Radio & Television Corp. as exclusive national representative of the stations, this realignment in the Crosley broadcast division presages the future sales policy of WLW and WSAI. By consolidating sales activities the stations will be in a position to offer broader merchandising and sales service to sponsors.

Royal Tells Exhibitors to Stop Fussing About Radio

(*Continued from page* 1)

one that did business, we used to sit back and say, 'what a great manager am I.' But when we played a picture that did not do business we blamed everyone but ourselves or the picture.

"In my day we used to blame the newspapers and the critics, or the weather, or possibly a carnival or circus may have been playing the town that week, and we blamed that.

"Exhibitors today have found something else on which to pin their complaints. Today they blame radio."

He does not place all exhibitors in this class of "fussers," he said. Smart exhibitors, Royal is convinced, do not look upon radio as a foe. Rather, they like radio, appreciate all that it has done and can do for them. They know how to derive benefits from radio, especially from the local stations in their own cities. They recognize the fact that radio and pictures are linked by an inseparable bond, with a common aim, to entertain, and instead of fighting it, make it serve their ends.

Asks Showmanship

The "fussy" exhibitors, those who have been raising the issue of unfair competition, should take stock of themselves, Royal insists. Instead of merely shouting that radio is ruining them, they should get busy and develop new ideas of showmanship, get to know the people who operate radio stations in their cities, learn of the valuable tieups that may be made at no, or hardly any, cost to them.

"Radio sells yeast, toothpaste, automobiles, and automotive byproducts. It sells almost every product that can be tastefully advertised on the air, and sells it in greater bulk than any other advertising medium has ever been able to do. It is inconceivable, then, that radio cannot sell picture entertainment."

People are in the habit of going to the theatre, said Royal, and nothing can "unsell" them, he feels.

Asked if he did not see some justice in exhibitor complaints that most of the major programs using film players and picture dramatizations were presented during the best box-office hours, Royal said, "No."

If the picture is a good one, and the public has heard that it is good, nothing will keep customers out of the theatre, he said. Admittedly they may remain home to listen to a radio dramatization of a picture they are interested in during its air presentation, but they will be at the theatre the next night, or at least they will buy an admission before the run is up, he feels.

"Saying that a particular night is a bad one for theatres is an old gag," he said. "It existed long before radio. Nowadays exhibitors say that Sunday and Thursday nights, in particular, are bad nights, because of the competition that radio gives them. In my day as an exhibitor Monday night used to be the 'turkey'. In order to stimulate the Monday business we ceased opening playdates on Mondays, and opened our runs Sundays, then Saturdays, Wednesdays, and finally Thursdays. We invariably succeeded in pepping up the business on nights which were bad by juggling the playdates—but always at the expense of another evening."

Royal spoke bluntly when reminded that another great complaint among exhibitors was that the picture stars were poorly presented on the air waves.

"The stars themselves, and their producers, should be the best judges of that," he said. "Certainly no star would willingly, or for any amount of money, go on the air feeling that he was to be poorly presented, with poor material. And if he did, it is inconceivable that the producers, who have more at stake than anyone else, would permit such a thing to happen consistently, as exhibitors have complained."

Digressing, Royal commented on the exhibitor complaint that radio competition was killing off attendance, reminding that at one time it was said that screen competition had ruined vaudeville and the live theatre. Producers and exhibitors bitterly resented this implication, he said.

Cites Depression Responsibility

And they were right. Film competition did not ruin vaudeville and the legitimate theatre. The depression had a great deal to do with it, but its downfall was due even more to the fact that vaudeville and the legitimate theatre had lost all sense of showmanship. The same names, the same acts, the same plots, the same vehicles played the same theatres year in and year out. Audiences knew beforehand just what they were going to see, what they were going to hear. So they ceased going to the theatre, they ceased patronizing the vaudeville houses, they started to go to the film houses."

Asked to comment about the recent Mae West broadcast, Royal said he preferred to let the matter die. One thing he did say, however, and that was that the network no longer would permit players to "get away with" walk-on rehearsals, or to broadcast without benefit of rehearsal, indicating that he believed the blame rested primarily with Miss West's reading, and not with the script itself.

McClinton Is Ayer Chief of Programs

Confirming recent reports of impending changes in the radio department of the New York division of N. W. Ayer & Son, Inc., H. A. Batten, president of the agency, on Saturday made known the appointment of H. L. McClinton as director of program creation and production, and the appointment of C. Halstead Cottington as director of radio plans, merchandising and station contacts.

Fred P. Fielding, who has been acting manager of the agency's radio activities, returns to general advertising service in an executive capacity and will be associated with Edward R. Dunning, manager of the New York office.

Prentice Winchell, who has been serving as program director, will move to Philadelphia to be associated with Gerald M. Lauck, executive vice-president, in radio promotion.

McClinton, the new director, has been an executive in the radio department for the past few years. Cottingham has been with the agency since 1925.

McFarlane Demands Quick Radio Probe

(*Continued from page* 1)

took advantage of general debate in the House to outline a violent attack on the industry and the F.C.C.

"Nothing will be done until Congress makes its own study," McFarlane asserted, in reference to p[illegible] made on the floor the preceding [illegible] for opportunity for Chairman McNinch to clean up the situation.

"They (McNinch and Craven), appointed to the commission last fall, knew these evils and conditions existed at the time of their appointment, and yet have taken no action and have offered no recommendation to protect the American people and the American home."

Charging that RCA "has taken the people for a ride," he referred to the purchase of more than a 65 per cent interest in RKO and its later sale at a substantial loss "at a time when it was not only unnecessary to sell it, but when the motion picture industry itself was beginning, if it had not already actually started a definite upswing."

Joscelyn Is Eastern Sales Head for CBS

Effective today, A. E. Joscelyn will become eastern sales manager of the radio sales division of CBS. He is succeeding Arthur Hayes, who has relinquished this post in order to devote his full time to the development of local business on WABC, the CBS key station in New York.

Joscelyn recently entered the Chicago office of CBS. Before joining CBS he was western sales manager of Free and Peters, Inc., special representatives.

AGRAP Talks Merger With ACA or ARTA

National delegates of A.G.R.A.P. discussed the advisability of joining A.C.A. or A.R.T.A., both of which have tendered invitations to absorb the announcers' and producers' unions, at a special meeting held on Saturday.

The decision in the matter probably will be forthcoming at the next national meeting to be held here Feb. 4. Delegates upon returning to their chapters will ascertain the preferences of the members in their respective locals and will vote accordingly at next month's meeting.

WWL Power Gain to Be Effective Soon

NEW ORLEANS, Jan. 9. — WWL, Loyola university, is expected to begin broadcasting in about four months with its increased power, five times as great as at present, as a result of the action of the F. C. C. in approving installation of new equipment and increase in power from 10,000 to 50,000 watts.

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VOL. 43. NO. 8 NEW YORK, TUESDAY, JANUARY 11, 1938 TEN CENTS

A. F. M. Pact With IRNA Is Concluded

Plan of Settlement Will Be Effective Jan. 17

The long-drawn-out negotiations between the A. F. of M. and the Independent Radio Network Affiliates have come to an amicable conclusion with plan of settlement to be declared effective as of Jan. 17. The decision was reached at a conference on Saturday at the home of A. F. M. President Joseph N. Weber, and attended by Emile J. Gough and Samuel R. Rosenbaum, of the I.R.N.A. negotiating committee.

The exact number of stations which have accepted the plan is not known as yet, but it is said to be far in excess of 200. The entire I.R.N.A. group numbers 273 affiliates. Contracts continue to arrive daily, however. Yesterday's batch included one from WLW, one of the most important stations in the country, and from the group of stations in Houston,

(*Continued on page* 12)

Farmer Best Market For Radio—Ramsdell

PHILADELPHIA, Jan. 10.—The farmer is the biggest potential market for radio today, according to Sayre M. Ramsdell, vice-president of Philco Radio & Television Corp.

Ramsdell pointed out that, according to a survey made recently by the American Institute of Public Opinion, 77 out of every 100 American families have radios in their homes. However, the farm families' average is far below that, according to Ramsdell.

Quoting from facts compiled by Philco, Ramsdell said: "The farm

(*Continued on page* 12)

Order CBS Briefs in Virginia Tax Battle

RICHMOND, Jan. 10.—The State Corporation Commission, after a lengthy hearing, has given CBS 15 days in which to prepare and file briefs setting forth why the network should not register and pay a fee for doing business in Virginia. The commission contends CBS should pay a fee because of its ownership and operation of WJSV in Arlington County.

The response to the briefs will be

(*Continued on page* 12)

More Radio—P. 12

Regents Board Will Take Over Appeals from N.Y. State Censor

Albany, Jan. 10.—The N. Y. State Board of Regents will take over the work of reviewing films denied licenses by the state censor and on which an appeal is filed, a high official in the Dep't of Education revealed to *Motion Picture Daily* today.

This action, taken at a meeting of the Board of Regents in New York City in December, is immediately applicable and will remove the burden from the shoulders of Commissioner of Education Frank P. Graves, whose educational duties occupy his entire time.

A subcommittee of either three or five members of the regents is expected to be set up shortly for this purpose. It is known that following the December meeting, the film, "The Birth of a Baby" was reviewed by them preparatory to upholding or differing with Commissioner Graves' denial of an appeal based on rejection of the picture by the censor. It is understood that the Board of Regents formally adopted this new rule at the December meeting, but that methods of procedure will be ironed out in Albany within a few weeks.

Stanley Plan Fate Decided This Week

By AUBREY FLANAGAN

LONDON, Jan. 10.—The fate of the alternative quota plan for incorporation in the new English Films Act, as proposed by Oliver Stanley, president of the Board of Trade, will be decided this week at meetings of the various branches of the organized film industry.

Present indications are that the lack of trade unity on the matter, with opposition to the proposal the dominant reaction, will lead to the abandonment of the plan. Labor unions

(*Continued on page* 11)

Canadian Union Hits British Quota Shift

VANCOUVER, B. C., Jan. 10.—The Trades and Labor Council of Victoria, B. C., home of Central Films, Ltd., believes that Canada's film industry, inaugurated under the British quota system, is threatened by the proposed revision of the British Films Act. If approved by the British House of Commons, the amendment would eliminate the Dominion from participating in the quota market.

At present Central Films is pro-

(*Continued on page* 11)

End Depositions in North Dakota Action

MINNEAPOLIS, Jan. 10.—Depositions of six exchange managers and John J. Friedl, manager of the Minnesota Amusement Co., in the North Dakota "divorcement case" have been completed here in the offices of former Chief Justice of Minnesota, John P. Devaney.

Exchange managers subpoenaed

(*Continued on page* 8)

Governor Opposes Sales, Film Taxes

ALBANY, Jan. 10.—Flat rejection of pleas for either a general sales or film and theatre tax featured Governor Lehman's submission of his budget of approximately $386,000,000 for the fiscal year 1939, read to the Legislature tonight. Instead, Governor Lehman suggested that present taxes be maintained, with the exception of the capital gains and losses provision on which he recommended reduction "to stabilize state revenue."

Governor Lehman's proposed expenditures are $15,000,000 less than in

(*Continued on page* 11)

Monogram Sets Deal For Australia Sales

Monogram yesterday closed a long-term deal with British Empire Films, Pty., Ltd., for distribution of its entire output in Australia, New Zealand, Tasmania and the British South Sea islands. The company has had no distribution in those territories.

The contract gives Monogram a strong position in the Antipodes, since British Empire is associated with Greater Union Theatres and the deal assures Monogram playing time in

(*Continued on page* 6)

Wynne-Jones Passes After Long Illness

Frederick Wynne-Jones, former president of Ufa Films, Inc., and former foreign representative of United Artists, died Sunday at the Manhattan State Hospital on Wards Island. He is survived by his wife, Elsie.

He had been ill for several years and entered the hospital about a

(*Continued on page* 11)

GB Sues RCA, Erpi on Sound Speed Device

Claim Poulsen - Petersen Device Infringed

Two actions charging RCA Mfg. Co. and Erpi with infringements of patents purported to be owned by British Acoustic Films, Ltd., a wholly owned subsidiary of Gaumont British, were filed in U. S. District Court at Wilmington, Del., yesterday, according to Arthur Lee, vice-president and general manager of G. B.

The actions, according to the G. B. office here, are based on devices for feeding film through sound heads at a constant speed, which the defendants allegedly use only in their latest types of reproducing equipment. The British company, charging that these devices infringe patents owned by it, ask that RCA and Erpi be enjoined from manufacturing and distributing sound equipment employing the mechanism. The company also asks an accounting of profits and damages estimated at "between $10,000,000 and $20,000,000."

British Acoustic's complaints were filed separately against each of the defendants and are based on two patents, one issued to Arnold Poulsen and Axel C. G. Petersen by the

(*Continued on page* 6)

Whitney, Selznick Call Off MGM Deal

HOLLYWOOD, Jan. 10.—Probability that David O. Selznick may continue as a major contributor of product to United Artists tonight was revived when John Hay Whitney and Selznick issued the following statement:

"We have this night definitely terminated negotiations with M-G-M and Loew's, Inc., for a releasing affiliation for Selznick International due to

(*Continued on page* 8)

LaVine and Bellman Share Republic Job

Harry LaVine, Philadelphia branch manager, and Jack Bellman, head of the New York office, yesterday were appointed eastern sales supervisors for Republic, dividing the territory formerly supervised by Edward M. Schnitzer, eastern district manager, who resigned recently to join Warners.

Bellman's territory will include New York, New England, Northern New Jersey and Michigan, with La

(*Continued on page* 8)

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MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Brown Returns Today

Colvin W. Brown, vice-president and general manager of Quigley Publishing Co., and Mrs. Brown, will return today on the *Aquitania* from a honeymoon tour of the Mediterranean and Europe. They have been away since November.

Close in Indianapolis

INDIANAPOLIS, Jan. 10. — B. F. Keith's, which has been playing vaudeville and pictures since early last fall under the management of Buddy Kane, is dark again.

MITCHELL MAY, Jr.
CO., INC.

•

INSURANCE

Specializing
in requirements of the
Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Purely Personal

MORTON L. STEVENS, well known stage actor, was married yesterday afternoon at the Little Church Around the Corner to JANE OLSEN. Among the attendants were ALFRED LUNT and LYNN FONTANNE, KATHARINE CORNELL, GUTHRIE MCCLINTIC, BURGESS MEREDITH, MARGARET PERRY, MARGALO GILLMORE and RICHARD WHORF.

•

WHITFORD DRAKE, Erpi president, has returned from Florida, but is confined to his home for further rest on instructions of his physician. It may be another two weeks before he returns to his office.

•

HOWARD DIETZ has written a new song, "Command Performance," for the Washington presentation Jan. 23 of his show, "Between the Devil," in connection with President Roosevelt's Birthday Ball.

•

J. J. UNGER, Paramount eastern district manager, went to Dallas from New Orleans over the weekend and is expected back at the home office by the end of the week.

•

JACK BARNSTYN, vice-president of G. N., MONTY BANKS, JOHN CAROL, British film player, and GEORGE HALE, stage director, will arrive today on the *Ile de France.*

•

CHRIS DUNPHY has arrived in New York from the coast. No new assignment has been set yet by Paramount for the former assistant to ADOLPH ZUKOR.

•

WILLIAM A. SPILO has opened an office for Keystone Press Feature Service, Ltd., American subsidiary of Keystone Press Agency, Ltd., London.

•

GEORGE PRATT, Erpi west coast representative, postponed his scheduled departure from Los Angeles and is not expected here for another week.

•

SIDNEY R. KENT, 20th Century-Fox president, deferred his departure for Florida a day. He will leave today for a vacation of several weeks.

•

RUSSELL BIRDWELL, Selznick International publicity director, is due in New York late this month from the coast.

•

CHARLES REAGAN is visiting Paramount exchanges in the middle west prior to his return to New York.

•

JEAN HERSHOLT, with his New York vacation completed, left yesterday on the Century for the coast.

•

W. MARSH GOLLNER, head of Eastern Theatres, Maryland circuit, is in town on booking deals.

•

M. A. GOWTHORPE returned to the Paramount home office yesterday from New Orleans.

•

J. ROBERT RUBIN and AL LICHTMAN of M-G-M are due in New York tomorrow.

•

CECIL B. DEMILLE arrives in New York on Thursday from Atlanta.

•

NEIL F. AGNEW is due in from New Orleans tonight.

FERNAND GRAVET, MERVYN LEROY, IRVING ASHER, JOHN SLOAN and HERMAN MAIER will sail next Saturday on the *Ile de France.* ASHER will arrive here Friday accompanied by SAM E. MORRIS, Warner vice-president in charge of foreign distribution.

•

LIONEL TOLL of the I.T.O.A. and RUTH GOODMAN will be married in Scranton, Feb. 27. The date was set last weekend. The prospective bride is the daughter of MICHAEL J. GOODMAN, publisher of the *Scrantonian.*

•

ALEXANDER KORDA and MURRAY SILVERSTONE are remaining in New York for a least another week. Neither has definite plans for departing yet.

•

ELEANOR POWELL will arrive today from the coast on the *Santa Paula,* for an indefinite stay.

•

. . . Denver

GEORGE MILTON is now managing the Alameda, replacing WALT CRELLY, resigned.

BUZZ BRIGGS, GUS KOHN and DAN LEHRBERGER are motoring to Mexico City.

E. J. WARD is on the sick list.

•

. . . New Haven

SELIG FISHMAN of Fishman Theatres, has announced the coming double wedding of his twin daughters, EVELYN and LILLIAN, both graduate nurses, to OSCAR SHENKIN of New York and DR. JACK CHASNOFF of New Haven, respectively, on Jan. 30 at the Elks Club.

ROBERT COBE, MILTON HYAMS and SAM COMDEN are in Florida.

HARRY ROGOVIN and BEN LOURIE are taking short vacations up Boston way, while EARL WRIGHT is already a deer and 24 fish to the good at Lake Winnepesaukee.

MIMI GURIEN of the Universal staff is engaged to HARRY SONN of New Rochelle, and will be married in June.

•

. . . Oklahoma City

TAYLOR JOYCE, assistant manager of the Aggie and Mecca in Stillwater, is taking the second installment of his honeymoon, which was interrupted earlier in the year.

T. B. NOBLE, JR., manager of the State here, was called to Wichita Falls, Tex., by the death of his grandfather.

FLOYD and MRS. GIBBLE of Wichita, Kan., have taken over the management of the New at Pond Creek, Okla., and L. E. and MRS. SHANKEL, have been transferred from Pond Creek to Oxford, Kan.

•

. . . Omaha

AL HILL, head booker for Universal, has been ill at home.

HARRY J. SHUMOW, M-G-M head, celebrated his 22nd wedding anniversary; JOE SCOTT, 20th-Fox boss, his second, and LEON MENDELSOHN, Warner salesman, his 10th, over the holidays.

JOE ROSENBERG, G. N. manager, has become Nebraska representative for National Screen Service, succeeding MURRAY STARR, who was transferred to New York.

"Snow White" Starts At M. H. on Thursday

"Snow White and the Seven Dwarfs" will go into the Music Hall next Thursday for an indefinite run, it was decided by the theatre yesterday. It is expected that it will stay three weeks.

"Tovarich" will end its second week at the Music Hall Wednesday night with an anticipated take of abou $80,000, as against $115,800 for t first week.

"Tom Sawyer" is scheduled to follow the Disney feature at the theatre, with "Having Wonderful Time" later.

J. J. Spencer Slated As Boston's Censor

BOSTON, Jan. 10.—John J. Spencer of Brighton is slated for appointment as Boston city censor by Mayor Maurice Tobin.

Spencer is a brother-in-law of the Mayor's brother. He will succeed Herbert L. NcNary of Dorchester. The position pays $3,500 annually.

Stephen J. Hughes, former vaudeville star and booking agent, has been named director of the Municipal Employment Bureau by Tobin.

Puerto Rico Takes $185,897 in Films

SAN JUAN, P. R., Jan. 10.—Puerto Rican importation of films, equipment and photographic goods from the U. S. for the year ending June 30, 1937, totaled $185,897, it was shown in a statement issued by the local branch of the National City Bank. Similar imports from other countries amounted to $7,087.

Circuit Reduces Capital

DOVER, Del., Jan. 10.—Publix Netoco Theatres Corp., a Delaware corporation operating in Massachusetts, has reduced its capital from $2,161,400 to $1,000,000. The reduction, for which a certificate of reduction was issued by the secretary of state, was effected by cancelling and retiring 11,614 shares of preferred stock issued and outstanding and owned by the company and by charging $1,161,400 against the capital account of the firm. Samuel Pinanski is president of the company.

Jackie Cooper on Tour

On an extended personal appearance tour, Jackie Cooper this week is at the Folly, Brooklyn, and on Jan. 16 will open for a week at the State, Hartford. On Jan. 23 he will make a one-day appearance at the Globe, Bridgeport; on Jan. 28 will begin a week at the Earle, Philadelphia, and on Feb. 4 at the Stanley, Pittsburgh. Other dates are being lined up.

Cooper may make an appearance at the Globe on Saturday in connection with the opening of "Boy of the Streets."

Mary Pickford Chairman

Mary Pickford is chairman of the board of the Film Treatizor Corp., which is developing a projector attachment designed to prevent fires and prolong the life of film. The device has been tested by major circuits and further tests are under way on the coast, said Frank Reilly, president of the company. Marketing plans have not been set.

SHOCK!

WARNER BROS.'

GIRLS ON PROBATION

A First National Picture
Directed by
Arthur Lubin

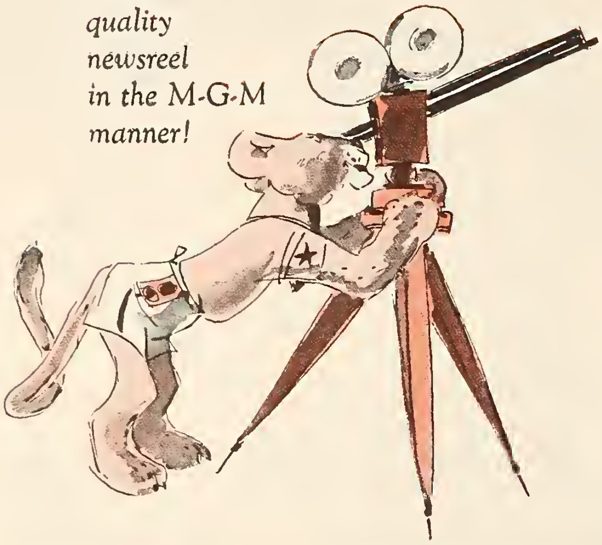
Are They the Marked Women of Tomorrow?

SOCK!

THE
SEARS
DRIVE
IS ON!

ON THE NEWS FRONT AND BEHIND THE SCENES WITH M-G-M's

"NEWS OF THE DAY"



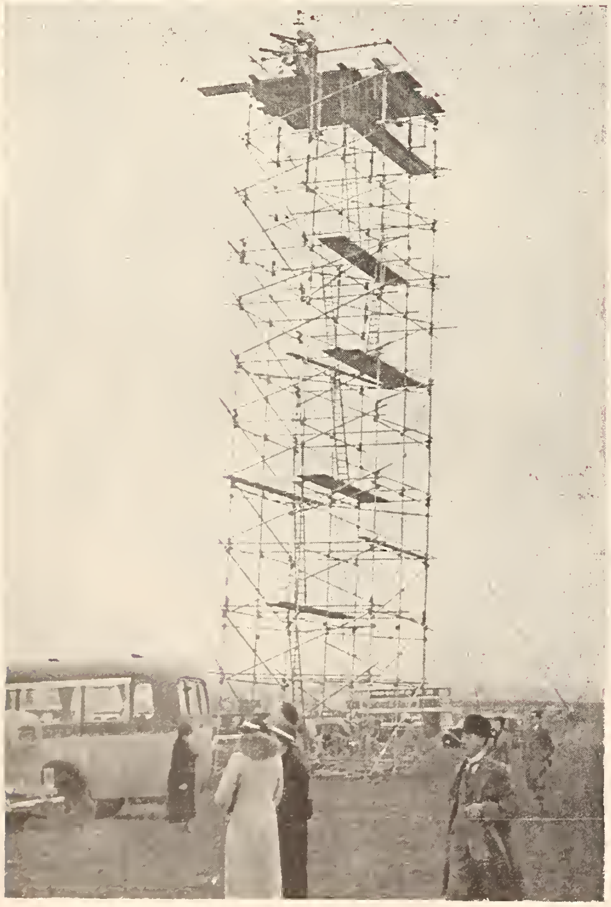
"It's the quality newsreel in the M-G-M manner!"

The Newsreel that won industry approval when it gave each of its accounts *without extra charge* *the complete pictorial story of the Bombing and Sinking of the U.S.S. PANAY!*

Resources without stint are behind M-G-M's great newsreel. No day passes without additional expansion, new coverage, new ideas. Worldwide is the scope of the organization which brings to 30,000,000 people each week in motion picture theatres in all parts of the globe great, significant news—almost as quickly as it takes place.

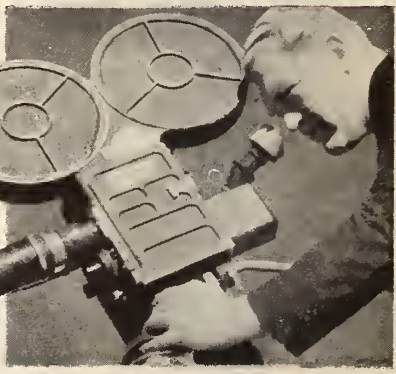
From its bureaus in the great key cities of the world—New York, London, Paris, Berlin, Rome, Shanghai, Tokyo, Chicago, Philadelphia, Washington, Los Angeles, and San Francisco—come each week to news of the day's laboratory in Manhattan 100,000 feet of film. Out of this vast collection of news transferred to film, 2,000 feet of the more timely and spectacular subjects are selected for the bi-weekly releases. Of this selection, a total of 1,000,000 feet of film are shipped weekly to theatres throughout the world. It is a breath-taking and stupendous enterprise

On these pages are shown a few behind-the-scenes glimpses of the personalities who make NEWS OF THE DAY the thrilling, arresting screen experience it is.

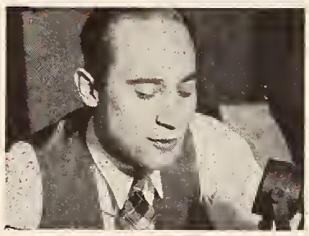


Newsreel cameramen have a field day at the English Derby, using a special tower (above) for long-range shots as well as several batteries of sound trucks and cameras (below).

President Roosevelt, of all public figures, is most at ease before the newsreel cameras, say editors of News of the Day. Also he has been the most photographed.



Charles J. Mack, of the newsreel's Washington staff, usually has the assignment of filming F. D. R. The President knows the cameramen—and calls them—by their first names.



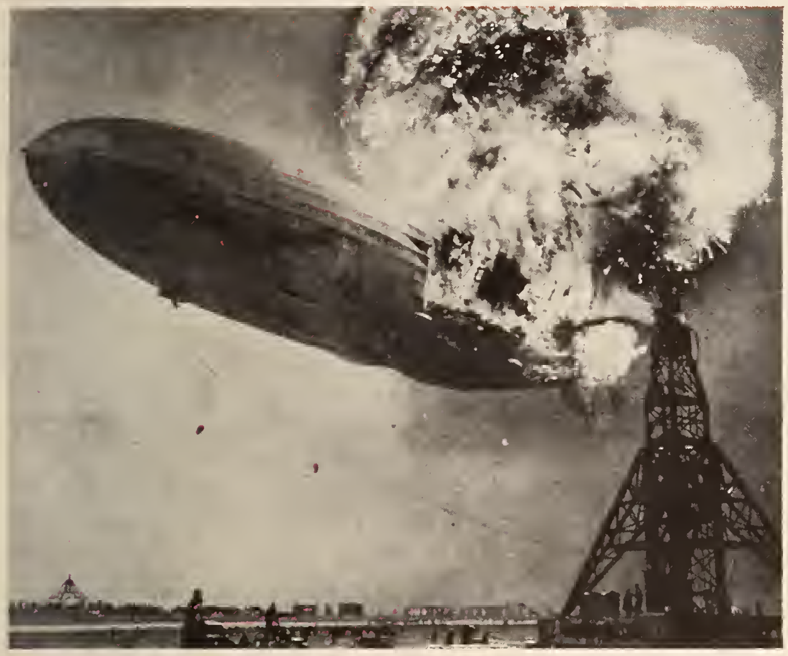
Jean Paul King, of radio fame, vividly describes News of the Day events.

The Woman's Page brings not only real human interest stories, but a glowing interpretation of them by fashion expert Adelaide Hawley.

Recording film in the New York laboratory calls for precise electrical adjustment, keen eyesight and alert ears on the part of sound engineers working against time!

Umberto Romagnoli, head of News of the Day in Rome, is kept on the jump filming Mussolini's spectacular activities.

H. S. "Newsreel" Wong, ace Chinese cameraman of News of the Day, risks his life daily filming the havoc of war in China.



The greatest newsreel picture of recent years was that of the airship Hindenburg in flames, at Lakehurst, N. J. Cameraman James Seeley, appalled by the sudden spectacle before him, kept grinding and caught the scene in all its horror.

A cameraman films Jessie Simpson, famous beauty, who, despite the loss of both legs, bravely works as model for Bradshaw Crandall's Cosmopolitan Magazine cover.

Cameraman Jack Whipple dons high boots and helmet to film "sand hogs" digging a new subway under New York's Sixth Ave.

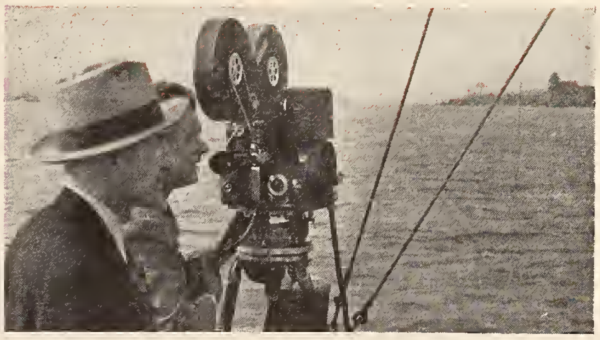
The business of editing News of the Day is an exacting but always absorbing one, requiring expert news judgment. In their own Projection Room at all hours, Editor Mike Clofine and staff look at news-rushes from all over the world.

Sinking of the U. S. S. Panay gave opportunity for News of the Day to serve its customers promptly and as part of their regular service with complete and stirring pictures of the disaster.

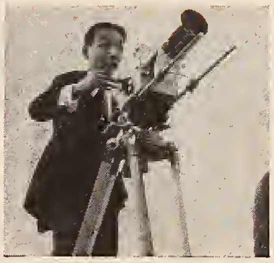
News of the Day gives complete coverage to the most exciting newsreel arena of them all, the football stadium. Rody Green is shown shooting the Fordham-Purdue game.

When police capture a notorious criminal, newsreel men go into action. Jack Whipple snaps Earle Vandenbush, bandit, at White Plains, N. Y.

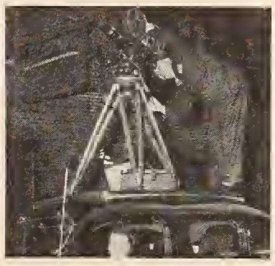
News of the Day sets up its equipment in New York's City Hall to film Mayor LaGuardia after his triumphant bout with the Tammany Tiger.



No matter what the weather the cameramen go down to the sea in ships to film the varied activities of New York's great port.



Shu Taguchi, ace Japanese cameraman for News of the Day, a top man in a spot



John Bockhorst filming, Charles Peden recording a dangerous New York fire.

GB Sues RCA, Erpi on Sound Speed Device

(*Continued from page* 1)

U. S. Patent Office in 1926 and the second issued to Poulsen in 1935. Both were assigned subsequently to British Acoustic.

Lee said that the actions are aimed only at the constant speed film feeding devices introduced by RCA Mfg. Co. in its Super High Fidelity reproducers about May, 1936, and by Erpi in its Mirrophonic reproducer a few months later.

The complaint alleges, Lee said, that subsequent to the issuance of the first patent to the two inventors demonstrations were furnished Erpi engineers and apparatus submitted to them for purposes of examination and experiment.

Western Electric and Erpi spokesmen stated yesterday that they had no comment to make on the British Acoustic action, as they had not seen the bill of complaint and were unaware of its filing. RCA Mfg. Co. officials could not be reached for comment.

Erpi, several months ago, licensed International Projector Corp. and Motiograph to manufacture reproducing sound equipment under patents held by Erpi and its affiliates and since has been inactive in the manufacture and distribution of such equipment. It is understood, however, that Erpi assumes full liability for all patents covered by its license agreements.

GB Sales Heads to Meet

G. B. district sales heads will meet in Chicago on Thursday with Arthur Lee, vice-president and general manager, who left New York last night for the midwest. Lee will meet with Clinton White, assistant general manager, and R. W. Selig, district manager, who is in the midwest on a three-week tour of exchanges. Lee will stop over in Detroit on his way to Chicago.

Monogram Sets Deal For Australia Sales

(*Continued from page* 1)

the 47 theatres of the circuit in the territory involved. The circuit has first run metropolitan houses in the larger centers, including two in Sydney.

Distribution will start late in February or early in March, with five pictures immediately available. These are "Boy of the Streets," "Paradise Isle," "Hoosier Schoolboy," "The Thirteenth Man" and "A Bride for Henry."

The deal was consummated by Capt. Harold Auten, foreign sales manager for British Empire, with Norton V. Ritchey, Monogram's export head.

Ritchey also revealed that a distribution deal has been set for Sweden, but details were not announced.

Benchley Is Re-Signed

HOLLYWOOD, Jan. 10.—M-G-M has signed Robert Benchley to a new long term contract.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Jury's Secret"

(*Universal*)

HOLLYWOOD, Jan. 10.—Showmen determined to make the most of "The Jury's Secret" face a difficult task to attract more than the usual amount of attention given program pictures, but this Universal film deserves a much better fate than to be thrust at the bottom of a dual bill and foisted upon an unsuspecting public. The picture fairly reeks of great possibilities for exploitation as a "problem film" and can be advertised in a manner to create word-of-mouth publicity.

It is a well made film which shows the whims of circumstantial evidence, contains a vague preachment against mass hysteria, and an indictment of a powerful overlord of modern days, yet at the same time it has the elements of entertainment, suspense, characterization and human emotions soundly embodied.

A highly competent cast composed of Kent Taylor, Fay Wray, Jane Darwell, Nancy Grey, Larry Blake, Fritz Leiber and others delivers under the well placed directions of Edward Sloman. The meaty original story was written by Lester Cole, who collaborated with Newman Levy on the crisp screenplay. Edmund Grainger produced.

Taylor, "ghost editorial writer" for Samuel S. Hinds, newspaper publisher, murders him because Hinds was to wreck the company in which Taylor, as well as thousands of others, had invested. Larry Blake, young stevedore, and one of thousands of flood victims, visits Hinds in an effort to convince him that the flood control measure which Hinds opposed should be passed, and is discovered with the body. On trial for the murder, Blake is defended by Leiber, noted criminal attorney, and by chance Taylor is on the jury. He and another juror, motivated by a desire to get the $3 a day and good food given the talesmen, deadlock the jury. In the meantime, assigned to cover the trial is Fay Wray, his former sweetheart, and they agree to get married. She inadvertently discovers that he is the murderer, scores a beat for her newspaper, but returns to the city to comfort him.

Running time, 62 minutes. "G."

"Penrod and His Twin Brother"

(*Warners*)

HOLLYWOOD, Jan. 10.—Aimed primarily at attracting children, "Penrod and His Twin Brother," from the Penrod stories of Booth Tarkington, is an ideal show for neighborhood houses. While not meriting medals for great artistry, is is a pleasing concoction of juvenile activity, a case of mistaken identity, and a new twist to the "cops and robbers" game in which virtually every American boy has at some time engaged.

The screen play of William Jacobs and Hugh Cummings makes the most of its opportunities to bring the Tarkington Americana up to date and Billy and Bobby Mauch again deliver excellent performances as the heroes in this contemporary story. Director William McGann guided the action restrainedly, drawing the most out of the performances of the Mauch boys, Jackie Morrow, Frank Craven, Spring Byington, and a host of young actors, most amusing of which was little Philip Hurlic, minute colored lad, in the Tarkingtonian character of "Vermin." This is the second of the "Penrod" story series being produced by Bryan Foy.

Jackie Morrow, as "Rodney Butts," gets Billy Mauch, "Penrod," and his dog, in trouble with police authorities because of mistaken identity "Vermin" frees the dog from the pound, and the "Junior G-Men," of which "Penrod" is chief, conspire to hide the animal. The "double," Bobby Mauch, is found. Sent away on a ruse, "Rodney" is kidnapped by gangsters but the "Junior G-Men," with the aid of the dog, a Scottie which really does an excellent array of gymnastics, facial and otherwise, for the camera, lead police to the gang's hideout.

Running time, 69 minutes. "G."

(Additional Review on Page 8)

Buschorn Takes Two

WICHITA, Jan. 10.—George J. Buschorn has taken over the Kansas and Crawford here from W. P. Huston, and will operate them as the Plaza Theatre Circuit.

Switch "Lady" Premiere

Warners' "Swing Your Lady" will have its premiere Saturday in Springfield, Mo., instead of Dallas, on Jan. 20, as originally planned.

Rename Wisconsin Firms

DOVER, Del., Jan. 10.—Wisconsin Amusement Enterprises Corp. has changed its name to Fox Wisconsin Theatres, Inc., Milwaukee.

Fox Wisconsin Agency Corp. has changed its name to Fox Wisconsin Amusement Co., Milwaukee.

Victoria Amusement Enterprises, Inc., Shamokin, Pa., has increased its capital stock from 100 to 8,250 shares, no par value.

N. Y. Critics May Give Service Award

An award for "distinguished service to the motion picture industry," with emphasis on production, is planned for 1938 by the New York film critics in addition to the annual awards made for film "bests." The proposal was made by Frank C. Nugent, chairman of the group.

Robert Benchley acted as master of ceremonies in the presentation of the 1937 citations in a half-hour broadcast over NBC Sunday night. Jack L. Warner, speaking from Hollywood, accepted the award for "The Life of Emile Zola" for Warners while Paul Muni spoke from Budapest in acknowledging his award for the best male performance of the year, in "Zola." Anatole Litvak, in person, acknowledged the citation of "Mayerling," which he directed, as the best foreign film shown here during the year. Hollywood was again hooked in for the acceptance by Gregory La Cava of the "best direction" award, made for "Stage Door." A radio connection with Sweden could not be arranged for the presentation of the award to Greta Garbo for her work in "Camille."

Among those present at a cocktail party in the Rainbow Room, Rockefeller Center, in connection with the presentations were: Martin Quigley, Mary Pickford, Charles E. McCarthy, S. Barret McCormick, Monroe Greenthal, Hope Hampton, John Barrymore, Frank Lawton, Si Seadler, Mort Blumenstock, Lou Lifton, Mel Heymann, Myer Beck, Jean Hersholt, Arthur Mayer, Arch Reeve, Earl Wingart, Morris Kinzler, Al Wilkie, Bill Jaffe and Mrs. James F. Looram.

Magazines' Critics Vote "Zola" Leader

"The Life of Emile Zola" has been chosen as the best film of the year by the newly organized Magazine Film Critics, a group consisting of reviewers on national weekly and monthly publications. The Warner Picture also was the 1937 "best" selection of the New York Film Critics.

Organization of the Magazine Film Critics has not been entirely completed and the consensus on the film choice may be taken among new members when they are added. Frederick James Smith of *Liberty* is president. Other members are John Mosher, *New Yorker;* Donita Ferguson, *Literary Digest;* Tom Wenning, *Newsweek;* Peter Ellis, *New Masses*; Katherine Best, *Stage;* Mark Van Doren, *Nation*; Otis Ferguson, *New Republic*; Jesse Zunser, *Cue.*

It is expected that the **membership** eventually will total about 15. Annual awards are planned.

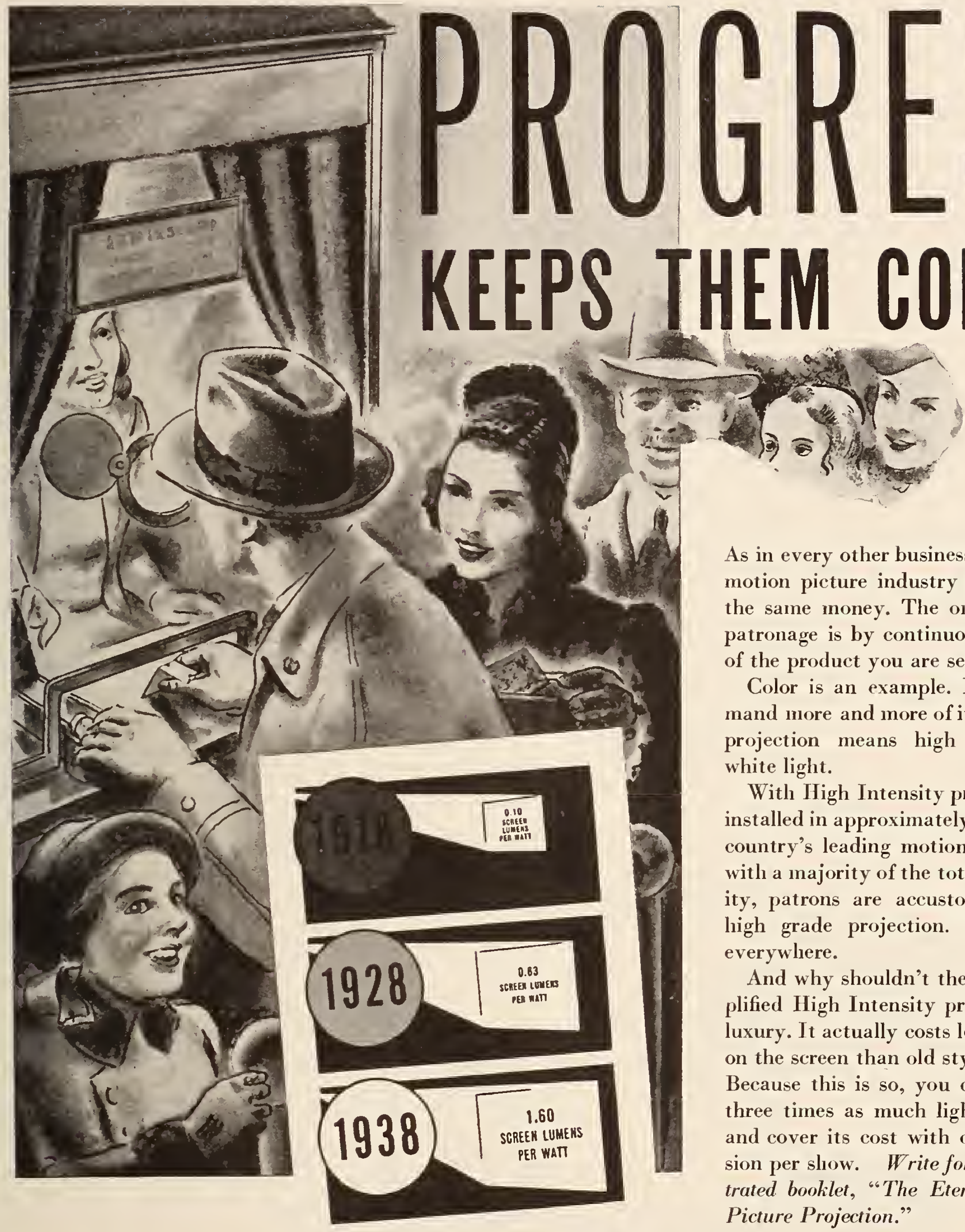
Dieterle Recovering

HOLLYWOOD, Jan. 10. — William Dieterle, director, who was injured the day before Thanksgiving in an automobile accident, will be discharged from Hollywood Hospital in about 10 days. His wife, who was also injured, will remain a few days longer.

"Hotel" Dates Now 121

Warners' "Hollywood Hotel" will have simultaneous openings in 121 key situations this week. The film will be released nationally on Saturday.

PROGRESS
KEEPS THEM COMING


1918
0.10 SCREEN LUMENS PER WATT
1928
0.63 SCREEN LUMENS PER WATT
1938
1.60 SCREEN LUMENS PER WATT

As in every other business, progress in the motion picture industry means more for the same money. The only way to hold patronage is by continuous improvement of the product you are selling.

Color is an example. Patrons will demand more and more of it. But good color projection means high intensity snow white light.

With High Intensity projection already installed in approximately one third of the country's leading motion picture houses, with a majority of the total seating capacity, patrons are accustomed to modern high grade projection. They expect it everywhere.

And why shouldn't they have it? Simplified High Intensity projection is not a luxury. It actually costs less per light unit on the screen than old style low intensity. Because this is so, you can have two to three times as much light on the screen and cover its cost with one more admission per show. *Write for new, free, illustrated booklet, "The Eternal Triangle in Picture Projection."*

SIMPLIFIED
High Intensity
PROJECTION

ECONOMICAL AND MODERN

WITH "NATIONAL" "SUPREX" CARBONS

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide UCC and Carbon Corporation
CARBON SALES DIVISION, CLEVELAND, OHIO
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LaVine and Bellman Share Republic Job

(*Continued from page* 1)

Vine handling Pennsylvania, Ohio, Washington and Southern New Jersey. In addition both will retain their present branch posts for the time being. The post of general sales manager, now vacant, will not be filled for some time, according to present plans.

Sales supervisors, including Grover C. Parsons, San Francisco; Max Roth, Chicago, and Heck Everett, Charlotte, as well as the newly appointed men, will meet today with eastern franchise holders to discuss current season's progress.

Franchise holders attending will be Arthur Bromberg, Atlanta; Herman Rifkin, Boston; Nat Lefton and Jack Jossey of Cleveland and Cincinnati, respectively; William G. Underwood, Dallas; James Alexander, Pittsburgh; Bernie Mills, Albany; Herman Gluckman, New York; Sam and Jake Flax, Washington, and Jack Berkowitz, Buffalo. Sam Hacker of the contract department also will sit in.

Col. Borrows Hepburn

HOLLYWOOD, Jan. 10.—Katharine Hepburn will be loaned to Columbia by RKO for a starring role in "Holiday," the Philip Barry play. She will be teamed with Cary Grant, with George Cukor directing. Columbia is negotiating with Joan Bennett for a leading role in the picture.

Loan Niven to 20th-Fox

HOLLYWOOD, Jan. 10.—Samuel Goldwyn has loaned David Niven to 20th Century-Fox for "Four Men and a Prayer." Loretta Young will have the leading feminine role. John Ford will direct.

Kansas Tax $4,500,000

KANSAS CITY, Jan. 10. — Almost $4,500,000 was collected by Kansas under the two per cent sales tax during June, July, August, September and October, which is at the rate of about $11,000,000 a year. Some 42,000 merchants, exhibitors and other retailers are making the returns.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Tarzan's Revenge"

(*Principal-20th-Fox*)

HOLLYWOOD, Jan. 10.—Compared with earlier "Tarzan" pictures "Tarzan's Revenge" is inferior in entertainment and commercial quality. Aimed primarily, as all "Tarzans" have been, at juveniles, this one underwent the experience of having the youths in the preview audience indulging in quite a bit of kidding. The naturally fantastic story is fantastically produced. As it details the romance of the jungle man and the girl from white civilization, it works in a lot of highly theatrical and melodramatic situations. Tarzan, of course, rescues the girl from many predicaments, culminating his exploits by saving her from the wiles of an Oriental potentate whose jungle castle, filled with a harem of dancing girls, looks like the Taj Mahal. As usual, the girl elects to eschew civilization to become her rescuer's jungle mate.

The film presents Glenn Morris and Eleanor Holm as Tarzan and the girl. More familiar names in the cast are George Barbier, C. Henry Gordon, Hedda Hopper, George Meeker, Corbet Morris and Joseph Sawyer.

Based on an Edgar Rice Burroughs story, the screenplay was done by Robert Lee Johnson and Jay Vann. D. Ross Lederman directed. It is a Sol Lesser production.

Running time, 68 minutes. "G."

Protest Planned Theatre

MINNEAPOLIS, Jan. 10.—The plan of H. L. Griffith to build a theatre here has become tangled in litigation, as a result of the protest of the board of trustees of Temple Israel, on the ground that the proposed theatre would be within 100 feet of the temple.

Cast Burns and Allen

HOLLYWOOD, Jan. 10.—George Burns' and Gracie Allen's next roles for Paramount will be in "Follow the Sun," Bing Crosby starring vehicle. Lewis E. Gensler will produce. The story is an original by Harry Hervey.

Red Eells to Roanoke

KANSAS CITY, Jan. 10.—Ed S. Young has named Red Eells manager of the Roanoke, which the former recently reopened.

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Whitney, Selznick Call Off MGM Deal

(*Continued from page* 1)

fundamental differences primarily concerning sales policies affecting the productions of Selznick International."

Neither Selznick nor Whitney would enlarge upon the statement issued but observers here consider it significant that no United Artists spokesman in authority ever denied the possibility of a Selznick renewal and it is known that negotiations between U.A. and Selznick for a renewal were resumed following the collapse of the recent Alexander Korda-Samuel Goldwyn option purchase deal.

Canada Circuit Adds 2

TORONTO, Jan. 10.—Twentieth Century Theatres, Ltd., has added two theatres here, the Brock and Kenwood, headed by Sam Lent for many years. The circuit is identified with the Independent Theatres Ass'n., here, of which H. Friedman of the Circle is president. The new Somerset has opened in Ottawa. It is operated by H. Berlin, connected with the Exhibitors' Booking Ass'n of Toronto. The house seats 750.

Plan Proletarian House

MEXICO CITY, Jan. 10.—A theatre to seat 3,000 and to show proletarian pictures is to be a feature of the Spanish-American cultural center for the proletariat that the Confederation of Mexican Workers and Farmers, labor organization, is to start building here in January. The center is also to be equipped with what the Confederation says will be the biggest radio station in Mexico.

Columbia Branch Moves

WASHINGTON, Jan. 10.—The local Columbia exchange is now located in new quarters at 926 New Jersey Ave., sharing space with Warners until the latter's new building is completed about Feb. 15.

End Depositions in North Dakota Acti

(*Continued from page* 1)

were W. H. Workman, M-G-M; E Blotcky, Paramount; Moe Levy, 2 Century-Fox; Frank Mantzky, U versal; L. E. Goldhammer, RKO a Ralph Cramblet, United Artists.

"In response to our questioning, e change managers admitted that gave preferred bookings to th owned by the Minnesota Amuseme Co. and the American Amusement C affiliates of Paramount," said Louis Schwartz, handling the case for t Devaney office. "They admitted th they offered first run pictures excl sively to theatres owned by the Mi nesota Amusement Co. and the Ame ican Amusement Co., in situatio where these theatres had oppositio This preferential treatment also e tended to second run and sometim third run pictures, they said. It wa their contention that since these tw large circuits were such satisfactor customers, there could be no object i offering product for first runs to thei competitors."

The case has been brought by Para mount, against William Langer, Gov ernor of North Dakota. Franci Murphy, Fargo, N. D., attorney, ha been appointed as special defense at torney by Governor Langer. Abra F. Myers, counsel for Allied State and Judge Devaney, in behalf of th Allied Theatre Owners of the North west, are also working on the defens side of the case, which probably wil be brought before a special Federa statutory court in Fargo late in Feb ruary or early in March. The exac date has not yet been set due to th illness of Federal Judge Miller, wh will hear the case.

LaVarre-Warner Suit Testimony Is Begun

Trial of the $50,000 plagiarism suit brought by William LaVarre, a screen writer, against Warners, started yesterday in N. Y. Supreme Court before Justice Timothy A. Leary and a jury.

LaVarre alleges that he wrote "The Bedside Manner" for Warren William, and that after rejection it was produced by Warners under the title "Bedside."

He also claims authorship of "The Fated Woman," which he says he wrote for Ruth Chatterton, and later revised for Barbara Stanwyck. LaVarre contends that the defendant later produced "Gambling Lady" with Miss Stanwyck in the leading role, and that it was based on his story.

A number of depositions were read at the opening of the trial and LaVarre testified in his own behalf. The trial will continue today.

Foy's Censor Appeal Deferred to Monday

ALBANY, Jan. 10.—Argument in the Supreme Court appeal of Foy Prod. involving the State Censor's disapproval of "Tomorrow's Children," scheduled here for today, has been deferred to next Monday in the Appellate Division. The film was banned as immoral. Charles E. Brind, Jr., will argue for the Dep't of Education and Jonah J. Goldstein of New York will represent the producers.

"Wells Fargo" Leads Denver In a Big Week

DENVER, Jan. 10.—"Wells Fargo" led rade of hits in local first runs and ashed a house record at the Denham grossing $12,500. Normal for the ouse is $5,500. It was held.

"Rosalie" broke an opening day rec-rd at the Orpheum and wound up the eek with $14,000 at the Orpheum on dual with "Danger Patrol." It also as held. "Tovarich" hit the high ots at the Denver with $13,000, up $4,500, and was moved to the Alad-n for a second week.

All these high takes were piled up spite of a snowstorm that held wn business for a day.

Total first run business was $48,000. verage is $33,250.

Estimated takings for the week end-g Jan. 5:

"I'LL TAKE ROMANCE" (Col.)
ALADDIN—(1,400), 25c-40c, 7 days after week at the Denver. **Gross:** $3,000. (Av-age, $3,500)

"FIRST LADY" (W. B.)
BROADWAY—(1,500), 25c-40c, 7 days ter a week at the Aladdin. **Gross:** $1,000. verage, $2,500)

"WELLS FARGO" (Para.)
DENHAM—(1,392), 25c-35c-40c, 7 days. **ross:** $12,500. (Average, $5,500)

"TOVARICH" (W. B.)
DENVER—(2,525), 25c-35c-50c, 7 days. **ross:** $13,000. (Average, $8,500)

"ROSALIE" (M-G-M)
"DANGER PATROL" (RKO)
ORPHEUM—(2,600), 25c-40c, 7 days. **ross:** $14,000. (Average, $7,500)

"ALCATRAZ ISLAND" (F. N.)
"BORROWING TROUBLE" (20th-Fox)
PARAMOUNT—(2,096), 25c-40c, 7 days. **ross:** $3,500. (Average, $4,000)

"SUBMARINE D-1" (F. N.)
"MISSING WITNESSES" (F. N.)
RIALTO—(878), 25c-40c, 7 days—former m had played the Paramount a week. **ross:** $1,500. (Average, $1,750)

"Wells Fargo" Top In Buffalo Slump

BUFFALO, Jan. 10.—One of the dullest oliday weeks here that showmen can emember. Even with an extra day r two added on first run, most houses arely staggered up to average.

"Wells Fargo" at the Great Lakes, ith the local angle heavily played, d the enfeebled parade at $13,700. he seven-day par at the house is 8,000.

"She Married an Artist," on a dual ith "Hoosier Schoolboy" at the La-ayette, grabbed a nine-day take of 9,500, $3,000 over the weekly par. t the Buffalo, "True Confession" as worth $15,350, over the line by 1,350.

Total first run business was $53,850. verage is $42,300.

Estimated takings for the week end-g Dec. 31:

"TRUE CONFESSION" (Para.)
BUFFALO—(3,000), 35c-60c, 8 days. **ross:** $15.350. (Average, 7 days, $14,000)

"WELLS FARGO" (Para.)
GREAT LAKES—(3,000), 30c-50c, 8 days. **ross:** $13,700. (Average, 7 days, $8,000)

"THOROUGHBREDS DON'T CRY" (M-G-M)
HIPPODROME—(2,500), 30c-50c, 8 days. **ross:** $6,500. (Average, 7 days, $7,500)

"45 FATHERS" (20th-Fox)
"DANGER PATROL" (RKO)
CENTURY—(3,000), 25c-35c, 9 days. **ross:** $8.800. (Average, 7 days, $6.300)

"SHE MARRIED AN ARTIST" (Col.)
"HOOSIER SCHOOLBOY" (Monogram)
LAFAYETTE—(3,300), 25c-35c, 9 days. **ross:** $9,500. (Average, 7 days, $6,500)

He Explains It

Pictures with colored casts are no go in South Africa, according to Stuart F. Doyle, former Australia circuit head, who is here with plans to enter exhibition on the Dark Continent. He told why.

"The only people in Africa who would see pictures with Negro actors are the Negroes," he explained. "And they don't go to picture shows because they haven't the money. Whenever they do get enough money together they buy a cow. When they have the cow they trade it in for a wife."

"Love, Hisses" Heads Detroit Holiday Gains

DETROIT, Jan. 10.—Helped by New Year's eve special shows all first runs turned in better grosses, the Fox leading the parade with a big $31,000 on "Love and Hisses," with a stage show headed by Ted Lewis and his band.

"Wells Fargo" was shown at both the Michigan and the Hood. The take was about $25,500 for each. Average for each is $20,000.

Other first runs also showed improvement, particularly the Madison where "The Hurricane" took $12,500, over par by $2,500, for its second week.

Total first run business was $91,700. Average is $75,000.

Esitmated takings for the week ending Jan. 6:

"THANK YOU, MR. MOTO" (20th-Fox)
"BIG TOWN GIRL" (20th-Fox)
ADAMS—(1,770), 15c-50c, 7 days. **Gross:** $6,200. (Average, $5,000)

"LOVE & HISSES" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Ted Lewis & orchestra., Happiness Follies, Marjorie Gainsworth. **Gross:** $31,000. (Average, $20,000)

"WELLS FARGO" (Para.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Milt Britton and Maniacs, Sybil Kaye, Buck & Bubbles, Hudson Wonders, Pritchard & Lord. **Gross:** $25,500. (Average, $20,000)

"TRUE CONFESSION" (Para.)
"THE BARRIER" (Para.)
STATE—(3,000), 15c-50c, 7 days. **Gross:** $6,500. (Average, $10,000)

"ROSALIE" (M-G-M)
UNITED ARTISTS—(2,070), 15c-75c, 7 days, 2nd week. **Gross:** $10,000. (Average, $10,000)

"THE HURRICANE" (U.A.)
MADISON—(2,000), 15c-75c, 7 days, 2nd week. **Gross:** $12,500. (Average, $10,000)

Writes for Television

HOLLYWOOD, Jan. 10.—Returning from a three-month stay in New York, Carl Dreher, sound and patents expert who has turned to film writing, has started on what may be the first script for television broadcasts by an American screen writer.

The script will be ready for an Empire State Bldg. broadcast in March.

Now "Illegal Holiday"

G. B. has changed the title of "Bank Holiday." It will be released as "Illegal Holiday."

"Hurricane" High Milwaukee Grosser

MILWAUKEE, Jan. 10.—High moneymaker in a fat week was "The Hurricane" and "She's Got Everything" which grossed $12,500 at the Warner, just $7,500 above par. The combination was held for a second week.

Special New Year's Eve admissions of 75 cents at the Palace, Wisconsin, Strand and Warner and 50 cents at the Riverside, together with a mild-weather holiday weekend helped boost receipts for all houses.

"True Confession" and "Love on Toast" took second money, grossing $8,000 at Fox's Palace, $3,000 to the good, while "Love and Hisses" and "Thank You, Mr. Moto" collected $12,000 at the circuit's Wisconsin.

Total first run business was $44,300. Average is $26,500.

Estimated takings for the week ending Jan. 6:

"TRUE CONFESSIONS" (Para.)
"LOVE ON TOAST" (Para.)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $8,000. (Average, $5,000)

"IT HAPPENED IN HOLLYWOOD" (Col.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: "New Year Shambles." **Gross:** $6,800. (Average, $5,000)

"ROSALIE" (M-G-M)
"MR. BOGGS STEPS OUT" (G.N.)
STRAND—(1,400), 35c-50c, 7 days. **Gross:** $5,600. (Average, $4,500)

"THE HURRICANE" (U.A.)
"SHE'S GOT EVERYTHING" (RKO)
WARNER—(2,400), 35c-50c, 7 days. **Gross:** $12,500. (Average, $5,000)

"LOVE AND HISSES" (20th-Fox)
"THANK YOU, MR. MOTO" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $12,000. (Average, $10,000)

"Tovarich" $13,500 Leader at Montreal

MONTREAL, Jan. 10.—"Tovarich" was the leader in the first run parade during a rousing New Year week with a take of $13,500 at the Palace.

"The Hurricane" swept to a $7,000 gross at the Orpheum where average is $5,000 to earn second position in the week's standing, and "Heidi," on a double bill, brought $8,500 to the Princess where average is $7,000.

"True Confession," one of the two features at the Capitol, accounted for $11,000 against average of $9,500 while "Merry-Go-Round of 1938," with a second feature, brought $9,500 to Loew's. Average is $8,000.

Total first run business was $49,500. Average is $40,500.

Estimated takings for the week ending Jan. 1:

"TRUE CONFESSION" (Para.)
"DAUGHTER OF SHANGHAI" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $11,000. (Average, $9,500)

"MERRY-GO-ROUND OF 1938" (Univ.)
"THE MAN WHO CRIED WOLF" (Univ.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $9,500. (Average, $8,000)

"THE HURRICANE" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $5,000)

"TOVARICH" (W. B.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,500. (Average, $11,000)

"HEIDI" (20th-Fox)
"THANK YOU, MR. MOTO" (20th-Fox)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,500. (Average, $7,000)

Add to "Faces" Cast

HOLLYWOOD, Jan. 10.—Lucien Littlefield and Joseph Dowling have been added to the cast of "Wide Open Faces," Joe E. Brown film.

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"Thrill" with Show $27,000, Philadelphia

Philadelphia, Jan. 10.—Over the holiday weekend, the Earle grossed $15,000. Despite a slump the rest of the week the house grossed $27,000 with "Thrill of a Lifetime" and with Bunny Berigan's band and Sylvia Froos as the stage headliners.

Though severely cuffed by the critics, "Rosalie" took in $25,000 at the Fox and holds for a second week. "True Confession" got $20,000 in eight days at the Stanley. "The Hurricane" held up to $14,000 in its second week at the Aldine and earned a stay. "Bad Man of Brimstone" garnered $8,400 at the Stanton and was held for a second session.

Total first run business was $119,200. Average is $79,390.

Estimated takings for the week ending Jan. 6:

"HURRICANE" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days, 2nd week. **Gross:** $14,000. (Average, $8,160)

"EBB TIDE" (Para.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 7 days. **Gross:** $3,200. (Average, $2,800)

"TOVARICH" (W.B.)
BOYD—(2,400), 40c-55c-65c, 5 days, 2nd week. **Gross:** $12,500. (Average, 7 days, $14,000)

"THRILL OF A LIFETIME" (Para.)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Bunny Berigan orchestra; Sylvia Froos on stage. **Gross:** $27,000. (Average, $14,000)

"ROSALIE" (M-G-M)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $25,000. (Average, $14,000)

"FIRST LADY" (W.B.)
(2nd run)
KARLTON—(1,000), 25c-40c-50c, 6 days. **Gross:** $4,100. (Average, 7 days, $4,000)

"LOVE AND HISSES" (20th-Fox)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $5,000. (Average, $4,000)

"TRUE CONFESSION" (Para.)
STANLEY—(3,700), 40c-55c-65c, 8 days. **Gross:** $20,000. (Average, 7 days, $14,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $8,400. (Average, $7,000)

Face Lottery Charge

Detroit, Jan. 10.—Managers of the Colonial and Majestic of the Jake Broder circuit, formerly of the Jacob Schreiber circuit, have been charged with violating the state lottery laws, in connection with the use of giveaways at the houses.

McEwan Files Appeal

Kansas City, Jan. 10.—Attorneys for R. W. McEwan, Bank Night distributor, have filed a motion for rehearing of the Bank Night case in which the Supreme Court held the promotion to be a lottery. The motion pointed out that inasmuch as the case is a criminal one, there should be a strict construction of the law.

Order Louisville Sale

Louisville, Jan. 10.—Judge Nat C. Cureton, referee in bankruptcy, Tuesday ordered the sale of the National Theater Bldg. on Jan. 11 in liquidation of the estate of Abe Bass, owner.

The sale order was requested by D. A. Sachs, Jr., attorney for the trustee, Morris W. Jones. Approval of the Title Insurance & Trust Co., trustee for holders of $250,000 worth of bonds, was granted.

"Hurricane" Tops Seattle Holiday Gain

Seattle, Jan. 10.—With New Year's a big help to all takes, "The Hurricane" set the pace with a gross of $12,500 at the Liberty. This was more than twice the normal take of the house and the film was moved to the Fifth Avenue for a continued run.

"Rosalie" also was in the big money at $10,500 in the Fifth Avenue and was held over. "Wells Fargo" and "Borrowing Trouble" reached $8,900 at the Paramount and went into a second week. "Love and Hisses," with "Daughter of Shanghai," at the Orpheum was strong at the Orpheum with $8,400.

Total first run business was $51,300. Average is $36,500.

Estimated takings for the week ending Jan. 4:

"SUBMARINE D-1" (W.B.)
"HIGH FLYERS" (RKO)
BLUE MOUSE—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Orpheum. **Gross:** $3,100. (Average, $4,000)

"ROSALIE" (M-G-M)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $10,500. (Average, $7,000)

"THE HURRICANE" (U.A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days. **Gross:** $12,500. (Average, $5,000)

"TRUE CONFESSIONS" (Para.)
"THOROUGHBREDS DON'T CRY" (M-G-M)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Paramount. **Gross:** $3,200. (Average, $4,000)

"LOVE AND HISSES" (20th-Fox)
"DAUGHTER OF SHANGHAI" (Para.)
ORPHEUM — (2,450), 30c-40c, 7 days. **Gross:** $8,400. (Average, $6,000)

"FIGHT FOR YOUR LADY" (RKO)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by "Four Seasons Revue." **Gross:** $4,700. (Average, $4,500)

"WELLS FARGO" (Para.)
"BORROWING TROUBLE" (20th-Fox)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $8,900. (Average, $6,000)

RKO Unit Files in N. Y.

Albany, Jan. 10.—Statement and designation for a "holding company owning stock and obligations of other corporations" has been filed with the Secretary of State here by the RKO Orpheum Corp., Baltimore, Md. The New York City office is designated as 1270 6th Ave. The statement, filed by Prentice Hall, Inc., listed 683 shares of no par value and A. E. Rooch as vice-president.

Other incorporations filed with the Secretary of State include:

Cardinal Pictures Corp., to engage in theatrical business listing 200 shares of no par value. Incorporators are Irving B. and J. Levine, Lee Rosenthal and Ezra Rosen, all of New York City.

Schine Amsterdam Corp., Gloversville, N. Y., theatrical business listing 10 shares of no par value. Incorporators are F. D. Thompson, Mark Benjamin and R. E. Wallace, all of Gloversville.

Streamline Theatre Corp., theatrical business, 200 shares of no par value. Incorporated by Walter S. Seidman, David L. Holzman and Sidney Jacobson, all of New York City.

Schine Buys 2 in Ohio

Ravenna, O., Jan. 10.—The Ravenna and Kent have been sold to the Schine Theatrical Enterprises. B. C. Steele, principal stockholder, has been resident manager in both cities.

"Stage Door" Cincy Best Bet, $13,500

Cincinnati, Jan. 10.—"Stage Door" was the outstanding grosser with $13,500, or $1,500 over the RKO Albee average. It was sent to the RKO Capitol.

"Love and Hisses" went to $11,000, up $1,000 on the RKO Palace weekly figure, and continued at Keith's. "Tovarich" had a good second stanza at the RKO Shubert, although below average, and was held. The week otherwise was only fair.

Total first run business was $53,300. Average is $58,700.

Estimated takings for the week ending Jan. 6:

"STAGE DOOR" (RKO)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $13,500. (Average, $12,000.) Moved to RKO Capitol.

"LOVE AND HISSES" (20th-Fox)
RKO PALACE—(2,700), 35c-42c, 7 days, **Gross:** $11,000. (Average, $10,000.) Moved to Keith's.

"TOVARICH" (W.B.)
RKO SHUBERT—(2,150), 35c-42c, 7 days, 2nd week. **Gross:** $9,500. (Average, $12,000.) Held for third week.

"ROSALIE" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,100. (Average, $6,500)

"WELLS FARGO" (Para.)
RKO LYRIC—(1,400), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,300. (Average, $6,500)

"MERRY-GO-ROUND OF 1938" (Univ.)
(4 days)
"SUBMARINE D-1" (F.N.)
(3 days)
RKO GRAND—(1,200), 25c-40c. **Gross:** $2,200. (Average, $2,750)

"WHAT PRICE VENGEANCE" (B.F.R.)
(2 days)
"MURDER IN GREENWICH VILLAGE" (Col.). (2 days)
"SWING IT SAILOR" (G.N.)
(3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,400. (Average, $2,450)

"BAD MAN OF BRIMSTONE" (M-G-M)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $4,800. (Average, $6,500)

"Wells Fargo" Big Indianapolis Draw

Indianapolis, Jan. 10. — "Wells Fargo" delivered a pleasant package of $8,200 in paid admissions at the Indiana, $1,200 to the good and best week the house has had since its reopening. It was moved to the Apollo.

First runs rallied after virtually a month of doldrums. At the Lyric, $10,700 was received for "First Lady," aided by Ethel Waters and the Harlem Hollywood Revue on the stage, for $2,700 over par.

"Beg, Borrow or Steal" and "Man-Proof" on a dual at Loew's did $500 above the line with a take of $7,500.

Total first run business was $32,300. Average is $30,500.

Estimated takings for the week ending Dec. 31:

"HITTING A NEW HIGH" (RKO)
"KING SOLOMON'S MINES" (G. B.)
APOLLO—(1,100). 25c-40c, 7 days. **Gross:** $2,200. (Average, $4,000)

"TRUE CONFFSSION" (Para.)
"DAUGHTER OF SHANGHAI" (Para.)
CIRCLE—(2,800). 25c-40c, 7 days, 2nd week. **Gross:** $3,700. (Average, $4,500)

"WELLS FARGO" (Para.)
INDIANA—(3,200). 25c-40c, 7 days. **Gross:** $8,200. (Average, $7,000)

"MAN-PROOF" (M-G-M)
"BEG. BORROW OR STEAL" (M-G-M)
LOEW'S—(2,800). 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)

"FIRST LADY" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Harlem Holleywood Revue, with Ethel Waters, Eddie Mallory Swing Band and Sunshine Sammy. **Gross:** $10,700. (Average, $8,000)

"Submarine" Washington's High Grosser

Washington, Jan. 10.—Christmas cheer swelled the box-office take like nothing else in many a long month. "Submarine D-1" at the Earle, with a stage show, took $23,100, to go $4,700 over par.

At Loew's Capitol, "Man-Proof," also with a stage show, grossed $21,600, or $700 over average.

Both Loew's Capitol and the Earle cut prices effective Dec. 24, reverting to the pre-Labor Day scale, with the former also inaugurating a 40-cent price nightly in the balcony. Loew's Columbia, with a return engagement of "The Firefly," grossed $4,800 to go over average by $1,200.

The first week of "Rosalie" was weak, taking, at Loew's Palace $16,200, or $300 over par. It was held a second week.

Total first run business was $84,000. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Dec. 30:

"SUBMARINE D-1" (W. B.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Mary Brian; Arena & Fisher: Three X Sisters; Chaz Chase; Park & Clifford; Johnny Johnson & His Orchestra. **Gross:** $23,100. (Average, $18,400)

"MAN-PROOF" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: John Steel; Elmer Clive, with Marylyn Keller & Professor Cheer: Janette Hackett & 12 DeLovelies; Barto & Mann. **Gross:** $21,600. (Average, $20,900)

"THE FIREFLY" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,800. (Average, first-run, $3,600)

"ROSALIE" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $16,200. (Average, $15,900)

"HOLD 'FM NAVY" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,700. (Average, $4,300)

Eight Days Ending Dec. 31:

"HITTING A NEW HIGH" (RKO)
RKO-KEITH'S—(1,836), 25c-55c, 7½ days. **Gross: $13,600.** (Average, 7 days, $10,600)

"Awful Truth" Dual New Haven Winner

New Haven, Jan. 10.—Downtown business was led by Loew's-Poli, with "The Awful Truth" and "Big Town Girl." The dual grossed $10,000, over par by $2,000.

"Wells Fargo," single feature at the Paramount, took $6,500, over the usual $4,800 by $1,700. Both shows were held.

The second week of "The Last Gangster" and "Borrowing Trouble" at the College, fell $300 under the $2,800 average line, while "Tovarich" and "Portia on Trial" at the Roger Sherman bettered the $4,600 par.

Total first run business was $23,800. Average is $20,200.

Estimated takings for the week ending Jan. 7:

"THE LAST GANGSTER" (M-G-M)
"BORROWING TROUBLE" (20th-Fox)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** $2,500. (Average, $2,800)

"THE AWFUL TRUTH" (Col.)
"BIG TOWN GIRL" (20th-Fox)
LOEW'S POLI—(3,040), 35c-50c, 7 days. **Gross:** $10,000. (Average, $8,000)

"WELLS FARGO" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $6,500. (Average, $4,800)

"TOVARICH" (W.B.)
"PORTIA ON TRIAL" (Republic)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,800. (Average, $4,600)

Sweetheart" $26,800 Top On the Loop

Chicago, Jan. 10.—"You're A eetheart," with $26,800 which was [illegible] above average boosted the ce to the top of the list in the op last week. The Universal *Panay* ns and Red Skelton on the stage p helped.

he Chicago, with "Wells Fargo" for two weeks, also hit a nice fig- getting, $39,500 which was $7,500 ve the normal mark.

)ther houses to find business on the grade were the Oriental with very Day's a Holiday" getting a $25,000 and the State-Lake, with Women Men Marry," and the Gar- k with "Submarine D 1."

The weather was fair and clear. g convention crowds helped night siness.

Total first run business was $142,-). Average is $118,000.

Estimated takings:

Week Ending Jan. 6:

"WELLS FARGO" (Para.)

HICAGO—(4,000), 35c-55c-75c, 7 days. ge: Ted Weems Band and Revue. **oss:** $39,500. (Average, $32,000)

"SUBMARINE D-1" (W.B.)

ARRICK—(900), 35c-55c-75c, 7 days. **oss:** $7,000. (Average, $6,500)

VERY DAY'S A HOLIDAY" (Para.)

RIENTAL—(3,490), 35c-55c-75c, 7 days. ge: Ina Ray Hutton and Revue. **Gross:** .000. (Average, $18,000)

YOU'RE A SWEETHEART" (Univ.)

ALACE—(2,509), 35c-55c-75c, 7 days. ge: Red Skelton and Revue. **Gross:** ,800. (Average, $19,000)

"WOMEN MEN MARRY" (M-G-M)

TATE-LAKE — (2,776), 20c-40c-55c, 7 s. Stage: Ann Pennington and Revue. **oss:** $15,300. (Average, $13,000)

Week Ending Jan. 7:

"TRUE CONFESSION" (Para.)

POLLO—(1,400), 35c-55c-75c, 7 days. **oss:** $6,200. (Average, $6,500)

"LOVE AND HISSES" (20th-Fox)

OOSEVELT—(1,500), 35c-55c-75c, 7 days, week. **Gross:** $9,200. (Average, $11,000)

"ROSALIE" (M-G-M)

NITED ARTISTS—(1,700), 35c-55c-75c, ays, 2nd week. **Gross:** $14,000. (Average, ,000)

Wall Street

'U.", Para. Up Most on Board

	Open	High	Low	Close	Net Change
.	15	15½	15	15⅛	+ ⅛
ns. pfd.	6½	6½	6½	6½	+ ⅜
K.	166	167	166	166	+1
K. pfd.	157½	157½	157½	157½	+ ½
T. E.	14	14	13¾	13¾	+ ¼
ew	50⅞	52⅜	50¾	52⅜	+2
a.	12	12⅞	12	12⅝	+ ⅜
a. 1.	97½	97½	97½	97½	+4
a. 2.	12⅜	12⅜	12⅛	12¼	+ ⅜
he	5¾	5¾	5⅜	5¾	+ ⅜
O	4⅝	5¼	4⅝	5¼	+ ½
n Fox	23⅜	23½	23	23¼	— ⅛
iv. pfd.	44½	48	44½	48	+5½
B.	7⅜	7¾	7¼	7⅝	+ ¼

Most Curb Issues Gain

	Open	High	Low	Close	Net Change
N.	¾	⅞	11/16	⅞	+ ¼
nogram	2	2⅛	2	2⅛	+ ¼
iotone	1¾	1¾	1¾	1¾	— ⅛
ch.	18⅞	19	18¾	18¾	+ ¼
ans-Lux	2¾	2⅞	2¾	2⅞	+ ⅛
iv. Corp.	3⅜	3½	3⅜	3⅜	+ ⅛
iv. Pict.	6⅜	6⅜	6⅜	6⅜	— ¼

Paramount Bonds Up 2 Points

	High	Low	Close	Net Change
ew 3½s '46	99	98	98½	.....
ra. Pict. s '55	93½	93½	93½	+2
ra. Pict. '47	73	73	73	.....
B. 6s '39	79½	79½	79½	+ ½

(Quotations at close of Jan. 10)

Out Hollywood Way

Hollywood, Jan. 10. — **William Keighley** plans to co-produce and direct "Funnies," **Marie Baumer** and **John Held, Jr.**, play at the Los Angeles Biltmore as soon as Warner commitments permit . . . **Peter Bull**, English actor, has arrived to play in "Marie Antoinette," M-G-M.

Dick Foran's role in "Howdy, Stranger," Warner vehicle for **Dick Powell** and **Priscilla Lane**, necessitates postponement of "The Singing Cop," in which he was to have played opposite **Ann Sheridan** . . . **Edward Sedgwick**'s most prized Christmas gift was a commission as lieutenant-colonel on the staff of Gov. **James V. Allred** of Texas.

+

Casting—**Lloyd Nolan** and **Roscoe Karns** in "You and Me," Paramount . . . **James Stephenson**, English player, in his first Warner assignment with "Howdy, Stranger" . . . **Anthony Ward**, Federal Theatre Project player, makes his film debut in M-G-M's short, "Safety First" . . . **Charles Grapewin** in M-G-M's "Madelon" . . . **Glenda Farrell** draws another role at Paramount. With **Porter Hall** and **Joe Sauers**, she goes into "Stolen Heaven" . . . **Betty Grable** draws the romantic lead of "Give Me a Sailor," **Martha Raye** vehicle, at Paramount.

+

Contracts—**Bosy Roth**, young Hungarian actress, has been given a contract extension at Paramount . . . **Samuel Goldwyn** has taken up another period in the pact of **Gregg Toland**, chief cinematographer.

+

Title Change—Warners' "Larger Than Life" has been retitled "He Couldn't Say No."

+

Director—**William McGann** has been assigned by Warners to direct "Little Lady Luck," formerly known as "Little Big Shot."

+

Writers—**Ring Lardner, Jr.**, has joined **Peter Milne** on the script of Warners' "Annual Outing" . . . **Julius Epstein** draws the script of Warners' "Sister Act."

Governor Opposes Sales, Film Taxes

(Continued from page 1)

the present year and were pruned radically from department requests aggregating $547,000,000.

Driving directly on the proposals that taxes of a mill per foot on film and 10 per cent on all amusements, Governor Lehman urged the Legislature to "refrain from making any changes in the existing taxes that may impair their yield, unless entirely adequate substitute revenues are provided."

Wynne-Jones Passes After Long Illness

(Continued from page 1)

month ago. He was 68 years old and retired from business in 1932.

Prior to the formation of the American subsidiary of Ufa, Wynne-Jones was American representative of the company. He became president of the subsidiary when it was incorporated.

The body will be cremated this afternoon at 2:30 at the Delaney Funeral Chapel, 246 West 14th Street.

Rome's Brother Dies

Baltimore, Jan. 10.—Samuel Rome, brother of J. Louis Rome, president of the Associated Theatres, Inc., here, is dead at his home.

Canadian Union Hits British Quota Shift

(Continued from page 1)

ducing quota pictures under an agreement with Columbia Pictures. The Victoria council has wired P. M. Draper, president of the Trade and Labor Congress of Canada, to protest to overseas authorities against removal of privileges now enjoyed by Canada through the quota system.

Stanley Plan Fate Decided This Week

(Continued from page 1)

and the producers have not yet agreed on a common policy, and the producer group is reported to be split on the issue.

Strong pressure is known to exist for increased quota percentages, sought by the producers, and further sectional and joint meetings are scheduled for this week.

The exhibitors will determine on their reply at a meeting of the General Council of the Cinematograph Exhibitors' Ass'n on Wednesday, at which time the group is expected to question the need for the alternative quota proposal, pointing out the probable resulting limitation in the number of available films.

American distributors will meet tomorrow. It is expected that they will take no action, and will be advised that their best policy will be to refrain from all comment.

Sabotage Blamed for Soviet Film Failure

Moscow, Jan. 10.—Sabotage is blamed for the virtual collapse of the Soviet state-controlled film industry, according to yesterday's issue of *Pravda*, Communist party organ. The work of "wreckers" is named by the paper as the cause of the steady decline of production and the failure to fulfill production schedules during the past several years.

It was pointed out that only 43 films were produced in 1935 out of a quota of 120, 46 in 1936 of a quota of 165, and only 25 of the greatly reduced quota of 62 for 1937. The responsibility for the slump was placed by the paper chiefly on Boris Z. Shumiatsky, general manager of the Soviet film trust. It is said that he has scrapped a total of 39 films since 1935, at a cost to the Soviet Government of 20,000,000 rubles.

"Wells Fargo" $34,000 Lead, San Francisco

San Francisco, Jan. 10.—"Wells Fargo," with the *Panay* bombing film of Movietone News, was a sensation at the Fox in spite of exceptionally cold weather. The $34,000 gross was exactly double normal.

"Hitting a New High" was out front with a take of $20,000 at the Golden Gate. This was $4,000 up. "Love and Hisses" and "Thank You, Mr. Moto" turned in an excellent $15,500 at the Warfield, and "Nothing Sacred" held up to $8,500 in its second week at the United Artists. This is $1,500 in the black.

Total first run business was $112,950. Average is $88,500.

Estimated takings:

Week Ending Jan. 3:

"WELLS FARGO" (Para.)
PANAY BOMBING (20th-Fox)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $34,000. (Average, $17,000)

"HITTING A NEW HIGH" (RKO)

GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage, vaudeville. **Gross:** $20,000. (Average, $16,000)

"TOVARICH" (W.B.)
"DAUGHTER OF SHANGHAI" (Para.)

ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd downtown week. **Gross:** $7,600. (Average, $7,000)

Week Ending Jan. 5:

"YOU'RE A SWEETHEART" (Univ.)
"SHADOW" (Col.)
PANAY BOMBING (Univ.)
(4 days)

ORPHEUM—(2,440), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $8,200. (Average, $8,500)

"LOVE AND HISSES" (20th-Fox)
"THANK YOU, MR. MOTO" (20th-Fox)

WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $15,550. (Average, $13,000)

"ROSALIE" (M-G-M)

PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $12,000. (Average, $13,000)

Week Ending Jan. 6:

"NOTHING SACRED" (U.A.)

EMBASSY—(1,400), 15c-35c-40c-55c-65c, 7 days, 2nd week. **Gross:** $6,300. (Average, $6,000)

"NOTHING SACRED" (U.A.)

UNITED ARTISTS—(1,200), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $8,500. (Average, $7,000)

Week Ending Jan. 7:

"PETER THE FIRST" (Amkino)

CLAY—(400), 15c-35c-40c, 7 days, 2nd week. **Gross:** $850. (Average, $1,000)

Milwaukee Theatres Continue Games Use

Milwaukee, Jan. 10.—In view of the fact that neither the District nor City Attorney has been willing to issue warrants against managers of any of the 18 houses raided by police in their drive to ban Bingo, Hollywood, Bank Night and similar games, local exhibitors are continuing to feature the games.

Chief of Police Joseph Kluchesky declared that his department would continue to raid theatres where the games are played, despite the officials' refusal to issue warrants.

City Attorney Walter Mattison has declared that he wants police to "bring us a case in which all conditions of an illegal lottery are present," while District Attorney Herbert J. Steffes stated that he would not take action until he had received an opinion from the attorney general on the applicability of the state gambling and lottery statutes to games in theatres.

A. F. M. Pact With IRNA Is Concluded

(*Continued from page* 1)

which declared some time ago that they would not accept the plan.

The plan is operative for two years, and will add $1,500,000 yearly to the payrolls of the I.R.N.A. stations when all have accepted. In the present state of the plan the sum represented is believed to approximate $1,250,000.

Following the successful termination of Saturday's meeting, Gough and Rosenbaum notified the I.R.N.A. membership of the developments. The notice follows:

"The Federation has decided to declare the plan of settlement effective as of Jan. 17, 1938. All contracts and quotas of expenditures will commence as of that date for the purposes of the plan. There are still some few stations not signed up. We shall endeavor to obtain for them a short period of grace but this committee will shortly dissolve and will thereafter be unable to assist any further.

"We advise prompt efforts to conclude remaining contracts. We are unable at this time to forecast what measure the Federation may propose regarding holdouts.

"The foregoing is based on the assumption that the New York key stations will have completed contracts with the New York local on or before Jan. 17 covering the two-year period of the national plan of settlement, so that network service will be assured to cooperating stations."

No Statement from Weber

Weber, who has been ill at home the past week, was not available for comment yesterday as to what action the Federation will take to deal with recalcitrant stations, if any exist when and after the plan of settlement becomes operative.

Meanwhile, it could not be ascertained if the contracts covering the key stations had been handed over to Local 802. These contracts were signed some weeks ago. The additional key stations' expenditures, amounting to approximately $450,000, will bring the increased total for staff musicians' salaries to almost $2,000,000. Stations' outlay for musicians' salaries prior to the negotiation just closed amounted to approximately $3,500,000 annually. With the plan completed, the outlay now will be approximately $5,500,000 per annum.

The networks will contribute $200,000 annually to the I.R.N.A. settlement as their contribution to help the stations carry the added burden. This figures roughly as a contribution of 16 per cent of the increased expenditure and is in addition to the expenditures for the key stations which, as noted above, amounts to $450,000.

Change WABC Programs' Time

The Semler, Barbasol and Musterole programs on WABC, which feature Arthur Godfrey, will undergo a change in schedule. Beginning today, the programs will be heard an hour later than heretofore, from 9 to 9:15 A. M. Erwin Wasey is the agency.

Radio Personals

MILDRED LANGER, formerly assistant director of publicity for General Motors concerts, is handling publicity for Harry Salter. . . . Kitty Carlisle, finding stage and radio work too strenuous, has left the Coca-Cola "Song Shop." The series henceforth will feature weekly guests, with Virginia Rea slated for the first guest shot. . . . Swor & Lubin and Fields & Hall have been signed by Alka-Seltzer for their transcription series, through NBC artists bureau. . . . The Kidoodlers have been signed by Paramount for Fleischer cartoons, also through the NBC artists bureau. . . . Dorothy Dresling has been engaged for a guest appearance on the Hammerstein "Music Hall" Feb. 4. . . . The Guiseppe Venutski who will be the guest star in the Kraft "Music Hall" broadcast tomorrow is Joe Venuti, the swing fiddler. He and Bing Crosby have been friends for years. . . . John Conrad, publicity director at KWK, St. Louis, will arrive tomorrow to visit the Mutual offices here.

+

Ethel Merman will be the guest of Radie Harris over Mutual Jan. 12. . . . Harpo Marx, the silent one, will make his radio debut on Georgie Jessel's program next Sunday over Mutual. . . . S. K. Wilson, an Erwin Wasey employe in England for the past two years, is now in New York as a staff member of the local branch of the agency. . . . John Barrymore will be a guest on the Al Jolson series Jan. 18. . . . Ida Lupino and Doug Fairbanks, Jr., will be the film guests on Bing Crosby's show Thursday. . . . The Four Ink Spots will again be heard over NBC starting tomorrow, with two sustaining spots weekly. . . . Baby Rosemarie will head the bill at the Shubert, Newark, for the week opening Jan. 14.

Order CBS Briefs in Virginia Tax Battle

(*Continued from page* 1)

made by the commission within 10 days after they have been filed. Godfrey Goldmark, Ralph F. Colin and Max Freund of New York represented CBS as counsel. Ralph H. Ferrell, Jr., and W. W. Martin represented the state. CBS contends it is engaged in interstate business; the commission contends that the operation of WJSV constitutes intrastate business and that the network should be taxed in Virginia.

Scott Paper Allen Sponsor

Another participating sponsor will join Ida Bailey Allen's "Homemakers of the Air" program via WHN when the Scott Paper Co. starts Jan. 17. The contract is for 26 weeks, through J. Walter Thompson.

Fox Square Laundry has closed a one-year agreement with WHN for five-minute programs twice weekly, starting today. Frank Kiernan agency placed the account.

Atlas-Doyle Close Deal

Herbert R. Ebenstein, president of the Atlas Radio Corp. has closed a deal with Stuart F. Doyle, board chairman of the Commonwealth Broadcasting Co. and Fidelity Radio, Ltd., of Australia, whereby Atlas products will be offered for sale to the 16 stations in Australia and New Zealand represented in the Doyle combine. Atlas currently is producing 28 serial features.

Clark Joins Policyholders

Morris H. Siegel, director of the Policyholders' Advisory Council, has appointed W. S. Clark, former WMCA time salesman, as director of advertising and public relations. Siegel has been broadcasting over WMCA and local foreign language stations.

J. B. Clark Injured

RALEIGH, N. C., Jan. 10.—J. B. Clark, announcer for WPTF, suffered fractures of both arms when he tripped over a rope in front of the post office while hurrying to the station to start the morning's broadcast at 6:30 o'clock.

Farmer Best Market For Radio—Ramsdell

(*Continued from page* 1)

population in the U. S. is the highest it has ever been, numbering almost 34,000,000. There are 6,800,000 farms in the nation, and 800,000 have electricity. Of this total, 3,800,000 or approximately 55 per cent are without radios. There is the biggest single market for radio in the United States. The farm market, at present, is also the most promising from an economic point of view."

Start Educational Series

MONTREAL, Jan. 10.—Teaching the grownups is the idea behind the Canadian Broadcasting Corp.'s new series of broadcasts "Life and Learning" inaugurated over the national network. It is sponsored by the Canadian Ass'n for Adult Education.

The opening program featured Dr. Henry F. Munro, superintendent of education for Nova Scotia, who gave a resume of the place of adult education in national life.

E. A. Corbett has arranged the series.

Tulsa Censor Move Started

TULSA, Okla., Jan. 10.—A plan of the Tulsa Ministerial Alliance to enlist the cooperation of city and county officials in establishing a citizens' law enforcement, decency and order group to control amusements has been made public by Rev. E. Victor Roland, new chairman of the civic committee.

Several representatives of the city and county have been asked to speak at a bi-monthly meeting of the Tulsa Council of Churches in the First Presbyterian Church, Jan. 13.

Schechter Invited to Egypt

Abe Schechter, NBC special events director, has been invited to attend the coronation of King Farouk of Egypt as a guest of the government. He will leave Saturday, the network having granted him leave of absence.

Walter Sickles a Father

PITTSBURGH, Jan. 10. — Walter Sickles, program director and special announcer at WWSW, is the father of a son, named Walter Sickles, Jr.

WWL Changes Ro After Gain in Po

With F.C.C. approval grante an increase in power from 10,0 50,000 watts, WWL rates have changed, effective immediately. V is the CBS station in New Orle

Local time, evening hour, from 11 P.M., will be $375; half- $225; quarter-hour, $150. Da hour, 8 A.M. to 6 P.M., will half-hour, $113; quarter-ho Sunday afternoon hour, 12 noo P.M., $250 per hour; $150 per hour; $100 per quarter-hour.

Current CBS advertisers WWL will continue to pay the rates specified in their existing tracts until the expiration of contracts. All new contracts o newals calling for WWL will be ten at the new rates, except that vertisers will pay at rates show CBS Rate Card No. 23 until the tion commences operation with 5 watts power, and in any event July 1, 1938, when the power is pected to be boosted.

Marshall Is Name President of WB

BIRMINGHAM, Jan. 10.—K. G. shall, who, since the inception of Birmingham Broadcasting Co. been vice-president of WBRC, been promoted to the presidency.

Marshall succeeds M. D. Sr Jr., who died about a year ago. J Bell, who was secretary-treasurer, become vice-president. Eloise Hanna is the new secretary-treasu

John Connolly will continue as eral manager but will have the of assistant manager.

P. & G. Takes New Progran

KANSAS CITY, Jan. 10.—Procte Gamble have bought "Across Breakfast Table," KMCB feat starring Margaret and Gordon M roe. The program, which will be to advertise the company's Ivory S Flakes and Snow, has already be here and will start in Rochester Philadelphia Jan. 17. The show on the air here for 15 minutes Mon through Friday at 8:30 P. M.

"People" Adds 4 Stations

"We, the People," broadcast o CBS for General Foods Corp., add four stations beginning with Jan. 13 program. The stations in Richmond, Memphis, Akron Youngstown. Young & Rubicam the agency.

Will Do CBS Radio Opera

Vittorio Giannini, composer, Robert A. Simon, librettist, will c laborate on a radio opera comm sioned by CBS. The work will be p formed at an evening concert bro cast some time during the com summer season.

Will Add Sports Script

Universal Radio Programs, I will add a sports script to its n "Five-Minute Library." The title the added series will be "The Hum Angle in Sport," written by M Davis.

Mutual to Carry WLW Show

Beginning Thursday, Mutual w carry the WLW sustaining progra "Man in the Moon," and week thereafter from 7:45 to 8 P. M.

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Plan Congress Drive for Air Investigation

May Launch Campaign in Both Houses Feb. 15

By CLARENCE LINZ

WASHINGTON, Jan. 11.—Proponents of a Congressional investigation of the broadcasting situation have completed plans for a determined drive, possibly to be launched simultaneously in both House and Senate about Feb. 15, it was learned here today.

By that date, it was explained, it is expected the first rush of business will be over. At present, the Senate s tied up with the anti-lynching bill and the House is trying to work off the annual appropriation measures.

Speeches on the subject in the House last week by Representatives Wigglesworth (Rep., Mass.) and McFarne (Dem., Tex.), it was said, were merely "skirmishes" involved in a plan to keep the matter steadily

(*Continued on page* 8)

Additional developments in radio on pages 8-9

Kelly Chief of New NBC Sound Division

NBC has created a sound effects development and maintenance division, with N. Ray Kelly, former head of the New York sound effects division, in charge. The new department will serve all NBC managed and operated stations.

Zale Dillon, former assistant to Kelly, has been appointed supervisor of the New York sound effects

(*Continued on page* 8)

Tribute to Roxy

The original members of the Roxy Gang will gather again tomorrow night to pay tribute to the late Samuel L. Rothafel in a broadcast over WHN from 8:30 to 9 P. M. Roxy died two years ago, on Jan. 13, 1936. Those who will appear are Wee Willie Robyn, Yascha Bunchuk, Gladys Rice and Douglas Stanbury.

This is the second of a series of memorial programs instituted by WHN. Friends of the late showman will be in the studio.

No Theatre Recession in Middle West, Says Blank

Theatre business in the middle west is holding to an even level and has shown little or no recession from gross figures of a year ago, A. H. Blank, Tri-States circuit head, who is here from Des Moines, said yesterday.

Blank said that business in the agricultural states was less affected by the conditions which have prevailed in industrial centers for the past six months and that, as a result, operations in the middle west were as good during 1937 as they were in 1936. The Tri-States head said that his circuit was not planning any important expansion at this time, and that the only new theatres being added were several small suburban houses in the area in and around Des Moines.

Blank will leave New York for Des Moines today and next Monday will leave there for San Francisco. He sails Jan. 21 on a six-week vacation in Hawaii. Ralph Branton, general manager of Tri-States, who accompanied Blank east, is remaining in New York for Paramount home office conferences this week.

Plea on GB Probe To Board of Trade

By AUBREY FLANAGAN

LONDON, Jan. 11.—The Nordon Committee, representing shareholders of Gaumont British, will proceed immediately with a demand for an investigation of the affairs of the company by the British Board of Trade. The shareholders yesterday resolved to proceed with the application for an inquiry, and the official request has been sent to the Board of Trade.

The committee is empowered to ask the investigation as a result of the receipt of signatures from 3,121 shareholders, representing the ownership of 1,153,122 shares, more than the 10 per cent of all shareholders

(*Continued on page* 7)

G. N. Added Finances Still Unset—Krasne

HOLLYWOOD, Jan. 11.—Phil Krasne, aide to Edward L. Alperson, president of Grand National, today admitted to MOTION PICTURE DAILY that the deal under which the company would obtain additional production finances has not been consummated but stated at the same time that the deal, or a new one similar in

(*Continued on page* 7)

Report Advance Sale For "Dwarfs" Heavy

Unusually heavy advance sales for the reserved seat section of the Music Hall were reported yesterday by the theatre management for the run of "Snow White and the Seven Dwarfs," which will open at the house on Thursday. It is believed that the film will be held as long as it stands up at the box-office, and a minimum

(*Continued on page* 7)

Expect No British Film Man in Group

Since it is not customary, when negotiating trade treaties, to give any particular commodity involved special consideration, Hays office sources yesterday did not believe that the British trade commission due here early in February would have a representative of the film industry as a member.

While films are a consideration in the current Anglo-American trade pact negotiations, the extent of the attention to be given them still remains to be determined, it was pointed out.

Furthermore, it was said, there has been no special consideration devoted to films in commercial treaties already negotiated, and the same rule probably would apply to the agreement which the British commission will seek to further.

Mexican Plan Would Double Theatre Tax

MEXICO CITY, Jan. 8.—Propositions for doubling the Federal tax on local theatre receipts are being studied by President Lazaro Cardenas and the Ministry of Finance. Sponsors of the measures assert that as the theatre has become a necessity and is substantially patronized by the public here, the exhibitors enjoy "a fabulous income" and

(*Continued on page* 7)

Review Refused on "Ecstasy" Decision

ALBANY, Jan. 11.—The N. Y. State Court of Appeals today denied the application of Samuel Cummins for leave to carry to that court his action contesting the decision of the state censor in banning his picture, "Ecstasy." The ban was upheld previously by the Appellate Division. The decision closes the case, which has been pending for some time.

Resumption of U.A. - Selznick Talks Awaited

RKO Also Likely to Bid For His Services

HOLLYWOOD, Jan. 11.—Official indications that United Artists would resume negotiations with David O. Selznick on a new producing contract were given here today.

There were indications also that RKO officials, gathered here with the problem of selecting a studio head among others confronting them, also might renew negotiations with Selznick. Preliminary conferences with the producer were held in New York last fall, but resulted in an early disagreement. Paramount also conferred with Selznick in the east on a producing tie, but those negotiations, too, were discontinued following a few meetings. It is known officially that Paramount will not renew overtures to Selznick and, with this in mind, local opinion inclines to the belief that a new deal between Selznick and United Artists is the most probable of the current possibilities.

It was learned from authoritative

(*Continued on page* 10)

Again Report Cohen May Quit Paramount

HOLLYWOOD, Jan. 11.—Hollywood today again heard rumors that Emanuel Cohen will split with Paramount, which releases his Major Pictures product. In the face of reports that talks are under way to close his contract, Cohen spokesmen said: "Mr. Cohen has nothing to say."

Reports broke out anew immediately upon the return of Cohen from

(*Continued on page* 7)

Lost Sleep

Al Gold, Movietone cameraman, is catching up on lost sleep today after an all-night vigil on an ocean-going tug Monday night. Hot on the trail of a collision between two freighters at Staten Island, Gold arrived to find the situation well under control. He decided to await daybreak when the light would be favorable. Came the dawn and disillusionment. Damage was slight but Al will never forget that wasted, sleepless night.

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To Honor Cecil DeMille

The Division of Film Study of Columbia University will tender a luncheon to Cecil B. DeMille at the Waldorf-Astoria on Jan. 14, honoring him for his 25 years of service to the industry. Dr. Nicholas Murray Butler will be the chief speaker, and Will H. Hays will act as toastmaster.

Allied to Fight Radio

Allied of New Jersey, meeting yesterday at the Hotel Lincoln, approved the plans to combat radio competition with films which will be submitted to the directorate of national Allied meeting in Washington next Tuesday and Wednesday.

Barrymore as Louis XV

Hollywood, Jan. 11.—M-G-M has cast John Barrymore to play Louis XV to Norma Shearer's "Marie Antoinette." Henry Stephenson will have the role of Count Mercy.

Finkelstein to Seattle

Portland, Ore., Jan. 11.—Al Finkelstein, Oregon manager for Hamrick-Evergreen Theatres, has gone to Seattle with his staff for a meeting with Washington managers.

Fox Theatres Cash Placed at $301,656

A total of $301,656 was revealed as the consolidated cash position of the Fox Theatres Corp. by Milton C. Weisman, receiver, in his latest six-month report, filed in the U. S. District Court yesterday. Weisman's receivership was extended to July 12 by Circuit Judge Martin T. Manton.

Cash on hand Jan. 1 was $291,461, as compared with $541,747 on June 30.

Weisman reported receipts during the period of $62,300 and disbursements of $312,585. The disbursement figure included $267,693 paid as a second dividend of three per cent to creditors and brought total dividends paid to date up to $559,622, which is eight per cent of allowed claims.

The report stated that the sale of the Art Theatre, Springfield, Mass., "is imminent." Weisman is seeking purchasers for the Liberty, in Englewood, N. J., and the Isis in Denver. The only dividends of subsidiaries reported were $11,000 from the Fox Elizabeth Theatre Co., Inc., and $10,000 from the William Fox Isis Investment Co.

Claims Listed

Total claims allowed against the estate are $6,988,294, with $8,588,054 still in litigation. Disputed claims are the $7,176,627 claim by William Fox, $1,159,380 by Chicago Title and Trust Co., $248,047 by Alfred E. Fiegel, and $4,000 by G. H. and V. M. Grant.

The breakdown of the consolidated cash position reveals $291,462 in the receivership estate: William Fox Isis Investment Co., $6,472; William Fox Play Co., Inc., $2,406; Fox Elizabeth Theatre Co., Inc., $1,258, and Trepark Realty Co., Inc., $56.

Principal items of receipts were a $21,000 dividend from subsidiaries and $11,656 net received from the settlement of the Sherman anti-trust suits against Erpi. Dividends paid to creditors, $28,380 for receivership expenses and $7,145 for office salaries were the major disbursements.

Weisman reported that liquidation of the estate was proceeding as rapidly as possible, but additional time was required in order to avoid forced sale at low prices.

Install Projector Men

Officers were installed Monday night at the annual meeting of the American Projection Society by P. A. McGuire of International Projector Corporation, as honorary member.

The new officers are: President, W. Byrne; vice-president, Alfred R. T. Bishop; secretary, Frank McMahon; treasurer, T. Rugino; sergeant-at-arms, J. Chulchian; governors, J. J. Burgundy, H. Grabelsky, E. Levene, B. Norton, A. Polin and T. D. Smith.

S. R. Kent Goes South

Sidney R. Kent, president of 20th Century-Fox, left yesterday for Florida, to return in about three weeks. He was accompanied by Robert T. Kane, head of New World Prod., the company's British producing subsidiary, who plans to go to Hollywood in about two weeks for production conferences before returning to England. Kent plans a trip to the coast late in February.

Hutchinson to Tour Latin American Area

W. J. Hutchinson, general foreign manager for 20th Century-Fox, is scheduled to leave Saturday for Mexico City and a tour of Central and South American branches. This is his first trip to these territories since becoming foreign sales head. He is expected back early in March.

The trip is to acquaint Hutchinson with the situation south of the Rio Grande and no changes or expansion are planned, according to the foreign department.

Saturday will also see the departure of two other department executives. C. V. Hake, assistant foreign manager, will leave for Australia by way of Hollywood where he will remain a week prior to sailing Feb. 2 on the *Mariposa.* F. L. Harley, managing director for Great Britain, will return to his post on the *Ile de France* after three weeks of home office conferences.

Ben Miggins, central European manager, is now in Florida. He is expected back late in January and then will return to Paris.

Edward Lomba, formerly 20th Century-Fox managing director in Spain and more recently assistant to Miggins, has been temporarily assigned to the home office and will be given a new post later. He arrived here early this week.

Sobol Reservations Up

More than 300 reservations are reported for the testimonial luncheon for Louis Sobol at the Hotel Astor Friday by Ed Wynn, chairman.

Among the acceptances are: Brooks Atkinson, Bugs Baer, Barney Balaban, Jack Alicoate, Norman Bel Geddes, David Bernstein, Sherman Billingsley, Major Edward Bowes, William A. Brady, Jack Cohn, Rube Goldberg, Edwin Franko Goldman, Sam H. Harris, Ben Goodman, Theresa Helburn, Harry Hershfield, George S. Kaufman, Nick Kenny, Andre Kostelonetz, Lily Pons, Billy Rose, Lee Shubert, Sid Silverman, Lowell Thomas, Albert Warner and Charles F. Zittel.

Isdahl Goes to Sweden

T. Isdahl, Jr., 20th Century-Fox sales manager in Norway, has been put in charge of Sweden, with headquarters at Stockholm, it was stated yesterday by Ben Miggins, central European manager. He succeeds Carl Nielsen, resigned.

Ethel Merman at Ampa

Ethel Merman, Helen Broderick and her son, Broderick Crawford, who is now appearing in "Of Mice and Men," are scheduled to be guests at the Ampa lunch tomorrow at the International Casino.

Change 'Very Nice' Title

Hollywood, Jan. 11.—The title of "Everybody Was Very Nice," featuring Wayne Morris and Priscilla Lane, has been changed by Warners to "Love, Honor and Behave."

Costa Rica Refuses Ban

San Jose, Costa Rica, Jan. 11.—The Foreign Ministry has refused two requests of the German consul for banning and censoring of "The Road Back."

◂ Purely Personal ▸

Claudette Colbert will arrive from the coast by train Saturday morning and will sail at noon aboard the *Conte de Savoia* for a vacation in Europe. She will be accompanied by her husband, Dr. Jo[illegible] Pressman.

•

Erskine Caldwell, author of "Tobacco Road," has been engaged by Frontier Films to write the commentary on its film describing the Highlander Folk School in Tennessee.

•

Budd Rogers of Alliance Pictures left yesterday on a tour of exchanges in Toronto, Chicago, Detroit, Cleveland and Pittsburgh. He will be gone for two weeks.

•

Albert S. Howson of Warners will address Professor Thatcher's film class at New York University tomorrow night on "The Problems of Production."

•

Neil F. Agnew, Paramount vice-president and distribution head, returned from New Orleans yesterday.

•

Will H. Hays is scheduled to leave for the coast next Tuesday for a two- or three-week stay.

•

Mischa Auer will leave tomorrow on a personal appearance tour in the RKO circuit.

•

. . . New Haven

Ben Simon, Milton Hyams, Bob Cobe, Mike Cascioli and Jack Fishman, all planning to head for Miami Beach.

Sam Hadelman will make it a week at Virginia Beach.

Arthur Lockwood recuperating after a tonsil operation.

C. D. Burbank ill with intestinal grip.

•

. . . Pittsburgh

John Hooley has returned to his managerial post at the South Hills after a battle with the flu.

John McGreevey has sent his wife and son to Florida again for the winter.

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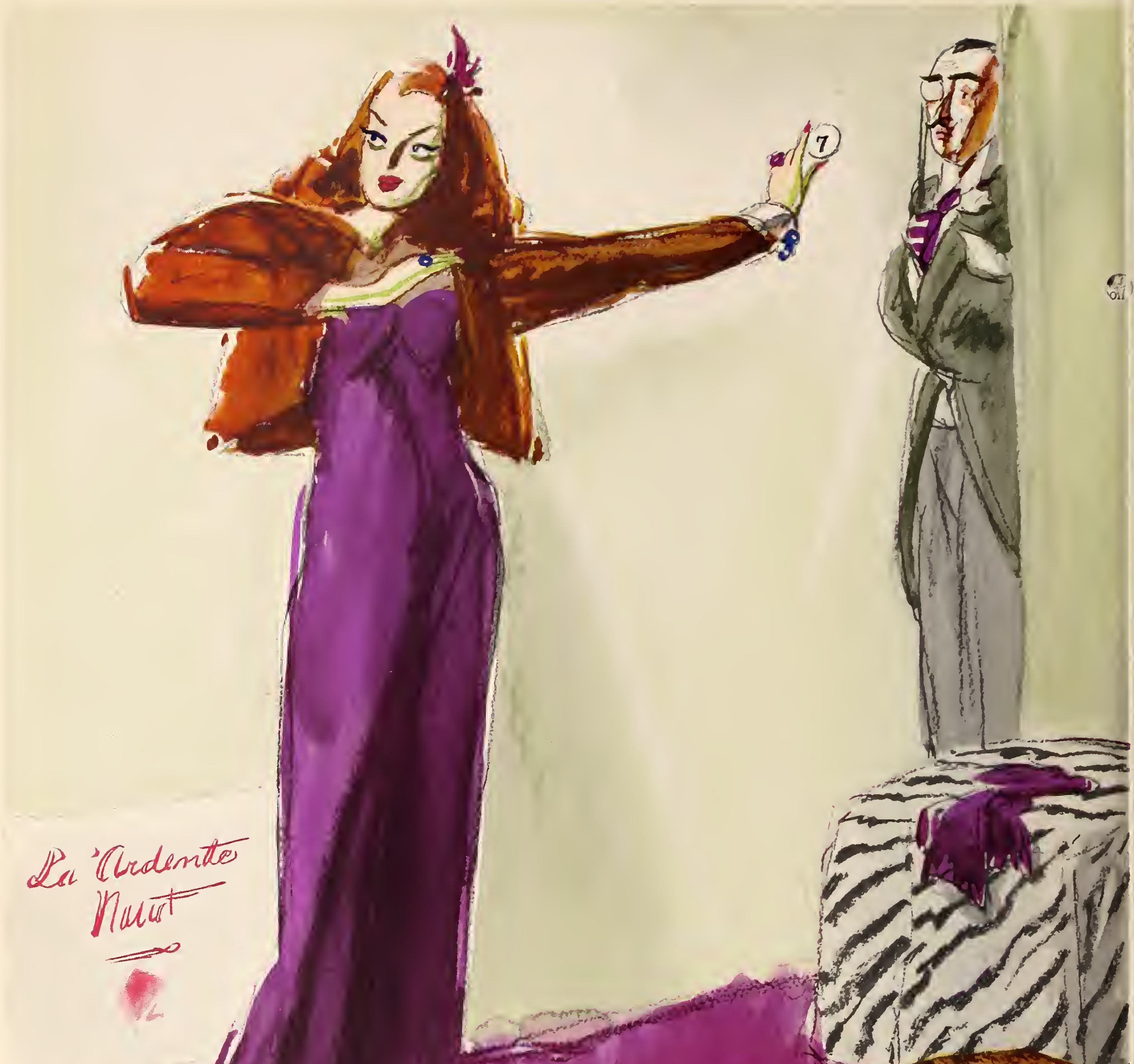

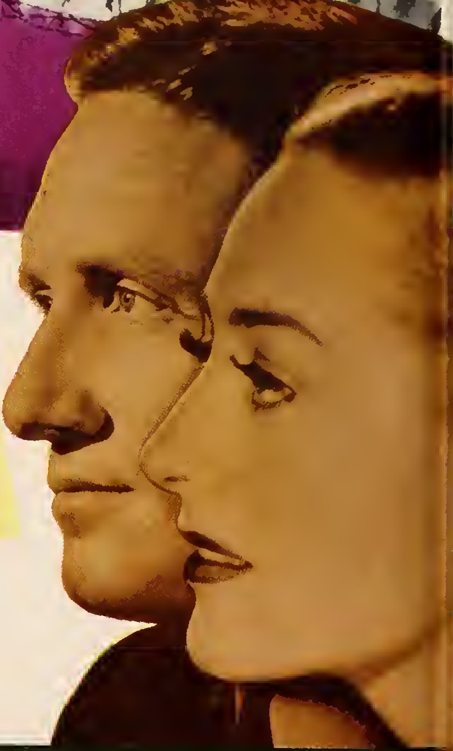

"Mannequin"

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Produced by
Joseph L. Mankiewicz

"Rosalie" Big In Cleveland With $24,000

Cleveland, Jan. 11.—"Rosalie" was the big hit of the new pictures holiday week. It broke the weekend record at [illegible]w's State, playing to 55,000 in [illegible]ee days. The gross for the week was $24,000, which bettered average by $9,000. This includes the special midnight New Year's show, but, there were only five shows daily instead of the usual six shows.

"Wells Fargo" was the hit of the holdovers. At Loew's Stillman the take for the week, also including an extra New Year's Eve midnight show, was almost double average. The gross was $11,000. Average is $6,000.

"Tovarich," also a holdover, at the Allen finished the week with $10,000 which bettered average by $4,000. This included a New Year's Eve midnight stage and screen show at advanced prices. "Love and Hisses" at Warners' Hippodrome finished the week with $2,000 over par, grossing $14,000.

"Wise Girl" on the RKO Palace screen with an augmental stage show that included Harriet Hoctor, Jane Perkins and 16 Roxyettes, topped the $20,000 average by $1,000.

Total first run business was $81,700. Average is $61,500. The same holiday week last year the gross was $85,300 as against an average of $51,000.

Estimated takings for the week ending Jan. 7:

"TOVARICH" (W.B.)
ALLEN—(3,000), 30c-35c-42c-55c, 7 days. **Gross:** $10,000. (Average, $6,000)

"LOVE AND HISSES" (20th-Fox)
WARNERS' HIPPODROME — (3,500). 30c-35c-42c-55c, 7 days. **Gross:** $14,000. (Average, $12,000)

"PAID TO DANCE" (Col.)
WARNERS' LAKE — (800), 25c-35c, 4 days. **Gross:** $900. (Average, 7 days, $2,500)

"DANGER PATROL" (RKO)
WARNERS' LAKE — (800), 25c-35c, 4 days. **Gross:** $800. (Average, 7 days, $2,500)

"WISE GIRL" (RKO)
RKO PALACE—(3,100). 30c-42c-60c-75c, 7 days. Stage: Vaudeville with Harriet Hoctor, Jane Pickens, 16 Roxyettes, etc. **Gross:** $21,000. (Average, $20,000)

"ROSALIE" (M-G-M)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $24,000. (Average, $15,000)

"WELLS FARGO" (Para.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $11,000. (Average, $6,000)

Kidnap Theatre Manager

Cincinnati, Jan. 11.—Jack Mervis, manager of the Hippodrome, Newport, Ky., across the river from here, was kidnapped by two men as he entered his automobile after leaving the theatre Saturday night. He was forced at the point of a gun to drive his car for several squares, after which his eyes were taped, his hands bound, and he was forced from the car which later was recovered in the vicinity. He was relieved of $10 by the bandits who evidently were after the theatre receipts.

Honor Ray S. Wallace

Alliance, O., Jan. 11.—Ray S. Wallace, managing director of Tri-Theatres, Inc., operating all three theatres here, has been named a member of the Civil Service Commission. He has been active in civic affairs for 20 years.

"The Firefly" Heads Strong Boston Pickup

Boston, Jan. 11.—"The Firefly" led the parade out of the pre-Christmas slump by rolling up $16,800 at Loew's Orpheum. This was $4,800 above par. The same bill took $13,000 at Loew's State, up by $2,000.

At the Fenway and Paramount "45 Fathers" and "Subarine D-1," the latter as a second run, made good shows by taking $5,600, up by $1,100 at the former, and $8,700, over by $1,700, at the latter.

"Hitting a New High" and "Boy of the Streets" were good for $13,000 at the RKO Memorial. 'She's Got Everything," helped by a stage show headed by the Three Stooges, took $24,500 at the RKO Boston. This was $2,500 over the line.

Total first run business was $85,800. Average is $79,000.

Estimated takings for the week ending Dec. 31:

"45 FATHERS" (20th-Fox)
"SUBMARINE D-1" (F.N.)
(2nd run)
FENWAY — (1,382), 30c-50c, 7 days. **Gross:** $5,600. (Average, $4,500)

"HITTING A NEW HIGH" (RKO)
"BOY OF THE STREETS" (Monogram)
RKO MEMORIAL—(2,907), 25c-50c-55c, 7 days. **Gross:** $13,000. (Average, $12,000)

"FIREFLY" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days. **Gross:** $16,800. (Average, $12,000)

"FIREFLY" (M-G-M)
LOEW'S STATE—(3,537), 25c-35c-55c 7 days. **Gross:** $13,000. (Average, $11,000)

"TRUE CONFESSION" (Para.)
METROPOLITAN—(4,332), 25c-40c-65c, 7 days. Stage: Jack Powell. **Gross:** $18,600. (Average, $22,000)

"45 FATHERS" (20th-Fox)
"SUBMARINE D-1" (F.N.)
(2nd run)
PARAMOUNT — (1,793), 25c-40c-55c, 7 days. **Gross:** $8,700. (Average, $7,000)

"SHE'S GOT EVERYTHING" (RKO)
RKO BOSTON — (3,246), 25c-40c-55c, 7 days. Stage: Three Stooges. **Gross:** $24,500. (Average, $22,000)

"Rosalie" $22,600 Wow at Buffalo

Buffalo, Jan. 11.—The New Year brought a mild box-office boom. "Rosalie," with Nick Lucas as the stage attraction, took a smash $22,600 at the Buffalo, over par by $8,600.

The Lafayette, a dual house, played "You're a Sweetheart" alone and made it pay $12,600 in its first week. Average is $6,500.

"Love and Hisses" at the Great Lakes played an $11,000 tune to go over the line by $3,000, while the Century, another dual house, drew $8,200 through the turnstile with "Tarzan's Revenge."

Total first run business was $59,700. Average is $42,300.

Estimated takings for the week ending Jan. 6:

"ROSALIE" (M-G-M)
BUFFALO — (3,000), 35c-60c, 7 days. Stage: Nick Lucas. **Gross:** $22,600. (Average, $14,000)

"LOVE AND HISSES" (20th-Fox)
GREAT LAKES—(3,000), 30c-50c, 7 days. **Gross:** $11,000. (Average, $8,000)

"THE THRILL OF A LIFETIME" (Para.)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $5,300. (Average, $7,500)

"TARZAN'S REVENGE" (20th-Fox)
CENTURY — (3,000), 25c-35c, 7 days. **Gross:** $8,200. (Average, $6,300)

"YOU'RE A SWEETHEART" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $12,600. (Average, $6,500)

"Beg, Borrow" and Show Montreal Top

Montreal, Jan. 11.—"Beg, Borrow or Steal," with the Kit Klein ice carnival on the stage as a special attraction, grossed $12,500 at Loew's to head local first run houses.

The exclusive film leader of the week was "The Hurricane" which, for its second week at the Orpheum, accounted for $6,500, over par by $1,500. It was held for a third week.

"I'll Take Romance," on a double bill at the Princess, registered $8,000, which was $1,000 over the mark, while "Love and Hisses," doubling with "45 Fathers," accounted for $10,500 at the Capitol where average is $9,500.

Total first run business was $46,500. Average is $40,500.

Estimated takings for the week ending Jan. 8:

"LOVE AND HISSES" (20th-Fox)
"45 FATHERS" (20th-Fox)
CAPITOL—(2,547). 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,500. (Average, $9,500)

"BEG, BORROW OR STEAL" (M-G-M)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. Stage: Kit Klein's Ice Carnival. **Gross:** $12,500. (Average, $8,000)

"HURRICANE" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 2nd week. **Gross:** $6,500. (Average, $5,000.) First week: $7,000. Held over third week.

"ROSALIE" (M-G-M)
PALACE—(2,600), 25c-35c-.40c-50c-65c, 7 days, 2nd week. **Gross:** $9,000. (Average, $11,000.) First week, $13,500.

"I'LL TAKE ROMANCE" (Col.)
"IT CAN'T LAST FOREVER" (Col.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $7,000)

"Thoroughbreds" Is Strong Omaha Hit

Omaha, Jan. 11.—New Year's business skyrocketed, with "Thoroughbreds Don't Cry" and a stage show, "Scandals of 1938," turning in the biggest gross of the week, $16,900, at the Orpheum. This was $9,700 over normal.

"Wells Fargo," with "Parners in Crime," also made a remarkable showing, going to $13,900, with the help of a New Year's show. This was above par by $8,400. "Submarine D-1" and "Adventurous Blonde" at the Brandeis pulled $6,500.

Total first run business was $37,300. Average is $16,700.

Estimated takings:

Week Ending Jan. 5:

"SUBMARINE D-1" (F.N.)
"ADVENTUROUS BLONDE" (F.N.)
BRANDEIS—(1,200), 25c-35c-40c, 6 days. Same features on New Year's eve midnight show at 55c. **Gross:** $6,500. (Average, $4,000)

"WELLS FARGO" (Para.)
"PARTNERS IN CRIME" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. Preview of "True Confession" (Para.) on New Year's eve midnight show at 55c. **Gross:** $13,900. (Average, $5,500)

Week Ending Jan. 6:

"THOROUGHBREDS DON'T CRY" (M-G-M)
ORPHEUM — (3,000), 35c-55c, 6 days. Stage: "Scandals of 1938" headed by Lita Grey Chaplin. Preview of "Love and Hisses" (20th-Fox) and stage show on New Year's eve midnight show at $1. **Gross:** $16,900. (Average, $7,200)

R. A. Howard to Bexley

Bexley, O., Jan. 11.—Ronald A. Howard has been named manager of the new Drexel, opened here Christmas Day. It is a W. C. Chesborough house. Howard has held several positions in Columbus district theatres in recent years.

"Fargo" Leads Kansas City's Record Spurt

Kansas City, Jan. 11.—Good bills and the New Year's holiday ushered in 1938 with one of the biggest total grosses on record, $54,900, or about $20,000 above average. "Wells Fargo" led for the second consecutive week with a $10,700 take at the Newman and was held for a third.

"Love and Hisses" and a stage show accounted for the Fox Tower's $12,000 week, $5,000 up. But big money went to the Midland with "Rosalie," good for $18,000, and $6,500 better than par.

"True Confession" at the Mainstreet took $11,000, $3,000 high, and was held.

Total first run business was $54,900. Average is $35,500.

Estimated takings:

Week Ending Jan. 6:

"TRUE CONFESSION" (Para.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $11,000. (Average, $8,000)

"ROSALIE" (M-G-M)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $18,000. (Average, $11,500)

"WELLS FARGO" (Para.)
NEWMAN—(1,900), 25c-40c, 7 days, 2nd week. **Gross:** $10,700. (Average, $5,000)

"LOVE AND HISSES" (20th-Fox)
FOX TOWER—(2,200), 25c-40c. Stage: Frances McCoy, Jed Dooley, Harold Barnes and Joyce Bros. & Dean.

"YOU'RE A SWEETHEART" (Univ.)
"RENFREW OF THE ROYAL MOUNTED" (G.N.)
UPTOWN—(2,000), 25c-40c, 7 days, 2nd week for first picture. **Gross:** $3,200. (Average, $4,000)

"Truth" Is Smash In Oklahoma City

Oklahoma City, Jan. 11.—"The Awful Truth" stood them up at the State all week and ran the gross up to $7,950. This was considerably more than double the normal take.

In spite of this competition "Man-Proof" hit the high spots at the Criterion, with the help of a stage show, and reached $8,100, over the line by $3,100. "Wells Fargo" was strong in its second week at the Tower with $3,500.

Total first run business was $26,300. Average is $18,200.

Estimated takings for the week ending Jan. 8:

"MAN-PROOF" (M-G-M)
CRITERION—(1,500), 10c-35c-55c, 7 days. Stage: Count Berni Vichi's French Follies of 1938. **Gross:** $8,100. (Average, $5,000)

"PRESCRIPTION FOR ROMANCE" (Univ.)
PANAY BOMBING (Univ.)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $1,000. (Average, 7 days, $2,700)

"JUDGE PRIEST" (20th-Fox)
(Re-issue)
"BORDER CAFE" (RKO)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $700. (Average, 7 days, $2,700)

"ROSALIE" (M-G-M)
MIDWEST—(1,500), 10c-25c-40c, 7 days. **Gross:** $5,050. (Average, $4,500)

"THE AWFUL TRUTH" (Col.)
STATE — (1,100), 10c-25c-40c, 7 days. **Gross:** $7,950. (Average, $3,500)

"WELLS FARGO" (Para.)
TOWER—(1,000). 10c-25c-35c, 7 days, 2nd week. **Gross:** $3,500. (Average, $2,500)

Change "3 Men" Title

Hollywood, Jan. 11.—"Paradise for Three" has been selected by M-G-M as the final title for the film which originally had been called "Three Men in the Snow."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Black Doll"

(Universal)

HOLLYWOOD, Jan. 11.—One of the Universal "Crime Club" series of mystery films, "Black Doll," offers no unusual attraction for audiences other than the fact that it is a mystery film, and that it is part of a series with which numerous patrons are unquestionably familiar.

The solution of the murder plot is not too obscure, but there is typical entertainment in watching Donald Woods, as the young private detective in love with the victim's daughter, unravel the skein and finally point to one of the numerous persons present with a motive for the crime. There are actually three murders, as the perpetrator of the first crime is forced to hide his tracks with more deaths. The romance is inconsequential.

Nan Grey plays the daughter and fiancee of Woods, while C. Henry Gordon is good as the first victim, and Edgar Kennedy, as the usual stupid detective, is not more boring than such characters generally are. It appears axiomatic that they be made a part of every mystery film, but it is extremely doubtful that anyone responsible could supply a plausible reason for the inclusion.

Irving Starr produced and Otis Garrett directed from an original story by William E. Hayes and which was woven into a screenplay by Harold Buckley.

Running time, 60 minutes. "G."

"Hawaiian Buckaroo"

(20th-Fox-Lesser)

HOLLYWOOD, Jan. 11.—Sol Lesser, producer; Don Jarrett, writer of the original story and screenplay, and Ray Taylor, director, had a novel idea this time when they took their western star, in this instance Smith Ballew, and transported him in one jump from an Arizona ranch to one in Hawaii. There, we are told, they raise plenty of cattle, and even have rustlers, crooked land grabbers, and all the "fixin's."

The result is good western material, which should please the devotees of that form of screen fare, by virtue of the expected quota of fistic and gun battles, a stampeding herd, vocal efforts by Ballew which are pleasant and do not retard the action too greatly, and the anticipated romance, with Evalyn Knapp. Benny Burt and Harry Woods are chiefly concerned in the support.

When dust writes finis to the Arizona ranch on which he works, Ballew is persuaded by the cook to join him in Hawaiian pineapple growing. En route, Ballew incurs the displeasure of Miss Knapp, a fellow passenger. When they find themselves swindled the two apply for a job at the ranch of Miss Knapp, where menial tasks are Ballew's portion. Eventually romance blossoms and he comes to the rescue of the ranch via effective action.

Running time, 60 minutes. "G."

Short Subjects

"Friend Indeed"

(M-G-M)

Pete Smith has a serious topic in "Friend Indeed" and also a vehicle with compelling drama. It concerns the plight of a doctor who goes blind from an explosion. The man is urged to get one of those "Seeing Eye" police dogs and he does so after some persuasion. The animal proves a godsend, saving the doctor's life even though injured. The dog recovers and accompanies the medico to Washington where the latter is honored by the government for his heroism in a hospital fire. The man and dog are also responsible for legislation which allows the blind and their four-footed guide to ride in railroad passenger cars instead of confining the animals to baggage cars. It is good. Running time, 10 mins. "G."

"Unusual Occupations L 7-3"

(Paramount)

Although this idea has been played to its utmost each offering always manages to create interest. This one is done in color. It starts off with shots of a woman who fashions clothes from rattlesnake skins and as it unreels there are successively seen a man who cleans swimming pools, a facial contortionist, the owner and operator of a one man railroad, a fellow who makes caricatures from burnt toast and a circus whose performers are all recruited from a small town. It is filmed to advantage in Cinecolor. Running time, 10 mins. "G."

"Ski Flight"

(Vitaphone)

Here is a seasonal gem and probably the best film on the subject to date. It has a ready made audience in the thousands who are interested in the sport. There should even be an advance campaign on it. The skiing technique laid down by Hannes Schneider is demonstrated by Otto Lang. But that is not all. The stuff is vividly and beautifully filmed against attractive settings and the narration explains the various maneuvers. It has moments of breath-taking movement. Running time, 10 mins. "G."

"Sweet Shoe"

(Nu-Atlas-RKO)

The activities in a shoe repairing shop are given musical enhancement here and manage to be fairly diverting. Rita Rio and her orchestra are featured and there is singing and dancing by The Four Norsemen, The Four Specs and Anita Jacobi. Running time, 11 mins. "G."

"Termites of 1938"

(Columbia)

If the audience is composed of dyed-in-the-wool Three Stooges fans, this latest of their adventures will go over. It is not quite up to their other films. Here they seem to have gone in for comedy on a higher plane which fails to click. Only in the knockabout slapstick sequences are the laughs found. The boys are exterminators and descend on a dinner party in a mistaken identity plot. They generally raise a rumpus as they pursue various species of household pests and are ultimately bounced out. It is just fair comedy. Running time, 17 mins. "G."

"Little Lamby"

(Fleischer-Paramount)

A color cartoon fantasy, cleverly animated and well drawn. The plot offers a wily fox who descends on a peaceful woodland village whose inhabitants are various species of timid animals. He stages a baby contest and makes off with a lamb. The townsfolk give chase, catch up with the culprit and rescue the sheep's offspring. It should have a pleasant reception all around. Running time, 7 mins. "G."

'Scrappy's News Flashes'

(Columbia)

A repetition of the cartoon idea produced by this company last year, but not quite as clever. It burlesques a prominent newsreel, going so far as to even play the opening bars of music which identify the reel. The news and novelties seem strained for their comic effect and will depend on a questionable humorous reaction. Running time, 6½ mins. "G."

"My Little Buckaroo"

(Vitaphone)

These Merrie Melodies get better and better. Humor is cleverly injected into the animation and the entire cartoon is delightfully entertaining from start to finish. This is a parody on western films and basically concerns a Mexican bandit who eventually is captured by a dreamy sort of cowboy character. The coloring and presentation are highly effective. Running time, 7 mins. "G."

"Screen Snapshots 17-5"

(Columbia)

A trick horseshoe pitching game, a night club opening and a swimming pool provide the settings for this array of film players in their off-the-set moments. As usual, the reel manages to hold interest and the audience should eat it up. Running time, 10 mins. "G."

Short Subjects

"Music Will Tell"

(RKO)

Since the new idea in presenting well known orchestras has lately been entailing the use of a slight plot in which to center the main attraction, a clever twist is given this presentation of Ted Fio Rito's music by the impersonation device. There is plenty of an entertaining nature worked [illegible] the doings, however, and it has several really pleasant moments. Running time, 18 mins. "G."

"Porky at the Crocadero"

(Vitaphone)

Leon Schlesinger's porcine creation grows better with each new production. Here Porky has a diploma from a correspondence school which certifies that he is a band leader. He gets into a night club and pinch hits for a variety of prominent band leaders who are good naturedly caricatured. He proves a success, but not before many comic twists are worked out. Running time, 7 mins. "G."

"The Land of the Maple Leaf"

(20th Century-Fox)

A beautifully done travel and scenic vignette of Canada. It has all the elements that make for pleasing acceptance in any situation. Starting with scenes of Toronto, Quebec and Vancouver, the film also includes breath-taking views of mountain scenery in the Canadian Rockies. The camera compositions are almost works of art. There is also a sequence showing moose in their natural state. Running time, 10 mins. "G."

"Water, Water Everywhere"

(Rice-Paramount)

Top flight entertainment that will be highly appreciated and enjoyed by every audience. Water sports are the theme and Ted Husing gets in some of his cleverest comment while the scene constantly changes from one form of exciting aquatic diversion to another. The locales range from Florida to City Island and Hawaii. The photography, backgrounds and participants in the action are exceptionally well filmed. Running time, 10 mins. "G."

"Unreal Newsreel"

(Vitaphone)

An assorted collection of scenes are offered in this short. The material is alternately funny, thrilling and humorously forced, but in any case it is novel. They are straight photographic scenes seemingly culled from a stock-shot library and includes wrecks, daredevil stunts, a magician's convention and a trick egg that hatches into a duckling. The audience should find it different. Running time, 9 mins. "G."

"The Lion Hunt"

(Educational)

This cartoon does not quite measure up with the average output of other studios. The old fable of the lion and the mouse is given modern dress and the animation is just routine stuff, untouched by any imaginative novelty. Running time, 8 mins. "G."

"Rosalie" Up In an Upswing At Pittsburgh

Pittsburgh, Jan. 11.—New Year's eek business was generally just about ouble par. The Penn led the way h "Rosalie," which did $29,500 to me within a few hundred dollars of e house record set by "After the hin Man" last New Year's, while e Stanley, with "The Last Gangster" and a stage show, also topped 29,000.

"Boy of the Streets" held up nicely t the Fulton, doing $6,750 in its sec- nd week. "Love and Hisses" turned $10,500 at the Alvin. The Warner ushed ahead in the upswing, with 6,000 from "The Barrier" and "Fit r a King."

Total first run business was $82,000. verage is $45,000.

Estimated takings for the week end- g Jan. 6:

"LOVE AND HISSES" (20th-Fox)

ALVIN—(2,000), 25c-50c, 7 days. **Gross:** 10,500. (Average, $6,500)

BOY OF THE STREETS" (Monogram)

FULTON—(1,700), 25c-40c, 7 days, 2nd eek. **Gross:** $6,750. (Average, $4,500)

"ROSALIE" (M-G-M)

PENN—(3,300), 25c-50c, 7 days. **Gross:** 29,500. (Average, $11,000)

"LAST GANGSTER" (M-G-M)

STANLEY — (3,600), 25c-60c, 7 days. tage: Johnny Perkins, Lowe, Hite and tanley, Boy Foy, Preisser Sisters, Mary ees and Monte Blue. **Gross:** $29,250. Average, $18,000)

"FIT FOR A KING" (RKO)

"THE BARRIER" (Para.)

WARNER—(2,000), 25c-40c, 7 days. **Gross:** 6,000. (Average, $5,000)

harter Five Companies

Albany, Jan. 11.—Five new com- anies have been chartered here. They re: Queensboro Theatre, Inc., by nthony V. Desiderio, Thomas L. art and Claire Ingold; Rosmac Theatres, Inc., by Albert Adams, Irving I. Radin and Gertrude C. Seifert; talian Art Theatre, Inc., by Alfred ames, Roslyn Lando and Matteo 'Auganno; Andore Amusement orp., by H. G. Kosch, E. Souhami nd D. L. Lang; Dalu Corp., by Le- na Friedman, Solomon Granett and arion Goodman, and National Radio egistry, Ltd., by John C. Migel, ertrude M. Conroy and Mary K. tratman.

Two companies have been dissolved. hey are: Varsity Theatre Corp., uffalo, and RKO Proctor Mt. Ver- on Corp.

Ohio Censor Cuts Down

Columbus, Jan. 11.—The Ohio cen- ors reviewed 701 reels in December, rom which 30 eliminations were or- ered. This compares with 621 reels nd 55 eliminations in November, and 04 reels with 22 eliminations in ecember, 1936.

During 1937 a total of 7,487 reels as reviewed and 397 eliminations rdered. The figures for 1936 were ,807 reels and 342 eliminations.

Ramsdell Opens House

Boston, Jan. 11.—George Rams- ell, local Allied director, has opened he 1,450-seat Auditorium in Malden. The theatre, now completely refitted, as been closed for some time. Rams- ell also operates the Maplewood, Strand, Granada and Orpheum in alden.

Surprise Columbia Luncheon

At the surprise luncheon given by Columbia executives yesterday at the Astor for Joseph A. McConville, newly appointed general foreign sales manager. From left to right are: Jack Cohn, vice-president; McConville, A. Montague, general sales manager, and Rube Jackter, assistant sales manager.

Joseph A. McConville, new foreign sales head of Columbia, was tendered a surprise luncheon at the Astor yesterday by company associates. Jack Cohn, vice president, was toastmaster and brief addresses were delivered during the course of the affair by Abe Montague, Nate Spingold, Rube Jackter and Louis Astor.

McConville, in addition to the lunch, was presented with a desk set and a scroll bearing the names of the approximately 50 associates who were present.

G.N. Added Finances Still Unset—Krasne

(Continued from page 1)

character, would be announced within a few days.

Krasne said that Grand National's selling season closed with 5,000 accounts on the books, these accounts to take an average of 30 pictures out of the 52 announced at the last convention. While Krasne stated that this business represents an increase over last year, he could not specify the ratio since, he said, spot booking was permitted last year when the sales season started later than the selling periods of other companies.

Discusses Cagney Film

Krasne refused direct answers to questions put to him concerning the future financial plans but did say, however, that a deal will not be made unless Alperson and the present officers continue in their posts. Thus he put the quietus to rumors that an executive shakeup is due with new money.

Krasne also admitted that no definite date for the resumption of production has been set nor an actual date for starting "Angels with Dirty Faces," James Cagney starrer. It is said that the Cagney picture is all set to go with a 30-day shooting schedule, which means that the film must start by Feb. 1 to permit Cagney to return to Warners by Mar. 14, as the Warner pact specifies.

Krasne promised a definite statement of status for Friday.

Markbreit Heads Capa

Chicago, Jan. 11.—Henry Markbreit has been elected president of the Chicago Amusement Publicists' Association for the next six-month period. Other officers are: Tony Owen, vice-president; Samuel Schoenstadt, treasurer; Joseph Berenson, secretary; Sidney Stern, sergeant-at-arms; M. O. Wells, director of public relations.

Again Report Cohen May Quit Paramount

(Continued from page 1)

New York Dec. 29, where he had gone ostensibly to arrange pre-release showings of "Every Day's a Holiday," Mae West vehicle. Cohen, upon his return, announced through his publicity office that five pictures were ready for immediate production, but failed to state the product was for Paramount release, the usual procedure in stories of this kind. Several days later Paramount publicity department repeated the story, but inserted the phrase "Pictures for Paramount release." Under Cohen's deal Paramount pays all production expenses, approving story, director and cast, and Cohen, in addition to a salary, gets a percentage of the profits.

Mexican Plan Would Double Theatre Tax

(Continued from page 1)

can well afford to pay increased taxes.

It is argued that present taxes are out of proportion to the exhibitors' receipts and that the system of fixing the theatre's tax on the average intake for a three-month period is all wrong. It is charged that the exhibitors show the poorest and cheapest pictures during the three months that fixes their tax for the entire year. A system of a levy on the daily revenues of the cinemas is proposed.

Report Advance Sale In "Dwarfs" Heavy

(Continued from page 1)

of three weeks is anticipated according to present indications.

The theatre management declared yesterday that the reserved seat advance sale is particularly heavy for Saturday afternoon and Thursday and Friday night performances. Independent inquiries at the box-office yesterday elicited the information that there were no reserved seats available for Saturday's performances.

Government Approve Canadian Music Fees

Toronto, Jan. 11.—The schedule of proposed fees for public performance of musical compositions to be collected by the Canadian Performing Rights Society, Ltd., Toronto, during 1938, providing for substantial increases in royalties, has been formally approved by the Copyright Appeal Board of the Dominion Government which was set up in the amendments to the Copyright Act which were passed one year ago.

Theatres which pay a flat annual license fee to the society on a seat basis are not affected by the new schedule, which was submitted to the Canadian Government for approval late in 1937 but this possible move was evidently forestalled by protests from organized exhibitors against any prospective increases.

Fees expected from radio broadcasters will jump, however, the levies expected by the society from this course being listed at $83,081 in the total, as compared with total collections of approximately $71,000 in 1937. The exact nature of the increases for radio performing rights was not disclosed in the official announcement, however.

Weber to Leave for Florida on Saturday

Joseph M. Weber, president of the American Federation of Musicians, will leave for Florida on Saturday for a vacation of three or four weeks. Thereafter, he plans to leave for Hollywood to begin conferences with Pat Casey, major producers' labor representative, on proposals for spreading work among studio musicians.

Casey, who has been in Washington for several days, is expected back in New York today. He plans to return to the coast some time next week.

Heads Wilmington Union

Wilmington, Jan. 11. — Phillip Jones of Wilmington, has been elected president of Local 473, of the I.A.T.S.E. operators' union here. Other officers are: vice-president, Thomas Varnell; recording secretary, A. B. Williams; financial secretary-treasurer, E. T. Veasey; business manager, John R. Waller; sergeant-at-arms, Howard Rouke, Jr. Members of the executive board are Jones, Howard Varnell, John R. Waller, Howard W. Rouke, Sr., and H. Hennessey.

Plea on GB Probe To Board of Trade

(Continued from page 1)

required by law before such an application may be made.

The application from the committee to the Board of Trade was accompanied by a financial bond of guarantee. It is believed that the Ostrers will strongly oppose the investigation.

Cosmograph Chartered

Dover, Del., Jan. 11.—Cosmograph Pictures Corp. has been formed to do general amusement and theatrical business with capital of $250,000. Incorporators are J. M. Townsend, A. L. Raughley and M. S. Cook of Dover.

CBS Sending Talent To Richard Banquet

CBS artists' bureau is sending a delegation of talent to entertain at the Poor Richard Club annual banquet in Philadelphia Jan. 17. Will H. Hays, president of the M.P.P.D.A., will be presented with the club's annual Gold Medal Achievement Award that evening.

The CBS entertainers will include Ted Husing, Del Casino, Prof. Quiz, Four Eton Boys, Irene Beasley, Bernice Claire and Joe Sodja. The unit was organized by Leonard Hole, CBS director of program service, in cooperation with the artists' bureau.

Plan Congress Drive For Probe of Radio

(*Continued from page* 1)

before the House membership until opportunity arises for a concerted drive for adoption of an investigatory resolution.

If the House Rules Committee, which thus far has barred consideration of the matter, refuses to report the resolution, it was declared, the matter will be forced onto the floor and proponents claim that they have sufficient votes to insure passage.

Kelly Chief of New NBC Sound Division

(*Continued from page* 1)

division to replace the new national head. Dillon will be in charge of the New York sound effects personnel and equipment, reporting to William S. Rainey, manager of the NBC production division.

Kelly soon will leave to discuss the new setup with NBC officials in Chicago, Denver and the west coast.

Joins Ida Bailey Allen Show

Washington State Apples will take a participation period of the Ida Bailey Allen show on WHN for 13 weeks starting Monday. J. Walter Thompson of San Francisco placed the account.

Clark Shoe Co. has signed a 26-week renewal for spot announcements over WHN, through the Friend Advertising Agency.

Ecclesine to WOR Sales Staff

Joseph Ecclesine, staff copy writer for Standard Brands, Inc., and a contributor to *Esquire, Liberty* and other publications, has been added to the sales promotion department of WOR.

Blessed Events
NEW BUSINESS
1938
100% RENEWALS
WBNX NEW YORK
1000 WATTS DAY AND NIGHT
The Station that Speaks Your Language

FCC Schedules of Hearings Arranged

WASHINGTON, Jan. 11.—The F.C.C. has made public its schedule of broadcast hearings as follows:

Jan. 13, before the commission: Argument on applications of Earle Yates for a 930-kilocycle, 500-watt, daytime station at Las Cruces, N. M.; Valley Broadcasting Co., for a 1,350-kilocycle, 1,000-watt station at Youngstown, and Genesee Radio Corp. for a 1,200-kilocycle station at Flint, with 100 watts power night, 250 watts day.

Jan. 14, before an examiner: Application of Piedmont Broadcasting Corp. for a 1,500-kilocycle station at Salisbury, N. C., with 100 watts power night, 250 watts day.

March hearings disclosed are as follows:

March 7: Application of KRMC, Jamestown, N. D., for change of frequency from 1,310 to 900 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

March 11: Application of George H. Payne for a new 1,440-kilocycle, 500-watt station at San Jose Cal.

March 14: Applications of Garden Island Publishing Co., Ltd., for a 1,500-kilocycle station at Lihue, Hawaii, to operate with 100 watts night, 250 watts day, and WNEL, San Juan, P. R., for change of frequency from 1,290 to 590 kilocycles.

March 15: Application of WNEW, New York, for increase of day power from 2,500 to 5,000 watts.

March 16: Applications of King-Trendle Broadcasting Corp. for a 1,010-kilocycle, 250-watt station at Grand Rapids, and WDAE, Tampa, for change of frequency from 1,220 to 780 kilocycles.

Lehr in the Money

Lew Lehr, the comic commentator of Movietone News, will receive approximately $1,000 a week for acting as Ben Bernie's chief heckler on the U. S. Tire program starting tonight on CBS. Lehr has been signed for a series of 13 weekly broadcasts, with an option for 13 more.

Ripley Show to Add Seven New Stations

Robert L. Ripley's "Believe It or Not" program, sponsored by General Foods over the NBC-Red, will be heard over seven additional stations in the south and northwest, and will be presented in behalf of Post's Bran Flakes instead of Huskies, effective Jan. 29.

The new outlets for the series, bringing the total network to 64 stations, will be WJAX, Jacksonville; WFLA, Tampa; WIOD, Miami; KTBS, Shreveport; KARK, Little Rock; KGBX, Springfield, Mo., and KELO, Sioux Falls, S. D. Benton & Bowles is the agency.

Hearn Plans Child Talent School

In order to develop talent for its children's program on WHN, the Hearn Department Store is inaugurating its own school to instruct children in singing, dramatic art and dancing. Joan Hamilton will have charge of the school. The Hearn program has been on WHN for the past five years.

Program from Canadian Studio

TORONTO, Jan. 11. — The coast-to-coast network of the Canadian Broadcasting Corp. carried a one-hour program from the studio of Central Films, Ltd., Willows Park, near Victoria, B. C., during which the story of the operation of a studio was told by commentators.

Tea Garden Has New Series

SAN FRANCISCO, Jan. 11.—Tea Garden Products Co. will sponsor a new series, "Tea Garden Women's Magazine of the Air" over five CBS Pacific Coast stations starting Jan. 13. Botsford, Constantine & Gardner is the agency.

CBS Teaching Group to Meet

The newly formed CBS Adult Education Board will hold its first meeting in New York on Jan. 17, under the chairmanship of Lyman Bryson, of Teachers College, Columbia University.

Reports Progress on Union of Air Talent

Mrs. Emily Holt, executive secretary of the American Federation of Radio Artists, Equity affiliate, yesterday reported that general progress is being made in the unionization of radio talent. She said, however, that it was difficult to forecast when contracts might be forthcoming. A.F.R.A. representatives have been meeting several times weekly with NBC and CBS heads, and with representatives of advertising agencies.

She said the negotiations to date have been conducted on a friendly basis, and consequently she did not foresee long and protracted discussions.

Alber Opens Publicity Branch

MONTREAL, Jan. 11.—David O. Alber has opened a branch publicity office at the Mt. Royal Hotel, Montreal, with Jack Hirshberg, radio editor of the *Montreal Monitor,* in charge. Establishment of the new office will facilitate handling advertising and publicity for Ken Sisson, now conducting "Canada 1938." The Imperial Tobacco Co. program.

Texas Broadcasters to Meet

DALLAS, Jan. 11.—The board of directors of the Texas Broadcasters' Ass'n will hold a special meeting Jan. 15 at the Baker Hotel, for the discussion of the proposed reorganization of the N.A.B.

Scott Resumes on WCAU

PHILADELPHIA, Jan. 11.—Alan Scott has resumed broadcasting on WCAU. He has been off the air for approximately a year. Scott is heard on Tuesday, Thursday, Saturday and Sunday from 10:45 P. M. to 11 P. M.

Neil Norman Recuperating

ST. LOUIS, Jan. 11.—Neil Norman, program director and sports announcer of WIL, is at Hot Springs recuperating from the effects of injuries and shock received in an automobile accident.

Air Performers at St. Louis in Union

ST. LOUIS, MO., Jan. 11.—Radio performers in St. Louis and vicinity have formed a local union and have applied for a charter to the American Federation of Radio Artists, according to William Brandt, secretary of the St. Louis Central Trades and Labor Union. He said that approximately 100 persons have signed membership cards, including announcers, singers and actors. Negotiations to work out a standard schedule of working conditions, obtain security of employment and a wage agreement will get under way immediately.

Don Phillips, KMOX announcer, is the union president; Allan C. Anthony of KWK is vice-president; Dave Ward of KSD, treasurer, and Nellie Booth, free lance dramatic actress, is secretary. About 250 in this area are eligible for membership.

Thompson Goes With Associated Recorded

Griffin B. Thompson, who was the New England sales manager for NBC, has joined Associated Recorded Program Service to organize and direct activities of a new department. There have been rumors that Associated was about to open its own recording studios and actively enter the commercial recording field, and it is believed that Thompson's new duties will be to set up and supervise the operation of such a division. The company would not substantiate this, but said that information concerning the rumored new department and Thompson's new duties will be made available later.

Thompson was with NBC for several years, serving as a network salesman, as sales manager for WBZ-WBZA in addition to his activities in charge of the entire New England territory. More recently he was radio director of Bermingham, Castleman and Pierce.

Short Wave Station In Omaha Ready Soon

OMAHA, Jan. 11.—W9XUY will soon be on the air, according to Harry Harvey of Lincoln, technical adviser to the Central States Broadcasting System. KOIL engineers are assembling the short wave station at the present time.

The new station will be on the air the same hours as KOIL and will carry most of that station's programs. It will have 100 watts power and will operate on frequencies from 31,600 to 41,000 kilocycles.

Mark Bullock, KOIL chief engineer; Al Bates, KOIL control engineer, and Harvey are doing the assembly work.

U. S. Rubber Program Adds Five

The U. S. Rubber Co. program, which will feature Ben Bernie on CBS, has added five stations to those already scheduled. The program will begin tomorrow. The stations are in Meridian, Miss.; Hibbing and Virginia, Minn.; Springfield, Vt., and Fairmont, W. Va. Campbell-Ewald is the agency.

Frank Blair Joins WOL

GREENVILLE, N. C., Jan. 11.—Frank Blair, until recently program director of WFBC, has left for Washington to join the announcing staff of WOL.

Applications Filed For 2 New Stations

WASHINGTON, Jan. 11.—Plans for vo new broadcasting stations were sclosed yesterday in applications for onstruction permits filed with the . C. C.

Authority for a new station at ochester to operate on 1,500 kilocycles with 100 watts power night, 50 watts day, was asked by Edward oyle of that city. A station to perate at Provo, Utah, on 1,370 ilocycles with 100 watts power was sked by the Midwest Broadcasting orp.

Also filed with the commission ere applications of WJBW, New Orleans, for increase of power from 00 to 250 watts for day operation; KFJM, Grand Forks, N. D., for increase of night power from 500 to ,000 watts; KEEN, Seattle, for change of frequency from 1,370 to ,420 kilocycles and increase of day power from 100 to 250 watts, and WBIG, Greensboro, N. C., for an increase of day power from 1,000 to ,000 watts.

Several Contracts Are Signed by WHN

New business on WHN includes the ollowing:

Procter & Gamble spot announcements for 26 weeks, through Blackett-Sample-Hummert; Danceograph Dance Art, Inc., 13 weeks on the "Bandstand nd Grandstand" series; Christian Herald Ass'n, 13 Sundays of "Dr. Poling's Radio Hour," through Blackett-Sample-Hummert; talks by Dr. Shirley W. Wynne in behalf of he Hotel St. George, once weekly or 13 weeks, through George Bijur, nc.; nine-week extension of the "Cathedral of the Underworld" series, Rescue Society, Inc. sponsoring; 13-week contract for Rev. Charles E. Coughlin's talks, through Aircasters, nc.; and "You Don't Say," sponsored by Barney's Clothes, Inc.

KGO Program Starts Tomorrow

SAN FRANCISCO, Jan. 11.—"Busman's Holiday," a round table discussion of the theatre, books, art and music, and participated in by leading critics, will start Thursday on KGO and Western Blue network. Half-hour program will be entirely ad libbed. Each week a layman, selected at random, will take part with Luther Meyer, *Call-Bulletin* book and art editor; Claude La Belle, *Daily News* drama critic; Alfred Frankenstein, *Examiner* music authority; and Samuel B. Dickson, playwright.

Bev Dean Quits WHK-WCLE

CLEVELAND, Jan. 11.—Bev Dean, publicity director of WHK-WCLE here, has resigned. Reports are that a staff shakeup is impending at the stations.

Ivan M. Miles Injured

ATLANTA, Jan. 11.—Ivan M. Miles, engineer on the staff of WAGA is in Grady Hospital suffering from head injuries and a fractured pelvis, sustained in an automobile collision.

Milton Allison a Father

KANSAS CITY, Jan. 11.—Milton Allison, publicity director at KMBC, reports the birth of a daughter to Mrs. Allison at St. Luke's hospital. The new one is Lois Elizabeth.

Radio Personals

ANNE JAMISON has just had her contract renewed on "Hollywood Hotel" for 13 weeks . . . Vivian Della Chiesa will return to Chicago Friday for one week to make a personal appearance at the Chicago Theatre. She will return to New York after she has completed the engagement . . . George Griffin, NBC baritone, is making two shorts for Warners . . . The mayor of Lakeside, Fla., will arrive in New York Saturday to have dinner with Alice Cornett, the local girl who made good on the Coca-Cola series . . . Morton Bowe, NBC tenor, will leave New York Feb. 1 on a concert tour which will take him through six states . . . Richard Barthelmess will be the guest of Kate Smith tomorrow night . . . Lupe Valez will appear on the Chase & Sanborn show Sunday . . . Ethel Merman will be interviewed by Radie Harris on the latter's Mutual program tonight.

+

Curtis and Allen have booked Lou Holtz on the Ford program Jan. 25. . . . Rudy Vallee is on his way back to Hollywood. . . . Jimmy Noel, a member of the "Rhythm Boys" quartet, has organized his own dance band and is in New York dickering for a hotel spot.

Edmund MacDonald of the Broadway stage, has been signed under CBS artists bureau management, under the terms of which the network talent bureau will represent him for radio and picture engagements.

Frances Bloom, secretary to Louis K. Sidney of WHN, has become engaged to Dr. Saul Freedman of New York.

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Montreal Town Pump

MONTREAL, Jan. 11. — CFCF has dropped plans to take "NBC Minstrels of 1938" and "Mr. Fortune." . . . Instead it will air a series of Cleveland symphony concerts Wednesdays at 9 P.M. . . . Montreal's new 70-man symphony orchestra is on the air Tuesdays at 9 P.M. over CBM and the CBC's national hookup. . . . Al Whitehead has put his latest singing group, an octet, on a national hookup. They are heard Wednesdays at 10:30 P.M. from Toronto.

+

Omaha Town Pump

OMAHA, Jan. 11.—Tony Church has joined the engineering staff of KOIL and will spend his time at the transmitter south of Council Bluffs. . . . "The Jangles," script show written and produced by Jettabee Ann Hopkins over WOW, made several personal appearances during the holidays. . . . W. O. Edholm, who started with WJAG at Norfolk, has joined the Lincoln staff of Central States Broadcasting. . . . The Gardner Nursery Co. of Osage, Ia., has reserved spots on WOW during 1938. . . . Echo Guiou, former KOIL dramatist, is now in Hollywood carrying a role on a network program. . . . John K. Chapel, WOW announcer, has been made a life member in the Associated Veterans of the Russian Railway Service.

+

Pittsburgh Town Pump

PITTSBURGH, Jan. 11.—George Seibel, former dramatic critic of the *Sun-Telegraph*, has been signed by KQV to deliver a 15-minute talk every Sunday afternoon under the billing of "Something Else." . . . Bob Rosen, pianist with WWSW's Basin Street Band, is convalescing in Miami. . . . Johnny Mitchell, organist on WWSW and WCAE, is now playing every afternoon in the cocktail terrace of the William Penn Hotel. . . . WCAE will air the Carnegie Tech symphony orchestra over the Mutual network every Saturday afternoon for the next 13 weeks. J. Vick O'Brien will direct it and Carl Dozer, an alumnus of Tech, will announce the programs.

+

San Francisco Town Pump

SAN FRANCISCO, Jan. 11.—After 10 years, NBC has closed its three studios on the roof of Hale Brothers' downtown department store. "Women's Magazine of the Air," daily audience show, will originate in the main building in the future. . . . Radio editors of San Francisco-Oakland papers were judges at Benny Walker's annual "roundup" of all-star amateur talent over KGO. . . . Joseph Sudy, vocalist-violinist with Henry King's band, has resigned to organize his own orchestra, which will include several New York musicians. The new band will open Jan. 25 at Club Rio del Mar, on Monterey Peninsula. . . . Tom Breneman, CBS production manager in Hollywood, will transfer to San Francisco Jan. 24 to take over the chain's production here.

Evans Joins WIP Sales Staff

PHILADELPHIA, Jan. 11.—Walter T. Evans has joined the sales staff of WIP. Wayne is from the newspaper field, having been advertising manager of the *Kansas City Journal-Post*, and with the advertising department of the *Philadelphia Bulletin*. Another WIP newcomer is Jean Stadler, on the program staff. Replacing Mrs. Lorraine Reilly in the publicity department is Anne Fitzpatrick.

Plan Expansion of WRVA

RICHMOND, Jan. 11.—Approximately $150,000 will be extended in improving the facilities of WRVA, in the event application for an increase in power from 5,000 to 50,000 watts is approved by the F. C. C. The change will necessitate a directional antenna and the installation of additional equipment.

Tussy Show on KNX and KSFO

HOLLYWOOD, Jan. 11.—Lehn and Fink have reserved time for a series of programs sponsored by Tussy products on KNX here and KSFO, San Francisco, starting Jan. 17, but the definite form of the program has not been determined. Time arranged for is 15-minute periods Mondays and Thursdays for 13 weeks.

Form Broadcasting Firm

LAREDO, Tex., Jan. 11.—Laredo Broadcasting Co., capitalized at $15,000, has been formed here to do radio broadcasting business. The principals include Raymond M. Gutierrez, Albert M. Gutierrez and Frank R. Nye.

WIND Plans Experimental Unit

CHICAGO, Jan. 11.—A facsimile station for experimental purposes is being planned by WIND using a frequency of 1,000 watts. Permission for construction, however, must first be granted by the F.C.C.

KONO, San Antonio, Gets Power Increase

WASHINGTON, Jan. 11.—The F.C.C. has authorized increases from 100 to 250 watts in the day power of KONO, San Antonio, Tex., and KLAH, Carlsbad, N. M.

At its weekly meeting the commission considered and set for hearing a number of applications, as follows:

R. C. Atwood, for a 1,500-kilocycle, 100-watt station at Port Angeles, Wash.; Hal Broadcasting Co., Inc., for a 1,500-kilocycle station at Camden, 100 watts night, 250 watts day; Mountain Top Trans Radio Corp., for a 1,310 kilocycle station at Denver, 100 watts night, 250 watts day; Pawtucket Broadcasting Co., for a 1,390-kilocycle, 1,000-watt station at Pawtucket, R. I.

Kentucky Unit Asks Change

WLAP, Lexington, Ky., change of frequency from 1,420 to 1,270 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; WROK, Rockford, Ill., increase of night power from 500 to 1,000 watts; WBCM, Bay City, Mich., increase of night power from 500 to 1,000 watts; WPAX, Thomasville, Ga., increase of time to operate night with 100 watts power and increase of day power from 100 to 250 watts.

WBAA, Lafayette, Ind., for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day; KXL, Portland, Ore., for change of frequency from 1,420 to 1,110 kilocycles and increase of power from 100 watts night, 250 watts day, to 5,000 watts; WGNY, Newburgh, N. Y., construction permit for 1,220-kilocycle, 250-watt, daytime station; WIP, Philadelphia, increase of day power from 1,000 to 5,000 watts; WSBT, South Bend, Ind., change of frequency from 1,360 to 1,010 kilocycles and increase of power from 500 to 1,000 watts.

Foresee New Finance To Baird Television

LONDON, Jan. 1.—New finance to assist the development of large screen television in color is foreshadowed for Baird Television, associates of the Gaumont British circuit, and pioneers of the new type of entertainment designed for British picture theatres.

A plan is now before the board and will be put before the shareholders shortly, it was indicated at the company's annual meeting.

The company, as already recorded, had a deficit to report for the last trading year, explained by expenditure on development schemes and partly by the disastrous Crystal Palace fire which affected some of the material assets. The color device is exclusively controlled by Baird.

WFIL Sets Program Month

PHILADELPHIA, Jan. 11. — Donald Withycomb, general manager of WFIL, has set aside the month of January as "new program" month, and according to present plans at least 25 new shows will ride the airlanes in the next three weeks. Also a program planning board has been established, consisting of John Clark, program chief; Jack Steck and Margaret Schaefer of the production department; Joe Connolly, publicity director, and Arnold Nygren, engineering supervisor. At the moment 11 new programs are in rehearsal.

Resumption of U.A. - Selznick Talks Awaited

(Continued from page 1)

sources here that the reported threat of Samuel Goldwyn to discontinue all production unless he was granted the right by United Artists to engage in production for other companies is given little credence by high company officials. It was pointed out that while there is nothing in Goldwyn's contract with United Artists which requires him to make pictures, the company could enjoin him from producing for others. As a result, it is held, there is little likelihood that Goldwyn, even if he were so inclined, would cease all production for any length of time and permit the overhead of his producing organization to consume capital indefinitely.

Deal Collapse Unexpected

The collapse of the negotiations for a deal between Selznick and M-G-M occasioned surprise in most quarters here and is generally analyzed as indicating that the Selznick terms probably were considered prohibitive. It is rumored that Selznick may try to purchase control of United Artists but many feel that such a development is unlikely at a price which would be agreeable to John Hay Whitney.

"Quiet," Says Miss Pickford

Chicago, Jan. 11.—Mary Pickford, leaving here for Hollywood tonight, said that United Artists' affairs are "quiet, so far as I know," and "no sales of partnership interests or other changes are planned." Her comment was addressed to printed reports that she would dispose of her partnership holdings to David Selznick and John Hay Whitney. She asserted that she had not been approached by Selznick interests on such a deal.

Miss Pickford said that her meeting with Alexander Korda in New York was "strictly social and not of a business nature." She plans to return here in about three weeks.

Assets of Mayfair Sold On the Coast

Los Angeles, Jan. 11.—Assets of Mayfair Prod., listed at $20,471, today were purchased for $17,000 at a sale conducted by Leslie Bowden, trustee, before Benno Brink, referee in bankruptcy. Liabilities of Mayfair totalled $32,857.

Exempted in the sale were the Mayfair rights to "Skippy" for cartoon use. This was granted on plea of United Artists counsel because of the fact that two comedies are currently under contract for delivery with one of them now in the hands of Technicolor for finishing.

JEAN PAUL KING
(News of the Day)
COMMENTATOR
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The Newsreel Parade

Movietone News
Vol. 20, No. 35
(20th Century-Fox)

This newsreel continues to feature Eric Mayell's outstanding camera contributions to the history of the China-Japan war, the current release depicting the invaders' advance as General Matsui formally takes over Nanking and the Japanese sponsored government takes control at Peiping. Meanwhile at Hong Kong the British sailors are shown on parade as word comes that invasion threatens.

Other highlights are President Roosevelt's Jackson Day dinner address; Governor Hoffman of New Jersey distributing the Lindbergh kidnap reward money; Hugh R. Wilson, the new ambassador to Germany; Lieut. Col. Olds breaking the speed record for military planes; Gene Tunney as chairman of a distilling company; Lloyd George writing his World War memoirs on the Riviera, and Max Baer as a proud papa.

There are three or four other routine clips, and, of course, Lew Lehr, this time in a Miami bathing beauty bit.

Running time, 9½ mins. F.

News of the Day
Vol. 9, No. 233
(M-G-M)

Topical stuff keynotes this release, with President Roosevelt in rare form making his Jackson Day dinner speech and Vice-President Garner having his after-dinner fun leading it off.

Queen Elena of Italy is shown presenting cash awards to mothers who have had the most babies in the last 10 years. The Mummers' Parade in Philadelphia is colorful and a display of British sailors in Hong Kong strikes a military note. Governor Hoffman of New Jersey again speaks his convictions that the Lindbergh crime has not been solved, in connection with the distribution of the reward money. Outdoor shots are Denny Shute in stunt golf practice, ski fashions in California and ski sailing in New Jersey. There is also a shot of Max Baer and his new baby and a fashion show of gowns worn by ladies of history, with Mrs. F. D. Roosevelt as a spectator.

Running time, 10 mins. F.

Paramount News
No. 46
(Paramount)

The dramatic nature and geographical assortment of the clips in the makeup of this issue will make this reel welcome. The editors have assembled a diversified news film which manages to break the lull that followed the turn of the year.

The Mummers' parade in Philadelphia occupies first place. It is followed by shots of the damage wrought by an explosion in a subway in Tokyo. There are graphic scenes of the broken up streets, fire and the injured being taken away in ambulances. The recent fall of Teruel in the Spanish civil war is documented in an ensuing sequence, the first scenes to come out of Spain in a long time. Street fighting, airplane attack, troop movements and other related scenes furnish the material.

A bit on headliners in sport offers Dizzy Dean celebrating his 27th birthday, Bitsy Grant upsetting Robert Riggs for the Miami Biltmore Open Tennis title and Max Baer, Mrs. Baer and Donald Novis in a cuddly bit revolving around Baby Baer. Then there are excellent shots of seven men who fled from Devil's Island in a small boat. They are shown arriving in Port of Spain, Trinidad, quite exhausted. There are closeups and then they are again seen sailing off to Panama. The President's humorous Jackson Day blast at utilties closes the pictorial doings.

Running time, 9 mins. P.

RKO Pathe News
Vol. 9, No. 50
(RKO)

The material in this issue, excepting the President's Jackson Day dinner talk, is not as snappy as the captions. But it does make the grade as acceptable newsreel.

Bitsy Grant taking the Miami Biltmore tennis title is the lead. The motorboat show at Grand Central Palace follows and in the following order are seen Hugh R. Wilson, the newly appointed ambassador to Germany, a brief talk by the retiring Reich envoy, William E. Dodd; the Velvet Ball in Washington, the launching of a new steel freighter at Detroit with a lot of spectacular splashing, the Queen of Italy congratulating women who are the mothers of eight or more children, window cleaners on the Empire State Bldg., and for a wow finish, President Roosevelt's speech.

Running time, 8 mins. P.

Universal Newsreel
Vol. 10, No. 631
(Universal)

Reliably interesting material that forms a familiar cross-section of national life and activities went into the makeup of this issue. An idea of the items included may be had from the fact that they range from President Roosevelt's Jackson Day dinner speech to shot of bathing girls in Miami pulling a stunt with a fellow who froze himself in ice cakes. They thaw him out.

The reel opens with scenes of the Senate body investigating unemployment. They are clips of General Motors' William Knudson and other industry leaders. The Roosevelt sequence follows and audiences should get a kick out of his comparison of utility investments. The annual Mummer's parade in Philadelphia, a Boston bulldog with a litter of 10 pups, the local motorboat show, society women in Washington modeling clothes worn by former First Ladies, a number of girls in Burbank, Cal., posing as they embark on a ski-plane, and Mama and Papa Max Baer exhibiting their one-month old offspring. The last is cleverly presented and should draw smiles.

Running time, 8½ mins. P.

Plan Mexican Group

Mexico City, Jan. 11.—Organization of a society for producers and distributors of made-in-Mexico films is planned by some members of the industry in order to coordinate their activities.

Gets Probation for Screeno Operati

Detroit, Jan. 11.—A probationa period of four months was impo by Traffic Judge Thomas F. Maher Louis Goodman, manager of the F kell Theatre, who pleaded guilty t charge of operating a Screeno game the theatre in violation of the c lottery laws.

Hearings against the Colonial, F est and Majestic theatres on s charges were postponed for 10 da the request of Harry Solomon, att ney for the theatres, who asked ti to acquaint himself with details of t case.

In the meantime, Solomon assur Judge Maher, these theatres will r frain from operating any games chance similar to Screeno.

Booking "Buccaneer"

"The Buccaneer" is being set f 200 day and date engagements durin the week beginning Feb. 4, Neil Agnew, Paramount vice-president i charge of distribution, said yesterda Among the definite bookings alread set are Indianapolis, Louisville, Milwaukee, St. Louis, Omaha, De Moines, Denver, Salt Lake City, Sa Francisco, Oakland, Los Angeles, Seattle, Portland, Buffalo, Scranton Wilkes-Barre, Washington, Baltimore Norfolk, Richmond, Cincinnati, Dayton, Boston, Springfield, Providence Worcester, Atlanta, Little Rock, Dallas, Houston, San Antonio and Oklahoma City. The film will be previewed in Washington tomorrow evening before an audience which will include numerous dignitaries in the official and social life of the capital.

Heads Supply Firm Unit

Cleveland, Jan. 11.—F. L. France has been appointed manager of the local office of Superior Theatre Supply Co., having been transferred from Pittsburgh. Ray Cudmore, former manager, is now in charge of sales in the territory.

Wall Street

Board Closings Uneven

	Open	High	Low	Close	Net Change
Col.	14⅝	14¾	14⅝	14¾	— ⅜
Col. pfd.....	33	33	33	33	+3
Cons.	1⅝	1⅞	1½	1⅞	+ ¼
Cons. pfd.....	6½	6½	6½	6½	.....
E. K.	166	166	166	166	.....
E. K. pfd...	157½	157½	157½	157½	.....
G. T. E....	14	14	13¼	13¼	— ½
Loew	52⅝	52¾	51½	52½	+ ⅛
Para.	12¼	12⅜	11¾	12⅜	— ¼
Para. 1.....	95	95	95	95	—2½
Para. 2.....	12	12	11⅞	12	— ¼
Pathe	5⅞	6½	5⅞	6½	+ ¾
RKO	5¼	5⅜	5	5¼	.....
20th Fox ...	23½	23½	22⅝	22⅝	— ⅝
20th pfd. ...	30	30	30	30	+2½
Univ. pfd...	49¾	53	49¾	54	+4
W. B.	7⅝	7⅝	7⅜	7⅝	.....

"U" Best Curb Rise

	Open	High	Low	Close	Net Change
G. N.	⅞	⅞	13/16	⅞	.....
Monogram .	2¼	2½	2¼	2½	+ ⅜
Tech.	19	19⅛	18½	19	.....
Trans-Lux	3	3	2⅞	2⅞	.....
Univ. Corp.	3¼	3¼	3¼	3¼	— ⅛
Univ. Pict.	6¼	8	6¼	8	+1⅝

Bonds Close Higher

	High	Low	Close	Net Change
Keith 6s '46.......	83⅛	83	83	+ ½
Loew 3½s '46.....	98½	98⅜	98½	.....
Para. Pict. 6s '55	93⅝	93⅝	93⅝	+ ⅛
RKO 6s '41........	79½	79½	79½	+1
W. B. 6s '39......	78⅛	78	78⅛	+ ⅛

(Quotations at close of Jan. 11)

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3. NO. 10 NEW YORK, THURSDAY, JANUARY 13, 1938 TEN CENTS

ilm Rental Cuts Sought By the ITOA

embers Want to Share In Studio Economies

lembers of the I. T. O. A., meet- at the Hotel Astor yesterday, de- ed to ask exchange managers for ustments of film rentals on their 7-'38 contracts because of studio renchments reported from Holly- od.

Harry Brandt, president, advised members that lower rentals are tified because of changed condi- ns since contracts were signed for current year.

The same advice was given in *The lependent,* organ of the I. T. O. A., ich was distributed at the meet- . The publication declared that duction budgets are being pared ecause box-office receipts are not to par," which, in turn, "is a natu- consequence arising from a reces- n in business."

'Exhibitors, this season, were sold tracts that called for higher rent- ," the publication said. "The dis- butors argued, and correctly, that

(*Continued on page* 5)

lexican Radio Faces Drastic Supervision

Mexico City, Jan. 10.—Radio in exico will be more rigidly supervised the government if the bill that is nding in Congress is passed. It is pected that the measure will be acted shortly. The bill calls for the ablishment of a Federal radio board d provides for strict prohibition of ograms of a religious or political ture.

Also forbidden is mention of any- ing which slurs the Mexican Gov- nment and people or those of

(*Continued on page* 7)

xpect Approval of VAB Reorganization

Dallas, Jan. 12.—Approval of the an to reorganize the National Asso- ation of Broadcasters is expected at e meeting of the board of directors the Texas Broadcasting Associa- on to be held here Saturday.

The session will last one day and a ajority of the seven directors com- ising the board are expected to at- nd.

More Radio—P. 7

Korda Sails; No Plans for U. S. Releases

Expected to Start Work At Denham at Once

Alexander Korda sailed for England on the *Aquitania* yesterday with no definite commitments to produce abroad for American companies other than United Artists.

Although non-committal concerning his plans prior to his departure, indications are that Korda completed arrangements for financing new London Films production while here and is expected to resume production activities at Denham immediately upon his return. Whether the new financing is being supplied by private investment sources or will be advanced by United Artists in the form of loans against new negatives, as has been done on occasion in the past, could not be learned officially.

Korda held informal conferences

(*Continued on page* 6)

Finish Organizing Standard Pictures

Hollywood, Jan. 12.—Standard Pictures Corp., producing and releasing company, has completed its organization here and has acquired from Warners the Vitagraph studio. It will take possession Mar. 1 and will modernize the plant.

According to present plans, Standard will make 18 "B" pictures during its first year with the possibility of distributing eight others made by a separate organization. Distribution plans are said to call for the establishing of exchanges in 30 American cities and in four Canadian key spots.

Officers of the organization are: B.

(*Continued on page* 6)

Paramount to Hold "Fargo" Four Weeks

"Wells Fargo" will stay four weeks at the Paramount, having grossed about $70,000 in the first week and $48,000 in the second seven days. The run is scheduled to end Jan. 25. Only one picture, "Artists and Models," has gone four weeks at the theatre in the last 12 months. The current attraction is coupled with Fred Waring and his band.

Four other holdovers turned in good grosses the past week. "Tovarich" drew $77,000 in its second week at the Music Hall, against $115,000 for the

(*Continued on page* 6)

Kennedy Favored

Washington, Jan. 12.—Nomination of Joseph P. Kennedy to be ambassador to London was favorably reported to the Senate today by the Foreign Relations Committee.

One of the Administration's "aces," Kennedy, a former film executive, has handled difficult jobs for President Roosevelt, his last being the launching of the Maritime Commission.

M-G-M's Roster Is Set, States Rubin

M-G-M's producer roster is now set and the studio does not contemplate any additions, at least not in the near future, J. Robert Rubin, Loew's vice-president, declared yesterday on his return from a three-week stay on the coast.

Rubin's assertion follows on the heels of the collapse of M-G-M's negotiations with David O. Selznick and indicates that the company has no plans to negotiate with other producers in the absence of a deal with Selznick.

Rubin had no comment on the sudden termination of the negotiations, but it was learned that the "fundamental differences" which wrecked the deal involved Selznick's demands that each of his pictures be sold on an individual basis and that the Music Hall remain his first run outlet in New York. Al Lichtman and others representing M-G-M contended that these demands would seriously disrupt M-G-M's policy of selling the output as a whole. Furthermore, it was

(*Continued on page* 6)

Republic Men Hold Chicago Conference

A meeting of Republic's mid-western franchise holders will be held in Chicago tomorrow, to be attended by H. J. Yates, Max Roth, central district supervisor, and Grover Parsons of San Francisco, western supervisor.

The meeting follows one concluded here yesterday of eastern franchise holders. Another session will be held on the coast following Yates' arrival there next week. Yates will leave Chicago Saturday, accompanied by Parsons, to line up production at the studio.

Attending the Chicago meeting will be Irving Mandell and Harry Lorch of that city; Jack Frackman, Milwaukee; L. W. Marriott, Indianapolis; Sam Seplowin, Detroit; Gilbert Nathanson, Minneapolis, and Nat Steinberg and Barney Rosenthal of St. Louis.

Cohen, Para. Releasing Ties Are Severed

Producer Charges Lack Of Co-operation

Hollywood, Jan. 12.—Paramount and Emanuel Cohen came to their second parting of the ways today. The president of Major Pictures charged tonight that Paramount breached its contract with Major which called for stipulated product to be delivered up to June 8, 1939. Cohen served notice terminating the contract effective immediately. In a statement, he said:

"Major Pictures has had an exceedingly difficult time in making its motion pictures ever since Adolph Zukor assumed control of Paramount production. Notwithstanding the fact that Paramount has invested large sums of money in our pictures there has been an utter lack of cooperation and, in fact, it has seemed to us that there has been a studied effort to place every possible obstacle in our way so as to prevent us from successfully producing pictures. We have, of course, placed the entire matter in the hands of our

(*Continued on page* 5)

Blumenthal Resigns As Officer of G. N.

A. Pam Blumenthal has resigned as a vice-president of Grand National, it was learned yesterday. The post will remain vacant for the present, an official of the company stated.

Blumenthal became associated with Grand National early last fall, reportedly as the representative of financial interests who made new money available to the company at the time. Grand National's first annual financial statement issued shortly afterward disclosed that Blumenthal's salary was $1,000 per week.

Edward J. Peskay, Grand National

(*Continued on page* 6)

Warn Theatre Men on Security Tax Report

Washington, Jan. 12.—Theatre owners who employed eight or more persons last year were warned today by the Bureau of Internal Revenue that 1937 tax returns under the unemployment insurance provisions of the Social Security Act must be filed by Jan. 31 if they are to escape the liability to penalties for delinquency.

No general extension of the time

(*Continued on page* 6)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Schenck Says Profit Estimate Before Tax

Los Angeles, Jan. 12.—Twentieth Century-Fox's estimated net profit of $10,000,000 for 1937 is before provision for Federal taxes, Joseph M. Schenck, chairman of the board, stated today. Earnings for the year after provision for taxes will be approximately $8,500,000, Schenck said.

The 20th Century-Fox chairman said that he was "misunderstood" by reporters who interviewed him on his arrival in New York last week in that he was not quoted as saying that the estimated earnings were "before provision for taxes."

I.T.O. of K.C. to Elect

Kansas City, Jan. 12.—The I.T.O. will hold its annual meeting and election of officers here Jan. 24.

WANTED
EXPERIENCED
ADVERTISING SOLICITOR
Familiar with Motion Picture Industry — with contacts — for a trade paper. Write giving details. Box 960, MOTION PICTURE DAILY.

Insiders' Outlook

By A-MIKE VOGEL

AMONG the doubtful inheritances handed down by the legitimate stage to the screen, none strikes more jarringly than the increasing use of the term "steals the picture" in referring to the performance of a lesser player. Employed somewhat in trade reviews and lavishly by newspaper critics, the current instance that disturbs this reporter comes about with the great to-do made by the New Orleans press over the job turned in by Akim Tamiroff in "The Buccaneer."

There is no carping here of the most excellent portrayal by Mr. Tamiroff of the fabulous Dominique You. By it, his screen stature increases, and justly. But it so happens that the lines given him to speak and the manner of their delivery were shrewdly devised and carefully directed. It is to Mr. Tamiroff's credit that his handling of the difficult role was in keeping.

Hit pictures are for the most part directors' pictures put together with a great measure of patience and craftsmanship. In the case of "Buccaneer," the comic Dominique role was built up to complement that of the swashbuckling, romantic Lafitte of Fredric March, the prime box-office name, and to exhibitors, the most profitable sales argument.

▼ ▼

That David Selznick has decided not to throw in his lot with Metro-Goldwyn-Mayer, as reported by Motion Picture Daily, is not so important as where he will finally settle and resume making pictures.

This is a business of 52 weeks a year, every year—a business that depends only upon an unbroken succession of pictures turned out by picture makers.

Mr. Selznick has demonstrated a facility for producing attractions that bring long lines to the ticket windows. He is needed—back at work.

▼ ▼

The heroic struggle being waged by Grand National is one that engages interest. Starting with seasoned man-power, production facilities in good order, and independent distributing system, the company's pace has lately been slackened because of increasing capital required. Despite this, Edward Alperson and Edward Peskay refuse to take even the semblance of a count. If they appear at this writing to be outpointed, the two Eddies will assure you they've just begun to fight. And it well may be they have, what with operating costs cut down to bedrock and outstanding obligations under control.

It's been some time since the industry has witnessed a similar struggle for survival. In the field, there is in evidence much of the same merited sympathy and encouragement for Grand National that marked the earlier struggles of the Warners, Mayers and Selznicks.

▼ ▼

Those concerned at all with the health of the industry will be in complete accord with the action of New York State Commissioner of Education Frank P. Graves in denying the appeal from the rejection by the New York State Board of Censors of the film, "The Birth of a Baby."

There is no more reason for a picture of this nature for theatrical exhibition than there would be for hospitals to allow paid admissions for the purpose of exhibiting maternity ward deliveries.

▼ ▼

On viewing "Snow White" for the first time (there shall be a second and a third), one is torn between two influences—the perfection of technical detail and the fascination of the story.

Mr. Disney has pioneered with signal success to build pen sketches into an engrossing feature-length motion picture. In the telling, he has breathed life into his tiny figures.

More Ampa Talent Set

The Ampa reported yesterday that there is a "great possibility" that Whitney Bourne, Jackie Cooper, Henry Fonda and Ben Bernie will be on hand at its luncheon today at the International Casino. Other guests include Helen Broderick, Broderick Crawford, Ethel Merman, Sidney Blackmer and Louise Platt.

E. C. Rhoden in Town

E. C. Rhoden, Fox Midwest division manager at Kansas City, accompanied by Lon Cox, film buyer, and his assistant, are here to confer with Spyros Skouras of National Theatres.

To Fete Gravet at "21"

Warners tomorrow will hold a bon voyage party at "21" for Fernan Gravet who, having completed work in "Food for Scandal," will sail Saturday aboard the *Ile de France.* Other Warnerites who will embark on the same ship include Irving Asher, John Sloan and Herman Maier.

Install Rivoli Sound

Special equipment will be installed at the Rivoli for the showing of "The Hurricane." A crew of sound engineers from the Goldwyn studios will supervise the installation. The film starts on Jan. 15.

Purely Personal

VYVYAN DONNER, Moviet
News fashion editor, will ta
part tonight in Robert Gessner's Ne
York University course on the appr
ciation of the cinema. She will scre
a number of rare newsreel shots, sty
clips and the Technicolor versi a
the Coronation.

•

J. Robert Rubin, upon his retu
from Culver City yesterday, immed
ately went into a huddle with Ke
neth MacKenna, head of M-G-M
story department.

•

Joseph Bernhard, head of th
Warner circuit, returned yesterda
from two weeks of conferences on th
coast.

•

J. P. O'Loghlin, 20th Century
Fox Canadian manager, has gone on
Caribbean cruise with his daughte
Coda.

•

Ursula Parrott's *Cosmopolita*
Magazine serial, "Infidelity," ha
been purchased by M-G-M.

•

Ann Murphy, secretary to W. C
Michel at 20th Century-Fox, is abou
to adopt matrimony.

•

Arthur A. Lee, G. B. vice-presi
dent, is in Chicago for sales con
ferences.

•

Harry Brandt will leave Saturday
for a two-week cruise in the souther
waters.

Schenck Away a Month

Nicholas M. Schenck, president of
Loew's, will remain at Miami Beach
about another month. He is feeling
much better as a result of the rest, it
was said at his office yesterday. He
has been in Florida two weeks.

Al Lichtman is due back Monday from the coast following a rest at Palm Springs after being active in the releasing contract negotiations with David O. Selznick.

Howard Dietz is taking his first real vacation in several years in Honolulu. He will return to the coast for a day or two and will arrive here early in February. He went to Honolulu on the same ship with Samuel Goldwyn.

Alban-Mestanza Named

Martin Quigley, editor-in-chief and publisher, has appointed H. Albán-Mestanza to succeed the late Pablo Colón as editor of *Teatro Al Día,* the Spanish-language quarterly of the Quigley group, now entering its third year of publication.

Albán-Mestanza, former foreign publicity chief for Republic, has also been associated in the past with a number of South American publications, including *La Nación* and *Crítica* of Buenos Aires.

Resumes Vaudeville

Dayton, O., Jan. 12.—The RKO Colonial, which reverted to a straight film policy after having tried stage shows and pictures for the first six weeks of the current season, has returned to the combination policy.

STARS
DRIVE

SENSATION!

Girls On Probation

EXPLOITATION!

**Warner Bros.
Timed It!**

Directed by Arthur Lubin • Screen Play by Lawrence Kimble • Original Story by Jean Negulesco • A First National Picture

Variety Club

Cleveland

CLEVELAND, Jan. 12. — Cleveland Variety Club will install its newly elected officers Jan. 22. DAVE MILLER, Universal branch manager, is chief barker for this year. Other officers to be installed will be NAT WOLF, first vice-president; J. S. JOSSEY, second vice-president; I. J. SCHMERTZ, treasurer, and Frank Boyd, secretary.

Dallas

DALLAS, Jan. 12.—Nearly $5,000 was the gate at the annual New Year's party given by the Variety Club here, an auditors' report today disclosed by BOB O'DONNELL.

The funds will go into a sinking fund, in which it is hoped $20,000 will be raised for an addition to the Freeman Memorial Clinic, sponsored by the local club. The club already contributes $350 monthly for surgical work done there for deserving children. In addition to the annual party the club also holds a semi-annual golf tourney.

Detroit

DETROIT, Jan. 12.—WILLIAM CARLSON, new president of Variety Club, has announced the following committees for the current year: Welfare—WILLIAM FLEMION, chairman; ROGER KENNEDY, E. E. KIRCHNER, ARTHUR ROBINSON, RALPH RUBEN, ALEX SCHREIBER, IRVING BELINSKY, JACK RYDER, JACK STEWART and HENRY ZAPP; House—CHARLES C. PERRY, chairman; GEORGE BERGER, WILLIAM HURLBUT, PHIL KAPLAN, MOE DUDELSON, FRANK LORENZEN and WILLIAM G. BISHOP; Entertainment—ALEX SCHREIBER, chairman; H. M. RICHEY, FRED SCHADER, DAVE DIAMOND, J. O. BROOKS, JACK DICKSTEIN and L. H. GARDNER.

Ways and Means—H. M. RICHEY, chairman; J. E. FLYNN, E. E. KIRCHNER, JOHN HOWARD, IRVING GOLDBERG and WILLIAM J. TURNBULL; Finance—B. L. KILBRIDE, chairman; WILLIAM HURLBUT and J. L. SAXE; Membership—RAY E. MOON, chairman; FRANK J. DOWNEY, SAM BARRETT, M. M. GOTTLIEB, CHARLES KOMER, LEW WISPER and SAM SEPLOWIN; Bar—J. O. BROOKS; Machines—E. E. KIRCHNER; Publicity—FRED SCHADER, chairman; W. G. BISHOP, RALPH HOLMES, JOSEPH M. MALONEY, REX G. WHITE and FRANK SMITH.

St. Louis

ST. LOUIS, Jan. 12. — HAROLD W. EVENS, manager of Loew's, is the new chief barker of Tent No. 4.

He succeeds RAY G. COLVIN. COLVIN was presented a wrist watch.

Other new officers are: Assistant Chief Barker, TONY MATRECI; Dough Guy, GEORGE WIEGAN; Property Master, PERCY BARR; Council of Clowns, PERCY BARR, JOE GARRISON, JOE ANSELL, FRANK RUDOLPH, BEN REINGOLD and BILL FELDSTEIN.

Pittsburgh

PITTSBURGH, Jan. 12.—I. ELMER ECKER led the Milk Fund drive this year by collecting more than $1,000 himself. JOHNNY HARRIS was next.

FRANK SOUCHAK, famous Pitt end, was presented his *Liberty* magazine All-American honors at the regular Monday night dinner.

MIKE SHAPIRO and his wife are sailing on a West Indies cruise.

SOL GOLDBERG, the Elkins, W. Va., exhibitor and father of MARSHALL GOLDBERG, the sensational Pitt halfback, was a club visitor.

HARRY KALMINE and his wife are planning a trip to the coast later in the winter.

CARL ROBINSON, the club steward, is ill at his home in Greensburg, Pa.

Washington

WASHINGTON, Jan. 12.—Installation of the officers for 1938 occupied the first local Variety Club function of the year. With retiring Chief Barker CARTER T. BARRON presiding, the new officers were inducted, including: A. JULIAN BRYLAWSKI, chief barker; A. E. LICHTMAN, first assistant chief barker; SIDNEY B. LUST, second assistant chief barker; SAMUEL A. GALANTY, treasurer; ARTHUR A. DETITTA, secretary; J. RAYMOND BELL, executive secretary.

BARRON named the following committees: Executive—LICHTMAN, BARRON, GALANTY, JOHN J. PAYETTE, J. LOUIS ROME. Finance—LUST, ROME, SAMUEL M. FLAX. House—ARCHIE D. ENGEL, JOSEPH P. MORGAN, JOSEPH MAKOVER, F. KEMPER MOHLER, JOSEPH KALISKI. Membership—SAMUEL N. WHEELER, FRED A. ROHRS, ALAN J. BACHRACH, CLARK M. DAVIS, EDWARD HEIBER. Social Activities—DETITTA, HARRY S. BROWN, WILLIAM E. S. WILCOX, CHARLES C. SHULMAN, ADLAI MANN, HARRY E. LOHMEYER, CHARLES E. KURTZMAN, HARDIE MEAKIN, GUY WONDERS. Sports and Promotions—BARRON, GALANTY, FULTON BRYLAWSKI, GORDON HITTENMARK, RUDOLPH BERGER, NAT B. BROWNE, LOHMEYER, HARRY P. SOMERVILLE, WILLIAM B. DOLPH, AL SIGMUND. Ways and Means—FLAX, ENGEL, MORGAN. Welfare—BERGER, LICHTMAN, BARRON, LUST, GEORGE A. CROUCH. Entertainment—MEAKIN.

Looking 'Em Over

"The Duke Comes Back"

(*Republic*)

The prizefighter and his lady again but refreshingly different from the ordinary treatment. Here the pug becomes involved with his wife's family and saves their good name from disgrace when he returns to the ring. The film is based on a story by Lucian Cary and has been snappily directed by Irving Pichel. It is good entertainment. The serious, romantic and comedy aspects of the yarn should provide good emotional exercise for the average audience.

Allan Lane is the retired champion who marries Heather Angel and quits the ring. He joins Genevieve Tobin, Miss Heather's sister in the publishing business. He becomes quite successful and contented with his family which shortly includes young Johnny Russell, an ingratiating youngster. But Miss Heather's father, Frederick Burton, a broker, is threatened with jail due to his speculating with other people's money, and to save his face Lane signs for a championship bout that will net the required sum. He sends Miss Heather off to Peru to keep her ignorant of the bout. But Miss Heather gets wind of the fight and returns. She creates tension and becomes enmeshed with gangsters who intend to throw the fight their way. Young Russell eludes the racketeers and saves the day all around. His daddy wins the fight and the family rejoice in having a pugilist around the place.

Miss Tobin gives an excellent performance. Miss Heather and Lane are also good as the romantic interest. The Russell child should interest a large audience. Ben Welden supplies a few laughs. Adele Buffington and Edmund Seward did the screenplay.

Running time, 64 mintes. "G."

Studio Pace Still Slow; 28 in Work

HOLLYWOOD, Jan. 12.—Production was still at a low ebb last week, the level of 28 pictures in work being just one above the previous week's total. Although nine pictures were started, eight finished, keeping the total down. Eleven are in final stages of preparation, and 64 are being edited.

Those starting were: "There's Always a Woman" and "Outlaws of the Big Bend," Columbia; "Marie Antoinette," M-G-M; "Port of Missing Girls," Monogram; "Highway Racketeers," Paramount; "Certified," RKO: "Hollywood Stadium," Republic; "Kidnapped," 20th Century-Fox, and "The Crime of Dr. Hallet," Universal.

The tally by studios:

Columbia finished one, shooting two, prepared zero, editing seven; Goldwyn, zero, zero, zero, two; Grand National, zero, zero, zero, one; M-G-M, zero, four, one, four; Monogram, one, one, zero, one; Paramount, one, four, two, 11; Principal, zero, zero, one, zero; RKO, two, three, two, five; Republic, two, one, one, three; Roach, zero, two, zero, zero; Selznick, zero, zero, zero, one; 20th Century-Fox, zero, five, two, six; Universal, zero, two, one, three; Wanger, zero, zero, zero, one; Warners, one, four, two, 19.

In the short subjects division, M-G-M showed the only activity, starting one, which is still shooting. Four are being prepared and 12 are being edited.

Form Cobian Pictures

Cobian Pictures, Inc., has been formed here for the production of films for Paramount release. Plans call for three full-length productions a year. Ramos Cobian, president of United Theatres of Puerto Rico, is head of the company.

Short Subjects

"Date and Nuts"

(*Educational*)

There is a lot of snappy and youthful comedy in this Pat Rooney, Jr. Herman Timberg, Jr., opus. There i also plenty of modern dancing in addition to the familiar routines of th featured players. The film is set i a college. Timberg and Rooney ar freshmen. Rooney poses as a girl t please Timberg who is after a [illegible] nity pin. They get into all [illegible] o humorous situations at a dance a the slam bang action is introduced in to the various scenes and the fil eventually closes after much merriment has unreeled. It should go ove very well. Running time, 19 mins "G."

"Man Bites Lovebug"

(*Columbia*)

A standard domestic discord farc heightened by bedroom comedy and, i this case, featuring Charley Chase Chase, an author, visits his colleg chum. The two conspire to fram the lady of the house in an innocen romantic interlude. However, th woman gets on to their stunt and turn the tables, making it uncomfortable al around. Chase misses the last trai to town and spends the night there. Then there are the bedroom shenanigans and ultimately Chase i driven out by Frank Lackteen who plays a murderous butler. Not much to it. Running time, 18 mins. "G."

"The Man in the Barn"

(*M-G-M*)

This M-G-M short contributes to the mystery of the disappearance and the doubts about the death of John Wilkes Booth after he shot Abraham Lincoln. Carey Wilson relates the story and it brings out a curious parallel between two men who bore a remarkable resemblance to the actor. The events revolving around the assassin's escape and the coincidental facts which arose in Washington are also reenacted. It is engrossing and should find a good audience. Running time, 10 mins. "G."

"India's Millions"

(*Vitaphone*)

A brief but rather thorough survey of the Indian scene. Basil Ruysdael comments successively on religion, architecture, the caste system, modern improvements, history and the daily life of the natives. It is an E. M. Newman "Colortour Adventure." The material is well photographed and the subject is good travel fare. Running time, 10 mins. "G."

"Accent on Beauty"

(*Paramount*)

The processes and materials that go into the making of cosmetics and perfumes are shown in this short. It should have a distinct appeal to women and go over well with the rest of the audience. It is tastefully mounted and well done. Running time, 10 mins. "G."

Film Workers Name Snow

KANSAS CITY, Jan. 12.—Felix Snow, I.A.T.S.E. representative, has been elected business agent of the Film Exchange Workers' Local B-23.

Film Rental Cuts Sought By the ITOA

(Continued from page 1)

labor was more expensive, that more 'bigger' pictures were going to be duced and more money was to be ht on each individual film. The exhibitors saw the logic and agreed to the raise.

"Since Hollywood is reducing its contract lists of writers, directors and players, as well as decreasing budgets on pictures, the product thus emanating from Hollywood will bear marks of economy."

The membership was advised that if they have already signed contracts they should demand adjustments, and if they have not yet made deals for product, not to pay increases over 1936-'37.

Progress toward obtaining lower premiums for liability insurance for members was reported by the I. T. O. A.'s insurance committee at the organization's meeting yesterday. Fewer accidents to patrons have been occurring and therefore the coverage should cost less, it was reported.

Consider Group Insurance

Group buying of insurance and other plans are under consideration. It is expected that the conferences with the insurance companies toward an agreement will be extended over weeks.

Service contracts of Altec and RCA were discussed. A committee headed by Dave Weinstock is investigating the comparative values and will report.

Walter Nolan of the Consolidated Circuit was elected to the board to fill the unexpired term of Percy Brown of the Criterion on Long Island.

Many Honor Jacques

CINCINNATI, Jan. 12.—Approximately 250 attended the testimonial dinner tendered Stanley C. Jacques, RKO branch manager, in commemoration of his 20 years' service with the company. It was held at the Pavilon Caprice of the Netherland Plaza. Here for the affair were E. L. McAvoy, western sales manager; Walter Branson, central division manager; Nat Levy, eastern central district manager; H. J. Greenblatt, manager of the Cleveland exchange, and Ray Churchill, in charge of the Indianapolis branch. Jacques was presented a radio bar.

Griffith Acquires Two

HENRYETTA, Okla., Jan. 12.—The Blaine and Morgan here have been acquired by the Griffith Amusement Co. The two houses were formerly the property of the late Charles Blaine. T. H. Wilson will remain as manager of the two houses under the Griffith management.

Manages Spartanburg House

SPARTANBURG, S. C., Jan. 12.—Oscar Montgomery, formerly manager of the State, Hendersonville, N. C., is the new manager of the Criteron here. He succeeds Ralph Blalock, who resigned to join the Wil-Kin Supply Co., Atlanta.

Enhances Prestige

Boston, Jan. 12.—"Every advance in quality made by the film industry enhances the prestige of the United States in foreign nations where American-made films are shown," Mrs. Ruth Bryan Owen Rohde, former Minister to Denmark, told the President's Club of Massachusetts here yesterday in the course of an address on "This Business of Diplomacy."

Business Men Called On Tax Legislation

WASHINGTON, Jan. 12.—Business men interested in any phase of the proposed new tax legislation will be given an opportunity to testify before the House Ways and Means Committee beginning Jan. 17.

Hearings will be opened Jan. 14 with appearance before the committee of Treasury officials, who will discuss the Government's financial situation and outline Secretary Morgenthau's views on the recommendations of the special tax sub-committee which has been making a study of the matter since Nov. 15.

From the standpoint of the film industry, the most important feature of the bill will be the changes to be made in the undistributed profits tax provisions. The admission tax is not expected to be touched in the enactment of the new legislation, although it may be made a permanent feature of the Revenue Act.

British Will Study Free English Shows

LONDON, Jan. 12.—A further step looking to the control or elimination of free shows in public houses is seen in the forthcoming investigation by the Government of the entire situation with respect to the use of inflammable film.

Exhibitor organizations are expected to give evidence in the investigation and will be supported by various licensing bodies.

C. H. McGlothlin Resigns

BALTIMORE, Jan. 12.—C. H. McGlothlin has resigned from the Baltimore *News-Post* and *Sunday American.* He handled the theatrical and film advertising with other accounts on those papers. His work is being done now by Bill Schnader.

U. S. Firms Take No Stanley Plan Action

By AUBREY FLANAGAN

LONDON, Jan. 12.—American distributors here plan to take no action on the alternative quota proposal offered by Oliver Stanley, president of the British Board of Trade, for incorporation in the Films Bill now pending. At a poorly attended meeting yesterday it was decided to take no further steps until some time next month, when it is expected a full meeting will consider the matter.

The Cinematograph Exhibitors' Association finally rejected the Stanley proposals yesterday, taking a similar view to the British distributors, that the Stanley plan is merely a compromise on the separate quota proposal which was rejected by the House of Commons standing committee on the Films Bill some time ago. Writing to Stanley, the C.E.A. objected to the plan, which divides films into classes according to quality. It is contended that if one class of film receives unusual advantage, producers will place in that category receiving the greatest assistance those films which are most difficult to sell the exhibitors. They also contend that the alternative quota would make a reserve supply of films uncertain.

The C.E.A. expressed the view that it would be unwise to increase the exhibitor quota to any extent, and that the initial figure should be 12½ per cent.

English Version of Italian Film Starts

By JOSEPH D. RAVOTTO

ROME, Jan. 12.—The English version of the Italian film, "Tredici Uomani e un Cannon," the first of seven features to be produced by the British production company, Two Cities Films, in collaboration with an Italian producer, went before the cameras yesterday at Tirrenia. The Italian version is being directed by Mario Zampi, Italian who worked in London for many years and also for Warners.

Sunday Move in Miss.

JACKSON, Miss., Jan. 12.—A move to legalize Sunday shows in Mississippi seemed to be gaining ground today as it became known that two newspapers here might back the idea and that exhibitors might increase public sentiment to the point that such a law, if introduced in the legislature, would pass. North Mississippi now enforces the Sunday laws, while the Gulf States areas allow violations.

Cohen, Para. Releasing Ties Are Severed

(Continued from page 1)

attorneys and we expect to use every available remedy to protect our rights. We believe there will be some very interesting facts brought to light when this matter gets into court."

"Every Day's a Holiday" and "Doctor Rhythm" are the last two of nine pictures completed by Major for Paramount since the foundation of the company by Cohen as a Paramount-financed production organization under the Otterson regime following Cohen's retirement from the general managership of the Paramount studio. Five additional pictures to be produced under the contract were announced a week ago. The status of these properties purchased by Major for Paramount together with that of various other commitments made under the contract are to be determined by litigation.

Cohen Closes Studio

Cohen today closed down his studio and paid off the 86 persons on the payroll, assertedly advancing their salaries for a week and half out of his own funds.

Cohen's formation of Major Pictures, it will be recalled, followed upon sharp differences arising in the turbulent period in Paramount history which brought John Otterson to the presidency and relegated Zukor to what seemed a background position. Cohen was succeeded in command of Paramount production by Ernst Lubitsch who withdrew subsequently in favor of William LeBaron with Zukor moving ultimately into studio high command.

Cohen's personal contracts with Mae West, Bing Crosby and Gary Cooper were fundamental considerations in working out details of contract whereby Paramount provided working capital of Major and distributed product.

Officials of Paramount would not comment tonight on Cohen's statement.

Ohio Producing Picture

COLUMBUS, Jan. 12.—The Ohio Highway Department has started a picture under the dual title of "The Open Road" or "A Safer Ohio." Gov. Martin L. Davey is starred. The cast includes John Jaster, Jr., highway director; E. N. Dietrich, education director, and Charles F. Schaber of the Public Utilities Commission, with F. E. Williams of the Safety Coordinating Bureau as production manager.

Ad Films Show Gain

A total of approximately $1,079,645 was paid 7,500 exhibitor accounts of the Alexander Film Co. during 1937 for showing commercial films running one minute or less, the company states.

This represents an increase of more than 23 per cent over 1936, the company said.

Alexander, which has its headquarters in Colorado Springs, Colo., increased its branch offices to 13 and the field staff to 176 during the year.

Backstage Performance

Oklahoma City, Jan. 12.—A backstage production was unfolded before a packed house at the Criterion here recently. The patrons watched stage hands prepare the stage for a presentation in connection with the film.

A misunderstanding resulted in the tangle. The stage presentation, originally slated for 1:45 P.M., was postponed by the management for an hour when it became apparent that it would not be ready.

"We explained the situation to the customers," said Bert Stern, Standard Theatres public relations man, "but they purchased their tickets, took their seats and watched stagehands and baggage men scurrying about with the curtain drawn back." Interest was high as the revolving stage and other intricate devices were being assembled.

Korda Sails; No Plans for U. S. Releases

(Continued from page 1)

here and on the coast with several major companies concerning the possibility of his handling whatever British production may be required of those companies by the impending new quota law. However, it is learned authoritatively that Korda is returning to England without a formal commission from any company other than United Artists. No deal could be made, it was said, because of Korda's inability to obtain a release from United Artists which would permit him to produce for outside companies and, even if such a release had been obtained, American companies could not contract with Korda for their British quota requirements while they are still in the dark as to the number and cost of the pictures to be made abroad, it was pointed out.

Came on Option Deal

Korda arrived here from London on Oct. 26 to participate in the final negotiations for the exercise of the option, held by himself and Samuel Goldwyn, for the purchase of the United Artists stock held by Mary Pickford, Douglas Fairbanks and Charles Chaplin. An agreement to exercise that option was reached in New York and shortly afterward Korda left for Hollywood where the deal was to be formally consummated. In the interim, however, obstacles to closing the deal presented themselves, and eventually proved insurmountable. The option was permitted to lapse and Korda, after several weeks in Hollywood, returned to New York on Dec. 30.

With indications now pointing to the continuance of David O. Selznick as a United Artists producer, and with the company ownership still in the same hands, it would appear that United Artists will continue without any vital change in its ownership, executive or producer setup.

Murray Silverstone, United Artists British head, will remain in New York for another 10 days.

Complete Organizing Of Standard Pictures

(Continued from page 1)

W. Richards, president and production manager; Lou O'Brasky, vice-president, and Charles D. Taylor, secretary and treasurer. The organization is financed by eastern capital which was not previously identified with films and which is represented by Van Rensselaer Sternburgh. Actors, writers, directors and technical personnel will be announced in two weeks.

Monogram in Sweden

Promoto, A. B., with offices in Stockholm and Malmo, Sweden, has been organized to handle all Monogram product in that country, according to Norton V. Ritchey, export manager. Holger Lund and John Ek manage the office. Alianca Films, Ltd., will handle the product in Portugal, with headquarters at Porto.

Out Hollywood Way

HOLLYWOOD, Jan. 12. — NORMA SHEARER has resumed her film career in M-G-M's "Marie Antoinette," being directed by W. S. VAN DYKE II.

Pasadena's "Tournament of the Roses" over, its queen, CHERYL WALKER, has been given a screen test and signed to a contract. She is cast in "Stolen Heaven." . . . SYLVIA SIDNEY has started work in Paramount's "You and Me." . . . Warners are planning another story of a district attorney battling with criminal forces, and will place RONALD REAGAN in the lead. . . . DARRYL ZANUCK is seeking to borrow MILTON BERLE from RKO for the leading role in "Broadway to Hollywood." . . . Warners is testing GARWOOD VAN, orchestra leader, for a featured part in "Garden of the Moon." . . . HENRY HENIGSON has left the Hollywood Hospital where he had been confined by sinus trouble.

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Casting — EVELYN THAWL has drawn the lead in Warners' short, "Out Where the Stars Begin." . . . RALPH FORBES in the heavy role in "Kidnapped," 20th Century - Fox, with ELSA BUCHANAN, BILLY BEVAN and MORONI OLSON in minor roles. . . . DICK BALDWIN and LYNN BARI draw the romantic leads in "Charlie Chan at the Ringside," 20th Century-Fox. . . . MARY MAGUIRE in "Howdy, Stranger," Warners, and FRANK McHUGH in "Dude Rancher," same lot. . . . LOUIS JEAN HEYDT, little theatre player, makes his film debut in M-G-M's "Test Pilot." . . . PAUL GUILFOYLE, GEORGE IRVING and HILDA VAUGHAN to "Certified," RKO.

✚

Writers—NAT FERBER and VICTOR WOLFSON report to M-G-M on writing assignments. . . . Warner duties: NORMAN REILLY RAINE working with ABEM FINKEL on "The Sea Wolf"; EDDIE ANDERSON and CHARLES PERRY on "Money Talks"; SHERMAN LOWE on "Trapped in Mongolia"; WALLY KLEIN on "Body Guard"; JOSEPH SCHRANK on "Three Cheers for the Irish"; LEE KATZ on "Blackwell's Island," and MORTON GRANT and THOMAS AHERN on "Fingerprints."

✚

Contracts — M-G-M has taken up the option on ELEANOR LYNN, New York stage actress, because of her work in "You're Only Young Once." . . . FRANK RYAN has been signed to a pact as gag man and cartoonist by HAROLD LLOYD. . . . DOROTHY HOWE has been given a term contract by Paramount, whose studio scout recently found her at the telephone switchboard of the Dallas M-G-M exchange.

Blumenthal Resigns As Officer of G. N.

(Continued from page 1)

vice-president, reported yesterday that no definite word had been received from the coast on production plans, including the start of the expected James Cagney picture. He described the situation as continuing in "status quo."

Diamond, Morrison, Pivar Out at G. N.

HOLLYWOOD, Jan. 12. — Retrenchment moves continued at Grand National today when Ben Pivar and Dave Diamond, producers, and D. R. S. Morrison, story department head under Phil Krasne, were taken off the payroll. Pivar was then signed as associate producer with Eugene Frenke Prod. on two Anna Sten vehicles which Grand National will release.

Morrison at the present time is on a two-months leave of absence. Diamond, who worked on a picture-to-picture basis, left the lot when production ceased.

Invited to White House

HOLLYWOOD, Jan. 12.—Janet Gaynor and Tommy Kelly, portrayer of "Tom Sawyer" on the screen, have been invited to Washington to attend President Roosevelt's birthday festivities at the end of the month.

"Snow White" to Miami

"Snow White and the Seven Dwarfs" has been booked by S. A. Lynch for the Greater Miami Paramount Enterprises Circuit. The film will open at the Sheridan in Miami on Jan. 13.

Barnstyn Sets Deals For G. N. in Europe

Deals for distribution of Grand National product in France, Holland, Belgium, Switzerland, the Scandinavian countries and Bulgaria were made by Jack Barnstyn, vice-president in charge of foreign activities, in the three-month trip from which he returned yesterday.

The contracts in each instance call for distribution of the entire output. A new company is being formed in Paris to handle product in the French territory.

Barnstyn attended a convention of Grand National's European representatives in London in November. He also investigated acting and writing talent possibilities, but signed no one, he said. Grand National will not distribute any product made on the Continent.

Warn Theatre Men on Security Tax Reports

(Continued from page 1)

for filing returns will be granted, it was announced by Commissioner Guy T. Helvering. Contributions to state unemployment funds for 1937 must be made by Jan. 31 if they are to be credited against the Federal Tax, it was also pointed out. The Federal Tax rate for 1937 employment is two per cent of the payroll against which credits not exceeding 90 per cent of the Federal liability may be taken for contributions under state laws.

Greenblatt Heads Firm

Robert Greenblatt, formerly with M-G-M on the coast, has been appointed head of theatre operations of Cavalcade Pictures, Inc.

M-G-M's Roster Is Set, States Rubi

(Continued from page 1)

made clear that M-G-M has no rela tions with the Music Hall and tha the Capitol is M-G-M's local shov window. Selznick insisted on th Music Hall for maximum returns.

M-G-M's producer list will be aug mented about March 1 by Mervy LeRoy, who will finish at Wa with the completion of "Food or Scandal," which he is now cutting Fernand Gravet, who is in that pic ture and under personal contract t LeRoy, is to be signed to a contract by M-G-M upon his return from Europe. Gravet will leave Saturda on the *Ile de France*.

Paramount to Hold "Fargo" Four Weeks

(Continued from page 1)

first stanza. "Love and Hisses," in a second week at the Roxy, is estimated to do $33,000 ending tomorrow night. The Strand, playing "Submarine D-1" a second week, grossed $20,000, after a take of $38,000 the first seven days. "Rosalie," the Capitol's attraction, garnered $49,520 last week, with about $30,000 estimated for the second.

"In Old Chicago" is reported to have played to near capacity since its opening Thursday night at the Astor and the seat sale is eight weeks in advance.

The Rialto will do about $6,000 with "Crashing Hollywood" in the week ending tomorrow night.

Sonja Henie at Capital

WASHINGTON, Jan. 12. — Sonja Henie arrived here today for the presentation of the Cross of Knighthood of the Order of St. Olaf at the Norwegian Embassy. The decoration will be conferred upon the actress by the Norwegian Minister, Wilhelm Morganstierne.

Wall Street

Board Closes Unevenly

	Open	High	Low	Close	Net Change
Col.	15	15	14¼	15	+ ¼
Cons.	1⅞	1⅞	1⅞	1⅞	.....
Cons. pfd. .	6⅞	6⅞	6⅞	6⅞	+ ⅜
E. K.	165¼	166	165¼	165½	— ½
G. T. E....	13½	13⅝	13½	13½	+ ¼
Loew	52⅝	52⅞	51¾	51¾	— ¾
Loew pfd...	106¼	106¼	106¼	106¼	+ ½
Para.	12¼	12⅜	11¾	11⅞	— ½
Para. 2.....	12⅛	12⅛	11¾	11¾	— ¼
Pathe	6¾	6¾	6¼	6¼	— ¼
RKO	5⅛	5⅛	4⅞	4⅞	— ⅜
20th Fox ..	22¾	22⅞	22½	22⅞	+ ¼
20th pfd.....	30	30	30	30	.....
Univ. pfd...	52	52	52	52	.....
W. B.	7⅝	7⅝	7¼	7¼	— ⅜

Small Curb Change

	Open	High	Low	Close	Net Change
G. N.	13/16	13/16	¾	¾	—1/16
Monogram	2⅜	2½	2⅜	2⅜	— ⅛
Sonotone ..	1¾	1⅞	1¾	1⅞	.....
Tech.	19	19¾	18⅝	19½	+ ½
Trans-Lux	3	3	3	3	+ ⅛
Univ. Corp.	3½	3¾	3½	3¾	+ ½

Bonds Increase Fractionally

	High	Low	Close	Net Change
Keith 6s '46......	83	83	83	.....
Loew 3½s '46.....	99	98½	98⅝	+ ⅛
Para. Pict. 6s '55............	95⅛	95⅛	95⅛	+ ⅛
Para. Pict. '47....	74	73½	74	+ ¾
W. B. 6s '39......	78¼	78¼	78¼	+ ¼

(Quotations at close of Jan. 12)

New Station Permit Asked In Wisconsin

WASHINGTON, Jan. 12.—Authority to construct a new station to operate ,500 kilocycles with 100 watts er night, 250 watts day, has been asked of the Federal Communications Commission by WRSP, Inc., Wisconsin Rapids, Wis.

Increase of power from 25,000 to 50,000 watts was applied for by KVOO, Tulsa, in an amendment to its application for unlimited time of operation. The station now shares night time with WAPI.

The commission has made public assignments for oral arguments on broadcasting cases as follows:

Feb. 24: Applications of Juan Piza, for a 1,500-kilocycle station at San Juan, P. R., 100 watts night, 250 watts day; KQV, Pittsburgh, for increase of power from 500 to 1,000 watts; WSMK, Dayton, for increase of power from 200 watts to 250 watts night, 500 watts day; and contesting applications of WFNC, Fayetteville, N. C., and Capitol Broadcasting Co., Inc., Raleigh, N. C., for a 1,210-kilocycle station, the former seeking a day station with 250 watts power, and the latter a station with 100 watts night, 250 watts day.

Oklahoma Group Asks Increase

March 3: Applications of KADA, Ada, Okla., for increase of time from day to unlimited; KROY, Sacramento, for change of frequency from 1,210 to 1,340 kilocycles, increase of time from day to unlimited, and increase of power from 100 watts day to 250 watts night, 1,000 watts day; WKOK, Sunbury, Pa., for increase of time from specified hours to unlimited; and contesting applications of Columbia Radio Co., Inc., for a 1,200-kilocycle, 100-watt station at Columbia, S. C., and Carolina Advertising Corp., for a 1,370-kilocycle station at Columbia, S. C., with 100 watts night, 250 watts day.

March 10: Applications of Nathan N. Bauer for a 1,420-kilocycle, 100-watt station at Miami; Ellwood W. Lippencott, Inc., for a 1,310-kilocycle, 100-watt station at Bend, Ore.; Southern Broadcasting Corp., for a 1,200-kilocycle station at New Orleans, with 100 watts night, 250 watts day; WBNO, New Orleans, for change of frequency from 1,200 to 1,420 kilocycles and increase of day power from 100 to 250 watts, and WRNL, Richmond, for increase of time from day to unlimited and increase of power from 500 to 1,000 watts.

Aurora Seeks Station

March 17: Applications of Jules J. Rubens for a 1,040-kilocycle, 250-watt daytime station at Aurora, Ill.; John S. Allen and G. W. Covington, Jr., for a 1,210-kilocycle, 100-watt daytime station at Montgomery, Ala.; Evanston Broadcasting Co. for a 1,020-kilocycle, 250-watt daytime station at Evanston, Ill., and contesting applications for a 940-kilocycle station of El Paso Broadcasting Co., El Paso, with 1,000 watts power; World Publishing Co., Tulsa, with 1,000 watts night, 5,000 watts day; the Tribune Co., Tampa, 1,000 watts night, 5,000 watts day, and KGKL, San Angelo, Tex., seeking change of frequency from 1,370 to 940 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 5,000 watts day.

AFM Meeting Opens At Miami on Jan. 17

The mid-winter meeting of the executive board of the American Federation of Musicians will be held at the Everglades Hotel, Miami, for one week beginning Jan. 17

The agenda of the meeting is not known at present, but it is believed that discussions of the radio and picture industries as they pertain to the A. F. of M. will occupy the most prominent place in the schedule.

The federation recently closed negotiations with Independent Radio Network Affiliates, numbering 273 stations, calling for an annual increased expenditure for musicians' salaries of $1,500,000 annually. It is believed that a method of dealing with recalcitrant stations will be evolved at the Miami meeting. Also slated to come up for discussion, according to report, is the federation's proposed invasion of Hollywood.

Radio Press Books Follow Film Method

Atlas Radio Corp. promotional and publicity books on two of its features, "Magic Island" and "Ports of Call," are being distributed to stations subscribing to the programs.

The contents are enclosed in attractive folders and each folder contains advertising, publicity, promotional and merchandising ideas. The books are similar to film press books, and mark the first time that screen merchandising ideas have been utilized for radio. Dave Davidson, Atlas advertising and promotion manager, is responsible for them.

To Talk Press Service Rules

WASHINGTON, Jan. 12.—The Federal Communications Commission today called officials of the press associations to meet with it Jan. 27 to discuss rules and regulations to be adopted for mobile press services operating in the frequencies above 30,000 kilocycles recently assigned to them.

Mutual to Take London Shows

Mutual has arranged to carry four BBC programs via short wave from London. They will be "Palace of Varieties," Jan. 22, from 3 to 4 P. M.; "A London Music Hall," Jan. 29, same time; the BBC symphony orchestra, Feb. 2, from 3:15 to 4 P. M., and another "Palace of Varieties" show, Feb. 5, from 3 to 4 P. M.

New High for NBC Studio Tours

NBC studio tours set a new high during 1937 with 660,000 admissions for the year, an increase or more than 100,000 admissions over the 1936 total. The network estimates that more than 2,000,000 tourists have been accommodated since the division was created in November, 1933.

Heecker Signs Arthur Godfrey

Hecker Products have signed Arthur Godfrey for a morning series over WABC beginning tomorrow from 9 to 9:15 A. M. Erwin Wasey & Co. is the agency.

Announcers' Names

Vancouver, B. C., Jan. 12.—Bill Newell, radio editor of *Vancouver Daily Sun*, is using his column to object to the Canadian Broadcasting Corp. policy of anonymity for announcers. He says: "Nearly all announcers used to be anonymous. Now, nearly every major show gives credit to the dependable mikemen, with the exception of CBC. The corporation's policy is to leave the announcer's name a mystery, and the policy's a mystery, too."

Mexican Radio Faces Drastic Supervision

(*Continued from page 1*)

friendly nations; offends good taste; spoofs national or foreign customs; ridicules races or creeds; harms peace or public order or libels persons or institutions at home or abroad.

A drastic provision is that which limits to a maximum of one minute any talk given for advertising purposes. All programs must be approved by the board. Stations that disregard this regulation may be closed. Only well educated announcers and directors may be employed and all of them must be Mexicans.

Talent Is Paraded For KMOX Salesmen

ST. LOUIS, Jan. 12.—The entire talent staff of KMOX was paraded for the benefit of the station's sales force in a series of auditions. The purpose of the "talent parade," which included 50 acts and over 100 persons, was to acquaint the salesmen with the merchandising possibilities of all performers on the station's talent payroll.

Ken Church, commercial manager, with "Tiny" Renier, program director, evolved the idea.

Lawrence Will Head Hersholt Production

Bill Lawrence, CBS producer in the Hollywood studios, temporarily will take over production on the Jean Hersholt "Dr. Christian" series when it is broadcast from the coast, Jan. 16.

Dorothy Barstow of McCann-Erickson, Inc., who has handled the show since its inception, and returned east for its three broadcasts from New York, will remain here as the head of the radio department for the present, but may return to the coast later.

Sinatra on New Mutual Program

Ray Sinatra will lead a new musical variety show on Mutual beginning Jan. 27 from 8 to 8:30 P. M., and weekly thereafter at that time, replacing Josef Cherniavsky. Sinatra's program will be titled "Poetic Dance Moods," and the vocalists will be Jack Arthur and Sylvia Froos, with the Key Men as the quartet.

To Resume CBS Solo Work

Vera Brodsky, who has been doubling with Harold Triggs at the piano, will return to solo work Jan. 17 over CBS, in a new weekly series from 3:45 to 4 P. M.

◀ Radio Personals ▶

AL PEARCE and Gang have been booked into the RKO-Palace, Cleveland, the week of Feb. 18, and the Fox in Detroit the week of Feb. 25. The bookings were through Fanchon & Marco . . . Donald C. Heath, for eight years with Young & Rubicam, has resigned to join McKee, Albright & Ivey, Philadelphia, as production manager . . . Bea Lillie has been engaged as commentator for the Benny Goodman concert at Carnegie Hall, Jan. 16 . . . Stephan Schnabel, of the stage, has joined the cast of "The Shadow" on Mutual . . . Feg Murray will be the guest of honor at a celebration being staged by the *Minneapolis Tribune* next week . . . "True or False," Mutual series, will be aired from Chicago, Jan. 31 . . . Sherman Billingsley's Stork Club will be the site of the second Eddie Garr broadcast, Jan. 19 . . . Vera Brodsky and Harold Triggs, piano team, will appear on the "Magazine of the Air" over CBS, Sunday . . . The "Swing Club" broadcast of Saturday should be one of the best in the history of the series, with Paul Whiteman, the Ray Scott Quintet, Louis Armstrong, Fats Waller, Joe Venuti, Jerry Collona and Jack and Charlie Teagarten on the program. Edgar F. Higgins of the NBC special events and news department was married yesterday to Louisa Davis Ker of Delaware.

Lady Esther Renews Wayne King Program

Lady Esther, Ltd., has renewed its Wayne King program, Tuesdays from 8:30 to 9 P.M. on the NBC-Red, for one year, effective Feb. 1. The program recently dropped its Wednesday period and is now heard only once weekly, over 41 stations. Lord & Thomas is the agency.

Another NBC renewal, also for a year, is the Louis Howe Co. "Vocal Varieties," heard Tuesdays and Thursdays on the Red from 7:15 to 7:30 P.M. The renewal is effective Jan. 27. H. W. Kastor & Son, Chicago, is the agency.

Atlas Radio to Open Dallas Office Today

DALLAS, Jan. 12.—Atlas Radio Distributing Corp. will open its office here tomorrow. Station owners and newspapermen will attend the opening as guests of Claude Ezell, manager of the new division. Herbert R. Ebenstein, president of Atlas, will also be present and is en route here by plane from Chicago.

The ceremonies will mark the third Atlas office to be opened recently. The others are in New York and Chicago. Following a short stay here Ebenstein will fly to California to open an Atlas office on the coast.

Clinton Signs with Rockwell

Larry Clinton's orchestra, now heard on the RCA program over NBC, has signed an exclusive contract with Rockwell-O'Keefe, Inc. Clinton is also a song writer, his outstanding being "Study in Brown," "Dipsy Doodle" and "Satan Takes a Holiday." He was formerly arranger for the Casa Loma band.

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Toronto Plan Would Merge Independents

heatre Proposal Calls For Joint Company

Toronto, Jan. 13.—Local theatre cles have been stirred by a proposal r the complete merger of all independent exhibitors into a joint comny under a provincial company arter for the purpose of establishg a large circuit of neighborhood d suburban houses, the basis to be e Independent Theatres Association, which H. Freedman, owner of the ircle here, is president. Identified ith this organization is the Exbitors' Booking Association, of which . A. Taylor is general manager.

The step has been considered by ading independent owners of Toronto d the proposal has aroused conderable enthusiasm. The proposal cludes the incorporation of a holding mpany with a central office which ould take care of film bookings and e purchase of all supplies for the re maintenance, as well as provide her facilities on a cooperative basis. this, the exhibitors would throw uch of their available resources into e one pot in order to obtain the rce of numbers.

Taylor was formerly associated with

(Continued on page 7)

Television Next Big Industry—Kettering

Dayton, Jan. 13.—The nation's xt big industry will be television, clares Charles F. Kettering, viceesident in charge of research of e General Motors Corp.

"In fact, television is here right w," he said. "In England more than ,000 television sets have been manuctured and sold. It is just a matter time before the manufacture of levision sets in this country will be arted. How soon that will be I canot say."

Don Lee Televisor Gets Jump in Power

Washington, Jan. 13.—The Don ee Broadcasting System, Los Aneles, today was granted authority the Federal Communications Comission to increase the visual power its television station, W6XAO, om 150 to 1,000 watts.

More Radio—Pp. 12-15

Films on Clipper

Seven prints of the Universal Newsreel three-reel special on the bombing of the *Panay* by Japanese planes, were aboard the *Samoan Clipper*, when the Pan American flying ship went down in flames near Pago Pago. The prints were designed for Universal's Australian accounts.

Charles E. Ford, reel editor, said yesterday new prints may be rushed by air mail to Australia from London.

Status of Cohen Contract Talent Is Now Uncertain

Hollywood, Jan. 13.—The contract status of Mae West, Gary Cooper and Bing Crosby is uncertain as a result of the termination of the Paramount contract by Major Pictures, questioning of officials of both companies revealed today.

Emanuel Cohen, head of Major Pictures, reportedly holds a personal contract for Miss West's services. Liability under the contract may have to be determined during the litigation which Cohen has stated he will institute at once. Meanwhile, some hold that Miss West's commitments with Cohen ended with her last film. Crosby was with Major on a loanout from Paramount and consequently, is expected to return to that studio.

Cooper had a conditional one-picture-per-year deal with Cohen. The status of this contract is vague now.

Hollywood waters tossed by breaks between Paramount and Cohen were more quiet today as Loyd Wright, attorney for Cohen, began preparations for the producer's suit against the distributing company for alleged breach of contract and Paramount gave assurances that the split would not affect the release of "Every Day's

(Continued on page 10)

Strikes Hit Grosses Around Kansas City

Strikes in automotive plants in Kansas City have hurt theatre grosses considerably this fall and winter, according to E. C. Rhoden, Fox Midwest division manager. The Ford and Chevrolet plants, where most of the trouble has centered, employ several thousands.

Rhoden said he would leave for Kansas City tonight. He has been here with Lon Cox, his film buyer, to complete film deals and for conferences with Spyros Skouras.

Ford Resigns As Universal Reel Editor

Will Take a Production Post in Hollywood

Charles E. Ford, editor of the Universal Newsreel for the past five years, resigned that post yesterday with plans for engaging in production in Hollywood. Negotiations for his future association may be concluded today, Ford said.

Thomas Mead and Joseph O'Brien, who have been with Universal Newsreel for the past six years as assistants to Ford, will take over his work as head of the reel. Mead will be in charge of business affairs and assignments, while O'Brien will handle editorial matters and make-up of the reel.

Ford plans to leave tomorrow for a vacation in Miami, following which he will return to New York to wind up his affairs here before leaving for Hollywood. Ford joined Universal Newsreel as head of the Chicago office about 10 years ago after several years as a reporter and editorial man on the *Chicago Daily News*. He is credited with having originated the reel's tieups with metropolitan newspapers and introduced many production ideas which contributed to the liveliness of the reel while keeping it within a limited budget.

CEA and KRS Plan Joint Trade Talks

By AUBREY FLANAGAN

London, Jan. 13.—A joint discussion on general matters pertaining to the trade has been arranged between the Kinematograph Renters' Society (distributors) and the Cinematograph Exhibitors' Association, for Feb. 1.

It is expected that the exhibitor organization will bring up the rentals situation for consideration. Preliminary talks already have been held by the presidents of the two trade organizations.

Cagney-G.N. Agree On Immediate Split

Hollywood, Jan. 13.—Grand National and James Cagney split today, with the red-haired star returning immediately to Warners instead of waiting until March 14 when his contract was scheduled to begin.

William Cagney, the star's brother

(Continued on page 10)

Justice Dep't Denies Films Under Attack

No Anti-Trust Moves in Offing, It Is Stated

By BERTRAM F. LINZ

Washington, Jan. 13.—Reports that an anti-trust drive against the film industry was planned were flatly denied today at the Dep't of Justice, where it was indicated conditions in certain other industries were more in need of prompt action.

In all probability, it was intimated, no action will be taken with respect to films for six months.

It was explained that the bulk of complaints against the film industry are based on block booking charges rather than contentions of monopoly, and it was suggested that department officials would be pleased if divorce legislation, such as that talked of by Representative Boren (Dem., Okla.) were enacted.

Officials of the Anti-Trust Division denied rumors, also widely circulated, that they were preparing to submit reports on conditions in the film and certain other industries to Congress. No such reports are being undertaken, it was said. However, it is understood, a report outlining monopoly conditions will be submitted if and when Congressional committees undertake the consideration of monopoly law modernization, shortly to be requested by President Roosevelt.

Monopoly Report On MGM Started

Los Angeles, Jan. 13.—The first phase of an investigation of monopoly charges against major distributors was completed here today when Albert J. Law, special attorney general in charge of the Federal probe, entered the final stages of the drafting of his report on M-G-M, the first company to come under the govern-

(Continued on page 10)

G.B. May Increase Schedule to 16-18

Instead of 12 features, originally announced by G. B. for release this year, the company may have 16 or 18, on the basis of production activity in England, Arthur A. Lee, vice-president and general manager, said yesterday on his return from a one-day sales meeting in Chicago.

Lee said production is proceeding

(Continued on page 10)

MOTION PICTURE
DAILY
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STOCKHOLM: Kungsgatan 36; Ragnar Allberg. Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Ethel Merman Saves Day at Ampa Session

Ethel Merman saved the day at the Ampa luncheon yesterday at the International Casino. Paul Lazarus announced she would sing if an accompanist could be found, her regular pianist having gone fishing, or sumpin'. Mabel Drew of the 20th Century-Fox publicity department, volunteered, and after a brief rehearsal Miss Merman sang the songs she has popularized.

Sidney Blackmer and Henry Fonda, the actors, took a bow, and Jack Goldstein, who recently became editor of the Managers' Round Table Club in *Motion Picture Herald*, was introduced. Capt. Jimmy Rose, a midget who is doing some publicity stunts for "Snow White and the Seven Dwarfs," also took a bow. He came in custody of Rutgers Neilson.

Edward G. Robinson, who is due here today from the coast for radio work, may be on next week's program. If no program can be arranged, there will be no meeting, Lazarus said.

Open Trailer Branches

Theatre Trailer Corp. has opened branches in Cincinnati and Louisville, headed by Lee and Joseph Goldberg, respectively.

◀ Purely Personal ▶

WALT DISNEY was honored by a group of fellow artists who paid tribute to his "Snow White" at a theatre party held yesterday at the Music Hall where the film had its New York premiere. The artists were Denys Wortman, Wallace Morgan, Frank Godwin, Dean Cornwall, Otto Soglow, Will B. Johnstone, James Montgomery Flagg, Ham Fisher, Robert Foster, Tony Sarg and Abner Dean.

●

Grace Moore is due on the Century today to fill roles at the Metropolitan Opera House. She will appear as Mimi in "La Boheme" tomorrow afternoon and will have the title role in "Manon" next Thursday night.

●

Frederick Ulman, Jr., production head of Pathe News, is back from Callender, Ont., after having discussed a new Quintuplets short with Dr. Allan Roy Dafoe.

●

John G. Paine, general manager of Ascap, will organize the New York music trades in the drive of the National Foundation for infantile paralysis.

●

Ralph Branton, Tri-States Circuit general manager, will leave for Des Moines today after a week of conferences at the Paramount home offices.

●

George J. Schaefer felt yesterday's wintry air so invigorating that he took an after-lunch walk from the Plaza to his office at 729.

●

William A. Scully, carrying out a schedule of weekend visits to nearby Universal exchanges, leaves for Albany and Buffalo today.

●

Clinton M. White, G. B. assistant general manager, is expected back from his middle west tour of exchanges in 10 days.

●

Edward G. Robinson, accompanied by Mrs. Robinson and their son, will arrive from the coast tomorrow on the Century.

●

James Finn, publisher of the *International Projectionist*, has been confined to his home with the grippe for a week.

●

George Carrington, vice-president of Altec, left yesterday on an extended trip to Chicago.

●

Nate Blumberg plans to leave for the coast early next month on his first visit to the Universal studio.

●

Fred Bartow, M-G-M exploiteer in Chicago, is here for conferences with Bill Ferguson.

●

Myron Selznick has opened a New York branch of his agency, Myron Selznick, Ltd.

●

Al Wilkie, Paramount publicity manager, is nursing an abscessed ear.

●

Jules Levy is due back early next week from a tour of RKO exchanges.

●

Maurice Silverstone plans to leave for England next week.

M-G-M Sales Heads Out in Territories

An exodus of M-G-M distribution men started last night with the departure of T. J. Connors, division manager, for an extended tour of his territory, to return in about a month.

He will visit branches in Washington, Charlotte, Atlanta, New Orleans, Memphis, Dallas, Oklahoma City, Cincinnati, Cleveland and Pittsburgh. E. K. O'Shea, eastern district manager, accompanied Connors to Washington and Charlotte. On his tour through the south Connors will have with him Charles Kessnich, district manager at Atlanta, and in the middle west, J. E. Flynn, Detroit district manager.

With W. F. Rodgers, general sales manager, in Miami for three weeks, E. M. Saunders will be the only top distribution executive here.

Joseph Bezahler, assistant to Saunders, will leave Sunday for Chicago, Milwaukee and Minneapolis.

Rites for J. H. Mannix

Funeral services for John H. Mannix, 87, father of Eddie Mannix, M-G-M producer, who died Wednesday following a heart attack, will be held at 10 A. M. tomorrow at Madonna Church, Ft. Lee, N. J. Mannix resided in that city. Burial will be in Madonna Cemetery.

Eddie Mannix arrived here by plane yesterday from the coast with Howard Strickling, studio publicity head. Mrs. Elizabeth Mannix, the widow, survives.

"Buccaneer" Book Fancy

The press book on "The Buccaneer" is a pretentious 44-page, three-color edition, 14 by 17 inches, bound into an artistic cover on which is stripped a reproduction of a painting depicting Fredric March as the swashbuckling Lafitte and Franciska Gaal. The general appearance of the book is quite in keeping with the character of the story.

The volume describes an unusually complete line of promotional items as well as a large group of accessories which include tire covers and super color-glos prints illustrating scenes from the picture.

Cecil B. DeMille in Town

Cecil B. DeMille arrived last night for the opening of "The Buccaneer." He will be guest of honor today at a luncheon at the Waldorf-Astoria given him by the Columbia University Division of Film Study.

"Buccaneer" Actress Is Ill

Jacksonville, Fla., Jan. 13.—Evelyn Keyes, who was to have appeared Wednesday evening with Cecil B. DeMille at a preview of "The Buccaneer," is under treatment here for a condition resulting from the injection of a diphtheria serum.

Columbia Dividend Set

The Columbia directorate has declared a quarterly dividend of 68¾ cents per share on the $2.75 convertible preferred stock. It will be payable Feb. 15 to holders of record Feb. 1.

Re-Sign Henry Hathaway

Hollywood, Jan. 13.—Henry Hathaway has been signed by Paramount to a new long term contract as director.

Skouras Theatre Men Share $1,700 Awards

A total of $1,700 has been distributed in the New York division of Skouras Theatres for placing first in the quarterly "better business" drive just concluded. Herman Starr is the division manager.

The winners, all in the Bronx, were: Mort Greene, Crotona, f prize of $1,000; Paul Hamilton, Bl heim, second, $500; Walter Melvin, Valentine, third, $200.

Max Cooper of the Cove, Glen Cove, L. I., took first prize of $250 for a special pre-Christmas effort, and second award went to Al Unger, Capitol, Jersey City.

Winners in a display contest were James Robinson, Jackson, Jackson Heights; Dillon Krepps, Olympia, Manhattan; Harry Fuchs, Capitol, Port Chester, and Fred Lichtman, Lafayette, Suffern, N. Y.

A new drive will start about Feb. 1 to continue until about May 15.

Korda Has Finished Nine of 12 on List

While Alexander Korda's production plans for the remainder of this year are uncertain, he has completed nine pictures of the 12 announced at the start of this season, Emanuel Silverstone, his American representative, said yesterday.

It is reported that Korda plans only eight pictures for 1938-39.

Prepare "Depinet Drive"

St. Louis, Jan. 13. — Preparations for the "Ned E. Depinet Drive" of RKO will get under way in this district tomorrow when Cresson E. Smith, western and southern sales manager, will address the staff of the local branch office. The drive will open officially on Jan. 29 and will extend for 15 weeks.

Prior to the official opening, Smith will visit Chicago, Milwaukee, St. Paul, Des Moines, Omaha, Kansas City, Oklahoma City and Denver.

Republic Men to Meet

Republic's western franchise holders will meet in Hollywood or Los Angeles on Jan. 19, with J. T. Sheffield, Seattle; Floyd St. John, San Francisco, and Francis Bateman, Los Angeles, attending. H. J. Yates will leave Chicago for the coast Saturday with Grover Parsons, western district supervisor, after today's meeting of midwestern franchise holders there. Bill Saal also is in Chicago.

'Dwarfs' Gross $13,000

Walt Disney's "Snow White and the Seven Dwarfs" grossed $13,000 for its first day at the Music Hall yesterday, the theatre reported last night. Patrons' comments were generally favorable and newspaper reviews were uniformly complimentary. Juvenile attendance was heavy and is expected to be even more so over the weekend.

Schine Changes Capital

Albany, Jan. 13.—Schine Chain Theatres, Inc., Syracuse, has filed with the Secretary of State a change of capital from 210,000 shares, no par value, to 210,000 shares, divided into 100,000 shares of no par preferred and 110,000 shares of $1 par common.

Happy tidings from 20th

SONJA, RADIANTLY ROMANTIC ... RE-UNITED WITH HER "ONE IN A MILLION" SWEETHEART ... IN A MUSICAL WHOSE SPLENDORS SURPASS EVEN HER PREVIOUS TRIUMPHS!

SONJA HENIE · DON AMECHE

in

happy landing

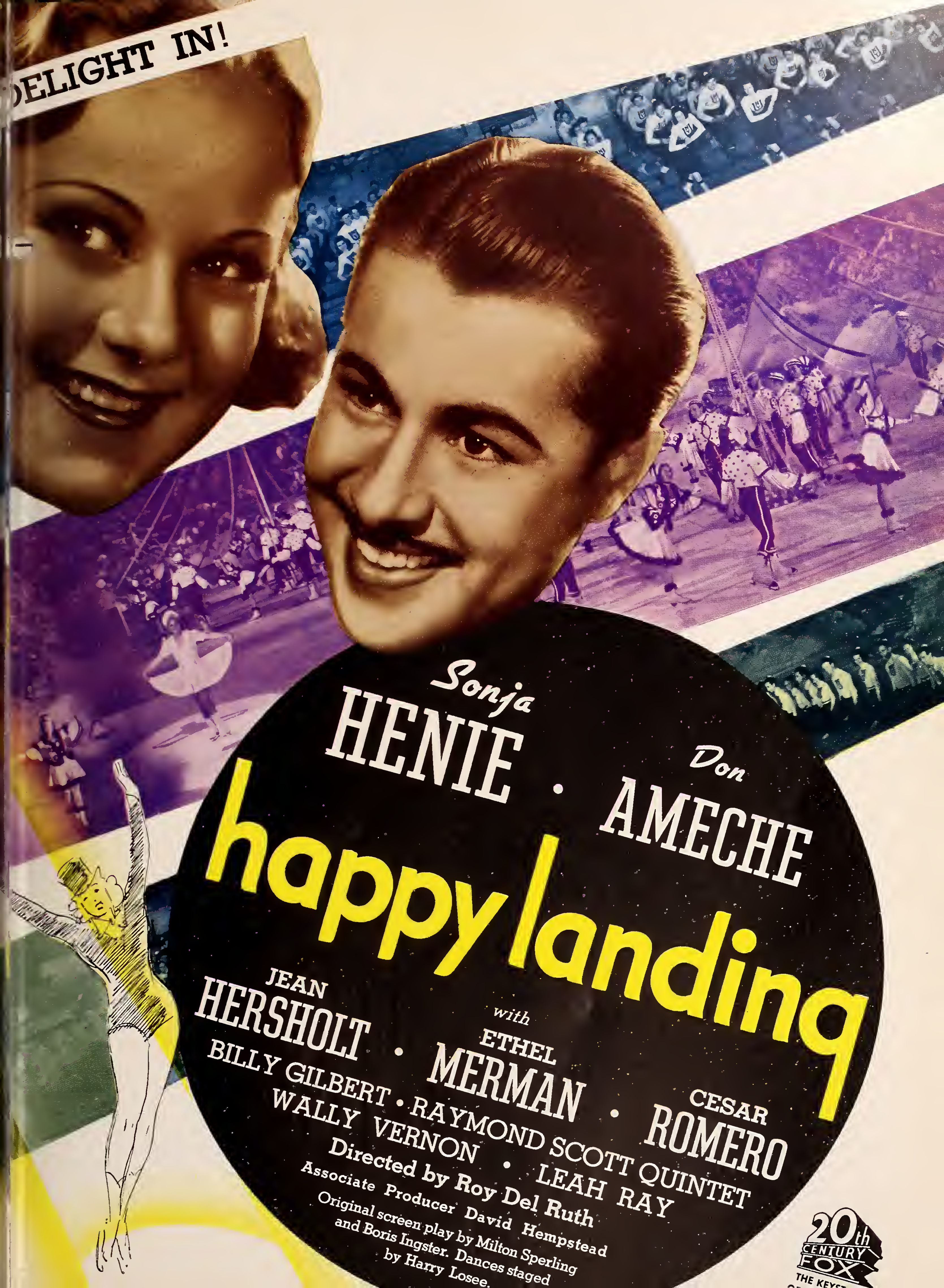
Such joy, such gladness . . .
Such ecstatic happy-heartedness . . .

THE SHOW AGLOW WITH WHAT THE CROWD

Romance, song, laughter and thrills ...winging their way from Norway's winflashing festivals to New York's winter spectacles! With a Sonja transcending the appeal which made her a "First Ten" star in her first year on the screen!

THRILLING RHYTHMS
"Hot and Happy"
"A Gypsy Told Me"
"You Are the Music to the Words in My Heart"
"Yonny and His Oompah"
by Pokrass & Yellen
"You Appeal to Me"
by Bullock & Spina

Darryl F. Zanuck



Sonja
HENIE · *Don* **AMECHE**

happy landing

JEAN **HERSHOLT** · *with* ETHEL **MERMAN** · CESAR **ROMERO**
BILLY GILBERT · RAYMOND SCOTT QUINTET
WALLY VERNON · LEAH RAY
Directed by Roy Del Ruth
Associate Producer David Hempstead
Original screen play by Milton Sperling
and Boris Ingster. Dances staged
by Harry Losee.

20th CENTURY FOX
THE KEYST

DESIGNED BY DARRYL F. ZANUC
TO OUT-SCORE "ONE IN A MILLION" AN
"THIN ICE" IN EVERY SPOT IT PLAYS

Both its great stars at the peak of their pull! A bigger name-cast of top-spot names! A zip-and-go story heightened with ice spectacles unparalleled on the screen! And that priceless boxoffice quality that has made 20th showmanship famous!

Sonja **HENIE** · *Don* **AMECHE**

in

happy landing

20th CENTURY FOX

English Labor In Drive for Wages, Hours

London, Jan. 4. — Following the Cinematograph Exhibitors' Ass'n decision to recognize the National Ass'n of Theatrical and Kine Employes, the organization for labor negotiations in the industry, the latter body has launched a campaign for improved working conditions.

There are between 95,000 and 100,000 employed in British theatres and the union claims that at least 50 per cent of this total work under unsatisfactory conditions. They have cited instances of projectionists working 72 hours a week for approximately $5, girls cleaning halls in the mornings and working as usherettes until 10 P.M. for $2.25 a week, and a chief of staff paid $14.50 for more than 80 hours a week.

Issue Booklet on Subject

A 32-page booklet emphasizing such points has been circulated throughout the industry. An appeal has been made for a 12-point program which includes higher wages, overtime payments and a shorter working week.

Although the C.E.A. has recognized the union there is no obligation upon local bodies or branches to observe any particular agreement. Nonetheless exhibitor headquarters are known to favor adjustment of the situation.

Arrest Ohio Managers

Shelby, O., Jan. 13. — Hal D. Shreffler, manager of the Castamba, which recently was acquired by Schines, has been arrested and bound over to the Common Pleas Court by Mayor D. B. Young on a charge of conducting Bank Nights in violation of a local ordinance.

Milton Schosberg, Bellefontaine, O., has been arrested charged with having promoted a lottery. His case will be heard later.

Wall Street

Board Closings Generally Off

	Open	High	Low	Close	Net Change
Col.	14	14½	14	14½	— ½
Col. pfd.	32	32	32	32	—1
Cons. pfd.	6⅞	6⅞	6⅞	6⅞	.....
E. K.	165	165¾	165	165½	.....
G. T. E.	13½	13⅝	13½	13½	.....
Loew	51¼	51¼	50½	50½	—1¼
Para.	11½	11⅞	11½	11½	— ⅜
Para. 2.	11⅝	11⅝	11½	11½	— ¼
Pathe	6¼	6¼	6¼	6¼	.....
RKO	4⅞	4⅞	4⅝	4⅝	— ¼
20th Fox	22½	23	22½	23	+ ⅛
20th pfd.	31	31	31	31	+1
Univ. pfd.	52¼	53⅜	52¼	53⅜	+1⅜
W. B.	7⅛	7⅜	7⅛	7⅛	— ⅛
W. B. pfd.	39	40	39	40	+4

Declines on Curb

	Open	High	Low	Close	Net Change
G. N.	¾	¾	⅝	⅝	— ⅛
Monogram	2⅜	2½	2⅜	2½	+ ⅛
Sonotone	1⅞	1⅞	1⅞	1⅞	.....
Tech.	19⅜	19½	19⅛	19⅛	.....
Trans-Lux	2⅞	2⅞	2⅞	2⅞	— ⅛

High Bond Movement

	High	Low	Close	Net Change
Loew 3½s '46	99	99	99	— ¼
W. B. 6s '39	78¾	78¾	78¾	+ ½

(Quotations at close of Jan. 13)

The Newsreel Parade

Movietone News
(20th Century-Fox)
Vol. 20, No. 36

The story of the *Samoan Clipper* disaster, adequately covered with available picture material and amplified by last-minute news reports, furnishes the lead subject in this release, rewarding the editors' alertness with a link with today's headlines.

The balance of the reel is given over to feature material covering a wide field of interest. Included is a picture "obituary" for the *Leviathan,* which is being prepared in Hoboken for her last transatlantic voyage—this time to a junk heap in Scotland. The camera and Lowell Thomas present an interesting story of a Broadway picture premiere, that of "In Old Chicago." A demonstration of a non-breakable, transparent glass door to be used in N. Y. World's Fair buildings is well staged for a subject of this kind.

Movietone departments complete the release. They consist of Vyvyan Donner's and Helen Claire's fashions, Lew Lehr's demonstrations of new inventions, and Ed Thorgersen's and Tom Cummiskey's sports. The latter includes golf, a girls' basketball team on roller skates and wrestling.

Running time, 10 minutes. K.

News of the Day
Vol. 9, No. 234
(*M-G-M*)

The South Pacific crash of the *Samoan Clipper* is featured in this mid-week release with pictures of the officers and crew, of the ship in flight over San Francisco and at anchorage.

Of current news interest, too, are shots of the Spanish armies' struggle for control of Teruel and Barcelona. Loyalists celebrating after reports of a federal victory in that battle. The "rescue" trip of a Lake Michigan ice-breaker to a lighthouse crew, shut off from supplies is of general interest. New Jersey's safety tests for automobiles fall into the "filler" class of material.

Feature material includes a girls' basketball team on roller skates; Big Apple dancers in an exhibition at the Miami Biltmore; ice skating races and action shots from the Los Angeles Open Golf tournament.

Running time, 10 mins. K.

Paramount News
No. 47
(*Paramount*)

There's nothing particularly exciting in this issue. It starts with shots of British army recruits doing calisthenics, and they're pretty much like all other calisthenics and just about as interesting.

Shots of the *Leviathan,* exterior and interior, and workmen cutting down the stacks so the big ship can get under a Scottish bridge on the way to the wreckers are arresting. Ships seem to develop personalities and become surrounded by memories—this one especially so. Watching the film unreel is like saying farewell to a friend.

Clips showing the *Samoan Clipper* in flight and on the water are timely in view of the Pago Pago catastrophe. King Carol of Rumania and his new premier, Octavian Goga, are presented in costumes that will stir the envy of Hollywood musical comedy producers. A palatial residence in California mentioned as a possible future residence for the Duke and Duchess of Windsor is just filler.

Chicago's new ferris wheel parking apparatus is good as pictorial material. Distribution of the Lindbergh kidnapping award money is preceded by air shots of the Lindberghs' former home. Some of those who received the money are shown. The Governor repeats his assertion that the crime has not been solved.

The sport scenes are pretty mild—girls playing basketball on roller skates at Miami Beach, Jimmy Thompson driving in the Los Angeles open tournament, and Joe DiMaggio juggling spaghetti.

Running time, 9 mins. J.

Pathe News
Vol. 9, No. 51
(*RKO*)

By means of a cleverly-edited "re-enactment," the crash at sea of the *Samoan Clipper* is dramatically told in the leading clip in this issue of Pathe reel. Flashes of the crew at the plane's controls are interspersed with the descriptive vocal material, preceded by shots of the whole crew recently taken.

Significant material is included in the highlights of Mayor Frank Hague's sharp denunciation of the C. I. O. and his promise to keep its unions out of Jersey City, which is answered by Morris Ernst, attorney. Of the same nature is the presentation by J. J. Pelley, president of the Association of American Railroads, of the railroads' side of the request for a 15 per cent increase in freight rates.

Beyond that the reel has routine material, including shots of an artists' party in London, while the sporting division is represented with a frosty yachting race at Larchmont, N. Y.; a fast session in a squash championship match in New York, and the skiing contingent having its fun at Payette Lakes, Idaho, and in Buffalo.

Running time, 9 mins. A.

Universal Newsreel
Vol. 10, No. 632
(*Universal*)

Disaster in the air takes the leading place in this issue, with pictures of Capt. Edwin Musick of the *Samoan Clipper,* which went down in flames off Pago Pago, and of the beautiful ship in recent flight. Also there are shots of the wreckage and rescue party at the scene of the fatal crash of an airliner in Montana.

A New York badminton match and a basketball game involving girls on roller skates in Miami Beach provide considerable action, well photographed, in the sports division, as well as impressive scenic effects as skiers take advantage of the snows on Mt. Baker, Wash., and the last round of the Los Angeles open golf tournament.

The rest of the reel, not outstanding, includes scenes of the melting down of confiscated gambling machines in Portland, Ore.; pictures of the *Leviathan* before its final transatlantic trip—to the junkyard; new bathing suit styles in Miami Beach, a huge bonfire of all the discarded Christmas trees in Portland, Ore., and the annual flower parade and "battle of flowers" in Cannes, France. In general, it is an interesting reel.

Running time, 9½ mins. A.

Toronto Plan Would Merge Independents

(*Continued from page* 1)

O. R. Hanson, general manager of Associated Theatres, Ltd., and Allied Exhibitors of Ontario, the latter a cooperative organization dealing with legislative matters. Taylor broke with Hanson, however, and many of the outright independents followed him into the Exhibitors' Booking Association. In the meantime, Hanson has developed Hanson Theatres Corp., operating on Ontario circuit in which N. L. Nathanson, president of Famous Players Canadian Crop., is said to have an interest. Closely allied with the Hanson group is Associated Theatres, Ltd., of which H. T. Long is general manager.

The socalled real independents are anxious to solidify their position and the next move is the proposed incorported merger for self-maintenance and protection.

Evergreen Heads Meet

Seattle, Jan. 13.—The quarterly meeting of executives and managers of the Evergreen State Theatres circuit is being held here this week. Representing the various divisions are John Hamrick, Seattle; Al Rosenberg, Washington state, and Al Finkelstein, Oregon. Frank L. Newman, Sr., is presiding over the meetings, attended by approximately 50 executives, advertising department heads and theatre managers. Sessions are being held at the Washington Athletic Club.

More Patriotic Shorts

Hollywood, Jan. 13.—Plans for increasing the number of short subjects dealing with patriotic subjects to be made by Warners for the 1938-'39 season will be discussed here at conferences to be held in February or March. Harry M. Warner, Jack L. Warner, Hal Wallis, S. Charles Einfeld and Norman Moray, Vitaphone sales manager, will take part in the meetings.

Study Duals Ban Law

Chicago, Jan. 13.—Additional study is being given here to the suggestion that duals should be banned by law on the ground that they are harmful to children because of their excessive length. Corporation Counsel Barnet Hodes stated today that it will take experts on his staff several days to reach a decision in the matter.

Oklahoma Theatre Opens

Wewoka, Okla., Jan. 13.—The Pix, under the joint managership of W. A. Nave and Tom Ward, has been opened here. Seating 366, it will be a first run showing independent product.

Variety Club

Kansas City

KANSAS CITY, Jan. 13.—Commonwealth Amusement Corp. has given Variety Club 35mm. portable sound and projection equipment to use in the club's new truck that soon will start taking films to Kansas City shut-ins.

C. A. SCHULTZ, executive head of Commonwealth, announced the gift to the barkers at the annual installation of officers. Three weeks ago, EARL JAMESON and SAM ABEND of Exhibitors' Film Delivery presented the club a new Chevrolet truck that carries the club insignia on white body and the legend, "Movies for Shut-ins."

New officers inducted at a steak dinner were R. R. BIECHELE, president; FINTON JONES, vice-president; GEORGE HARTTMANN, second vice-president; SAM ABEND, treasurer; DOUGLAS DESCH, secretary. In addition to officers, the following are directors: GEORGE BAKER, JAMESON, ARTHUR COLE, ELMER C. RHODEN, NORRIS B. CRESSWELL and FRANK HENSLER.

Members of the house committee have been named. They are ARTHUR COLE, HARTTMANN, JONES, ROBERT F. WITHERS and JAMESON.

Milwaukee

MILWAUKEE, Jan. 13.—The Milwaukee Variety tent has inaugurated two new weekly features. One, theatrical night, is being presented each Saturday with stage and screen notables as guests whenever they happen to be in Milwaukee. The night will also feature entertainment, with E. J. Weisfeldt, Riverside Theatre managing director, in charge.

The other feature is a buffet luncheon served each Sunday evening by the Ladies' Auxiliary.

National Board Will Open Meet Thursday

The National Board of Review will hold its 14th Annual Conference here, beginning next Thursday, at the Hotel Pennsylvania, and continuing through Saturday. The 23rd annual luncheon will be held on Saturday, at which numerous persons of prominence will be guests.

A lengthy list of papers has been prepared and will occupy sessions on Thursday afternoon, Friday morning, afternoon and evening. Thursday morning will be devoted to a screening and critical discussion of a new picture, and the activity of a junior branch of the National Board will be demonstrated on Saturday morning. Wilton Barrett will preside at the sessions, in his capacity as executive secretary of the organization.

Levy Bank Director

NEW HAVEN, Jan. 13.—Edward G. Levy, general counsel of the M.P.T.-O.A., has been reelected a director of the Community Bank & Trust Co., here for the ensuing year.

Kassler Quits Pax Film

Frank Kassler, formerly general manager of Pax Film, Inc., has sold his interest in the firm. He will disclose his future plans shortly.

New York Preview

"The Divorce of Lady X"

(*Korda-United Artists*)

This sophisticated comedy romance in Technicolor from Alexander Korda's London Films reduces the divorce theme to a common denominator of comedy, gyrating against a smart and elaborate background of English drawing, court and hotel rooms, an attorney's sumptuous office and a flash at the English countryside. The Technicolor is at times a hinderance in indoor sequences in which it blares out at the audience too sharply, and a decided help in others, as in the beautiful reproduction of the English fox hunt. Its theme is concerned with misunderstanding and mistaken identity.

The story may perhaps be thought in some quarters in this country to treat the divorce theme too widely, and likewise the hotel room sequences, which, however, are done cleanly and with considerable amusement. It is altogether an enjoyable piece, expertly played, albeit with a definite trace of British English by certain of the players. The leads are more than competently taken care of by Merle Oberon and Laurence Olivier, while Binnie Barnes is cast in a minor role, and Ralph Richardson and elderly Morton Selten are good for a cheer each.

Tim Whelan, in his direction from the play, "Counsel's Opinion," by Lajos Biro, and a screenplay by Biro and Robert E. Sherwood, has concentrated on comedy, which was a fortunate idea, since the material partakes largely of the characteristic of the stage play, depending largely on dialogue for its pace. At the same time it must be said that, with the exception of a slow start, a good pace is maintained.

The story revolves about the belief of a young attorney that the wife involved in a divorce action sought by a friend is actually a girl with whom he had shared a hotel suite by accident, and that he himself is the man in the case. The girl deliberately adds to his bewilderment until the expected conclusion.

Running time, 92 minutes. "A."

"The Cantor's Son"

(*Eron*)

With its proper audience "The Cantor's Son" should be found stimulating entertainment—the sort of film that agreeably combines the elements of comedy, drama and romantic conflict with emphasis on the lighter side of the story. An audience at the Square Theatre found much to move it to laughter. It is an all-Yiddish dialogue film with adequate sub-titling in English.

The story opens in a Rumanian hamlet where a young boy, the son of the local cantor, is interested in a traveling theatre troupe. His father dislikes his enthusiasm for the stage and the youngster runs away with the players. Touring with the actors, he eventually comes to America and grows up there. Later, he is down on his luck until an East Side cabaret singer takes him under her wing and gives him a chance to sing. He proves a hit and goes on to greater success in radio and as a featured singer in the synagogues of the country. But a letter from his parents takes him back to Rumania to attend their golden wedding anniversary. Back home he meets his childhood sweetheart, now grown up and beautiful, and he decides to marry her. Meanwhile his sponsor in New York, who is also in love with him, decides to follow him to Europe. She arrives on his wedding day. There is a tearful scene but she decides to give him up to his first love.

The title role is played by Moishe Oysher, who sings the Yiddish airs pleasantly. The musical arrangement of both the solos and the accompaniment is excellent.

Running time, 90 minutes. "G."

Indianapolis Prices Up

INDIANAPOLIS, Jan. 13—Four first run houses: the Apollo, Circle, Indiana and Loew's today announced a reduction of night prices for balcony seats to 30 cents. Previously the scale was 40 cents for the entire house. The fifth first-run, the Lyric, has had the balcony differential for a long time.

Paramount Shifts East

SEATTLE, Jan. 13.—Neal East, manager of the local Paramount exchange, will leave shortly to manage the Paramount office in San Francisco. He will be succeeded here by Morris Segal.

Set N. H. Union Meet

NEW HAVEN, Jan. 13.—Matthew Kennedy, business agent for the operators' union in this territory, reports a final meeting on the new contracts for "B" and "C" houses will be held here on Sunday. Negotiations were started in the fall, but terms for the larger houses only were agreed upon.

Goesta Ekman Is Dead

Goesta Ekman, 48, Swedish film star, featured in "Intermezzo," which is now showing at the Cinema de Paris, is dead in Sweden, according to advices from Stockholm. He was noted on the Continent for his portrayal of Shakespearean roles.

Short Subjects

"Getting An Eyeful"

(*Educational*)

This short will keep the audience in a state of constant and boisterous uproar. There are many laughs as Charles Kemper applies his comic talents to the story of trials and tribulations of an eye doctor. There [illegible] also a funny characterization of a Russian by Danny Kaye. Kemper is a correspondence school graduate and has a hard time making a go of his adopted profession. These and other elements of the yarn are played for all their comic worth and the comedy always manages to hit home. Running time, 18 mins. "G."

"Sin-Copation"

(*Vitaphone*)

Another band offering that is cleverly produced. Leon Navara and his orchestra are featured. The action is set in a night club that resembles Hades. The music is appropriate to the scene. There are entertaining specialties by Ruth Brent, Delmar Poppen and Honey and Weldon. The film has many entertainment values that will be readily appreciated. Running time, 10 mins. "G."

"Grey Owl's Little Brother"

(*Educational*)

An entertaining bit of natural history that should be favorably received. The scenario tells of the rare companionship of a beaver and a Canadian northwoods Indian. The photography could have been better, but novel action makes up for that defect. Running time, 10 mins. "G."

"The Boy Who Saved a Nation"

(*Columbia*)

The screen version of how the Marquis de Lafayette gave his aid to George Washington and the American Revolution. It is one of the "Strange As It May Seem" series. The action is amateurish and merely offers a few dramatic moments portraying incidents in the life of the Frenchman. Running time, 9½ mins. "G."

"Oh Kay, Rhythm"

(*Paramount*)

A thoroughly satisfactory band offering featuring Herbie Kay and his band augmented by a few good vocal numbers. Kay's music is smooth and modern and the singing is handled in a novel manner. The audience will like it. Running time, 10 mins. "G."

"Love Goes West"

(*Educational*)

There is a fairly diverting story that serves as adequate background for Louise Massey and The Westerners in this short. It is one of those dude ranch affairs. Girl patrons are ready to leave because of the absence of male partners. Miss Massey has her boys shave and clean up. She stages an impromptu party and more or less saves the day. The music is typically western and is done in good style. It manages to be pleasant. Running time, 10½ mins. "G."

OUT TODAY

FAME

Edited By TERRY RAMSAYE

THE WORLD'S AUDIT of PERSONALITIES by SHOWMEN

The fourth annual edition of the international reference authority on star values is out today. . . . ¶ The box office champions of 1937 presented with complete analysis and personnel credits. . . . ¶ The money making stars of the season evaluated and reported upon by the exhibitor showmen of the world. . . . ¶ The radio champions of 1937 as polled by the radio editors of the daily newspapers of America. . . . ¶ Fame and Radio—an analysis of the extent to which the air waves lean on Hollywood for talent.

ONE DOLLAR THE COPY

QUIGLEY PUBLICATIONS

ROCKEFELLER CENTER, NEW YORK

"Tovarich" Is Los Angeles' Pace-Setter

Los Angeles, Jan. 13.—"Tovarich," playing at Warners' Hollywood and Downtown, set the pace in its second week by grossing $15,900 at the former and $15,200 at the latter. The first gross was $1,900 over normal and the second $3,200.

"The Last Gangster," on a dual with "You're Only Young Once," turned in a strong $16,442 at Loew's State, but at the Chinese the same bill slipped slightly under par on a take of $11,860. "Snow White and the Seven Dwarfs" grossed $14,008 in its third week at the Carthay Circle. "Wells Fargo," with a stage show, pulled $18,900 at the Paramount.

Total first run business was $107,010. Average is $107,200.

Estimated takings for the week ending Jan. 12:

"SNOW WHITE" (RKO)

CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 3rd week. **Gross:** $14,008. (Average, $17,000)

"THE LAST GANGSTER" (M-G-M)
"YOU'RE ONLY YOUNG ONCE" (M-G-M)

CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $11,860. (Average, $12,500)

"THE SKI CHASE"

ESQUIRE—(900), 40c-75c, 7 days. **Gross:** $1,900. (Average, $2,500)

"THE SKI CHASE"

GRAND—(750), 35c-40c, 7 days. **Gross:** $1,700. (Average, $1,200)

"A DAMSEL IN DISTRESS" (RKO)
"LIVING ON LOVE" (RKO)

HILLSTREET—(2,700), 30c-65c, 4 days, 2nd week. **Gross:** $5,700. (Average, 7 days, $8,000)

"THE LAST GANGSTER" (M-G-M)
"YOU'RE ONLY YOUNG ONCE" (M-G-M)

LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $16,442. (Average, $14,000)

"A DAMSEL IN DISTRESS" (RKO)
"LIVING ON LOVE" (RKO)

PANTAGES—(3,000), 30c-65c, 4 days, 2nd week. **Gross:** $5,400. (Average, 7 days, $8,000)

"WELLS FARGO" (Para.)

PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. revue, "Follies of 1938." **Gross:** $18,900. (Average, $18,000)

"TOVARICH" (W.B.)

WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 2nd week. **Gross:** $15,900. (Average, $14,000)

"TOVARICH" (W.B.)

WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 2nd week. **Gross:** $15,200. (Average, $12,000)

Milwaukee Talks Ban On Suggestive Films

Milwaukee, Jan. 13.—An ordinance to ban all suggestive films, presented to the Common Council's Judiciary Committee by Alderman John E. Kalupa, has been laid over by that body with the recommendation that exhibitors confer with Alderman Kalupa before it is again brought before the committee.

The proposed ordinance would bar minors under 18 from seeing socalled educational sex films unless accompanied by parent, guardian "or other adult."

Frank B. Metcalfe, chairman of the city's film commission, declared that the commission checks all pictures and that enforcement of the proposed measure was impractical.

Johnson Names Stoel

Marysville, Wash., Jan. 13.—B. C. Johnson has named Bill Stoel as manager of his new theatre here.

Monopoly Report On MGM Started

(*Continued from page* 1)

ment's scrutiny in a lengthy probe. Law heads a staff of more than 30 persons, including Dep't of Justice investigators and accountants, which has been going into the books of the M-G-M exchange here and the company's relations with Fox West Coast Theatres. "We are pulling no punches in this investigation," Law told Motion Picture Daily, "and we are going into every company's activities here and elsewhere where charges of monopoly are made."

Law has been here several months following his recent return from Washington with a summary of reports made earlier in the investigation. He said the report on M-G-M would be forwarded to Attorney General Cummings for perusal and determination whether the Federal Grand Jury here should be requested to act in the matter.

F. W. C. Probe Next

The next step in the probe will be a complete examination of F.W.C. dealings in answer to monopolist charges of independent exhibitors. This will determine whether or not F.W.C. violated the terms of two consent decrees entered against it in Federal Court here several years ago. Action in this matter can take the form of contempt citation of F.W.C. by Federal court if the charges are substantiated.

Law, who heads the Federal film probers under Cummings, has been on the case about a year. It will be recalled that the law office of Senator McAdoo, Democrat, of California, handled the recent filing of independent exhibitors' suit against Paramount here and has been active in many film cases, the most notable of which was the Freddie Bartholomew suit against M-G-M which William Neblett, a McAdoo law partner, handled for the star. Whether political implications are behind the scenes is a moot question but the current investigation by the Government apparently is in line with the "trust-busting" policy of the Administration in Washington.

Status of Cohen Contract Talent Is Now Uncertain

(*Continued from page* 1)

A Holiday," Mae West vehicle, and 'Doctor Rhythm," Bing Crosby Picture last two which Cohen produced. The West vehicle already is out and the negative of "Dr. Rhythm" already is delivered and a release date set for Feb 8.

Meantime Paramount executives remained silent today on the Cohen statement which criticised Adolph Zukor. It appears that Cohen will remain inactive at least until the contemplated suit is filed against the distributor. He is expected to be sued in friendly actions by persons under contract personally to him, including Kitty Clancy, Beatrice Lillie and Katherine Kane, to seek redress from the planned cancellation of their personal service contracts.

Beats Newspapers

Kansas City, Jan. 13.—An airplane crashed into a house in Kansas City, Kans., the other afternoon, tearing off a part of the building.

No one was injured—the two naval reserve fliers had parachuted to safety—but it was quite a scene, and George Baker, manager of the Electric, was on hand almost immediately after the accident with a 16mm. camera. His theatre was showing the 100 feet of film George got before the Kansas City newspaper had the story published. The films went on the screen early in the evening.

G. B. May Increase Schedule to 16-18

(*Continued from page* 1)

better than expected and pictures are being acquired in addition to those scheduled at the beginning of the season. Gainsborough is making several for G. B. release and has four in work.

Only two pictures have been released by G. B. so far this season, and two, "Sailing Along" and "Look Out for Love," are due to be released soon, but no dates have been set. The latter is a Herbert Wilcox production with Anna Neagle.

Cagney-G. N. Agree On Immediate Split

(*Continued from page* 1)

and business manager, said the release had been agreed upon and the documents had been signed. Cagney relieves Grand National of any financial obligation to him in return for his release from his commitment to make "Angels with Dirty Faces."

May Boost Sheridan Fees

Denver, Jan. 13.—A possible boost in license fees from $120 to $300 a year is faced by theatres in Sheridan, Wyo.

Also up for consideration before the City Council there is an ordinance banning all drawings, including Bank Night, "if such drawings contribute to traffic congestion or interfere with the general health and welfare of the citizens of Sheridan."

Charter Three Firms

Albany, Jan. 13.—New incorporations here include: K. G. L. Film Corp., capital stock $25,000, by Harry Gottesman, Gustave J. Landau and Joseph Lefft.

Almyno Corp., by Richard Aldrich, Richard Myers and Peter Arno.

Jagar Theatres, Inc., by Irving M. Lesch, Harry Golomb and Jacob J. Jacobson.

Plan Bellevue House

Bellevue, O., Jan. 13.—A 1,000-seat theatre will be built here by Schines in connection with local interests. The building will cost $75,000, with an additional $25,000 to be spent on equipment. Completion is scheduled for early summer.

Massachusetts Has New Sales Tax Bill

Boston, Jan. 13.—Passage of a bill establishing a two per cent Massachusetts sales tax estimated to raise 45 millions yearly will be recommended to the legislature next week by the special 1937 Commission on Taxation and Public Expenditure. If the bill is passed it will go into effect with "no exemptions" about July 1. The money would be used for relief and the tax would fluctuate with relief needs.

It is not yet known whether theatres are involved. Theatre men are strenuously opposed to the measure. They have been instrumental in defeating similar bills at recent sessions.

Bill Would Legalize Fight Films in D. C.

Washington, Jan. 13.—A bill to legalize exhibition of prize fight films in the District of Columbia is being prepared for introduction in Congress at the request of Commissioner Melvin C. Hazen. Interstate transportation of such films has been banned since 1910, but in many states officials have taken the attitude the law is ineffective and have permitted the showings. Local exhibitors have been attempting for some time to obtain repeal of the Federal ban.

Quash LaVarre-W.B. Suit

Justice Timothy A. Leary dismissed the $50,000 breach of contract suit brought by William LaVarre, writer, against Warners in N. Y. Supreme Court yesterday. Justice Leary ruled that the testimony offered by LaVarre failed to prove a cause of action and refused to permit the case to go to the jury. Before the dismissal, Justice Leary and the jury had seen special screenings of the two pictures in the suit.

LaVarre testified that he had been employed in 1932 by Warners to write scripts for Warren William, Ruth Chatterton and Barbara Stanwyck. He claimed that his story, "Bedside Manner," had been produced as "Bedside" and his script, "Fated Woman," had been produced as "Gambling Lady."

End Plain Talk Suit

The infringement suit brought by Plain Talk Magazine, Inc., against Screen Classics, Inc., and Columbia Pictures has been marked "settled and discontinued" in the U. S. District Court here. Terms of the settlement were not revealed.

The complaint charged "deliberate piracy and infringement" in "Norton I, Emperor of America," of "The American Emperor," short story by David W. Ryder, which was published by *Plain Talk* in Jan., 1928. A permanent injunction and an accounting of the profits was sought.

Wade Loses to Disney

Los Angeles, Jan. 13.—John P. Wade, a writer, today lost a Superior Court suit in which he sought damages from Walt Disney for alleged plagiarism of a script in connection with "Mickey's Polo Team."

Takes Monogram Interest

George West, New York distributor of Screeno, has acquired a partial interest in the Monogram exchanges in Cincinnati, St. Louis and Kansas City.

“TEN BEST” ON EASTMAN FILM EXCLUSIVELY

EVERY one of the “Ten Best Pictures” selected in the 1937 critics’ poll of the *Film Daily* was “shot” on Eastman Super X Panchromatic Negative .... Release prints for all ten were made on Eastman Positive .... An impressive double demonstration of Eastman’s current contributions to motion picture quality. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *Positive* and
Super X Negative

The 3 - time leader ...twice!

For the second consecutive year, Columbia continues its leadership *in all three major phases* of network advertising:

> ***Columbia, in 1937, carried the greatest dollar-volume of advertising of any network in the history of radio.★***
>
> ***Columbia, in 1937, was the choice of more of the country's leading advertisers than any other network.★★***
>
> ***Columbia, in 1937, continued as the world's largest radio network.★★★***

This record, of course, is not Columbia's alone. It was made by the most careful buyers of advertising in the world — who increased their average expenditure for Columbia Network facilities this year over last by 25.9%.

★*And did so last year.*

★★*And has been for* four *consecutive years.*

★★★*And has been for* five *consecutive years.*

In the detailed record of these CBS *advertisers is the answer to every basic question you can ask about radio advertising:* Does radio sell *slow* turn-over products? Does radio sell *quick* turn-over products? Is the *institutional* campaign effective on the air? Must it be a '*big*' radio program to be successful? The answers to these questions at Columbia are not theoretical or academic. They are written by the advertisers themselves; advertisers who, in a *single* medium, bring everything to the nation — from banking to beans; bread to abrasives; cigars, cigarettes, candy and cars!

But this record tells less than half the story!

Throughout the year, some 22,475 Columbia programs were broadcast to the nation. Less than half of these were sponsored. The rest were programs '*by Columbia*'—produced by the network in the living and challenging fields of Public Affairs, Education, Serious Music, Religion, Special Events and Sports. These programs round out the schedule of the world's largest network, bringing the world's *voice* home to the nation every day of the year—wherever home may be.

COLUMBIA BROADCASTING SYSTEM

Canadian Press, Radio Call Halt To Hostilities

Montreal, Jan. 13. — Canada's press and radio have buried the hatchet and are tossing peace wreaths at each other. "Greater cooperation between the press and the national broadcasting system" was needed, it was decided Tuesday when directors and members of the Canadian Daily Newspapers' Association, The Canadian Press and the Canadian National Newspapers and Periodicals Association met at Toronto and talked with Major Gladstone Murray, general manager of the Canadian Broadcasting Corp.

The two public services have decided they can't do without one another and have called off animosity which at one time reached a point where dailies limited their radio column comments to two inches of type.

To effect this "closer cooperation" a standing committee had been appointed representing the several news organizations, for discussion of matters of common interest with directors of the CBS. The committee includes: Col. R. F. Parkinson, chairman; Representing C.D.N.A.—F. I. Kerr, *Hamilton Spectator;* Victor Sifton, *Winnipeg Free press;* T. F. Drummie, *St. John Telegraph-Journal*; Representing the C.N.N.P.A.—N. H. Perry, *McLean's*; E. R. Milling, Consolidated Press, Ltd.; T. J. Tobin, *Canadian Countryman*; Representing C.W.N.A.—George James, *Barrie Examiner*; Alex McLaren and C. V. Charters.

Kirkendale Is Named Manager in Memphis

Memphis, Jan. 13.—Bill Kirkendale has been appointed commercial manager of WMPS. He had been with WCPO in Cincinnati.

Jack Howard, president of Scripps-Howard Radio, Inc., is here supervising the final preparation of the new studios of WMPS.

Advertisers to Meet in Fall

The 28th annual meeting of the National Association of Advertisers will be held at the Homestead, Hot Springs, Va., Sept. 28 to Oct. 1. Arthur E. Tatham of Bauer & Black, Chicago, is chairman of the program committee.

Durkee Program Adds Two

Durkee's Famous Foods has added two stations to its Pacific coast program, effective Jan. 16. The new additions are in Fresno and Sacramento. Botsford, Constantine and Gardner is the agency.

"Chicago" on "Hollywood Hotel"

"In Old Chicago" will be the "Hollywood Hotel" offering Jan. 21. Alice Faye, Tyrone Power, Alice Brady and Brian Donlevy will portray the same roles they enacted in the picture.

HAROLD J. ROME
Writer of
"PINS AND NEEDLES"
Represented Exclusively by
FEATURED ARTISTS SERVICE, INC.
247 Park Avenue New York, N. Y.

Makes It Easier

St. Louis, Jan. 13.—One of the kindest acts ever performed for the announcers of WIL was the changing of his name by songster Johnnie Sharpel.

Johnnie is the only American born child of a Syrian family. His seven brothers and sisters were born in Beirut, Syria. Johnnie's right name is Hana Josef Milhim Sharpel Aikikikie Fram Shina Minil Mazera Ferdibian.

Mennen to Start New Series Over NBC Net

The Mennen Co. has signed for a new series of programs over an NBC network. The starting date and the number of stations have not been decided upon yet. Henry Burbig will be featured. Kiessewetter agency handles the account.

Manhattan Soap Co. on WEAF

Manhattan Soap Co. has signed for a short period of test programs over WEAF locally, beginning Jan. 20. The program will be presented for four weeks, three times weekly, Thursdays and Fridays from 9:30 to 9:40 A. M., and again on Thursdays, from 6:34 to 6:45 P. M. The program will feature William Scotti's orchestra. Peck Advertising Agency has the account.

Universal Signs Tommy Riggs

Tommy Riggs has been signed to a contract by Universal. Riggs will make two pictures a year, the first to be "Shannons of Broadway." He will continue indefinitely on the Vallee program, however.

Radio Atlas Shows Air Coverage Claim

Coverage claims of 423 commercial radio stations, virtually all stations in this country and Canada of 5,000 and more watts, are shown in a series of map studies just published by Walter P. Burns & Associates under the title "Radio Broadcasting Atlas."

Stations are grouped according to power. Separate maps depict day primary coverages of 100 and 250 watt stations, 500-1,000 watt stations, 2,500-7,500 watts and 10,000-50,000 watts. Other maps show all cities having commercial stations, number of radio homes per square mile, etc.

Baily Is Dinner Toastmaster

Cincinnati, Jan. 13.—Bill Baily director of press relations of WLW, WSAI and the short wave station, W8XAL, local Crosley units, was master of ceremonies at the testimonial dinner given Ed Steinborn, recently promoted to managing editor of the *Times-Star*. The affair, for which entertainment talent was recruited entirely from WLW and WSAI, was held at the Cuvier Press Club.

Seeks Pasadena Station

Washington, Jan. 13.—Application for authority to construct a new broadcasting station was filed today with the Federal Communications Commission by Charles S. Sharpe-Minor, Pasadena. The station would operate on 1,170 kilocycles with 250 watts power. Also filed was a new application by WSAN, Allentown, Pa., for increase of power from 500 to 1,000 watts.

Lawrence Trexler Joins WCPO

Cincinnati, Jan. 13.—Lawrence Trexler, formerly with KNOX, Knoxville, has joined WCPO, *Cincinnati Post* station, as commentator.

New Shows on the Air

"Ben Bernie and All the Lads"

Ben Bernie and a bevy of new lads and lassies made a highlight debut over CBS Wednesday evening in a new series for the U. S. Tire Co. The sponsor will get an ample return for his money, for the program, borrowing a word used by Simone Simon in the Bernie-Winchell picture, "Love and Hisses," has plenty of "oomph."

The "ole maestro" was his usual slangy, wise-cracking self. All the old Bernieisms were offered, but somehow one never tires of his flow of repititious catch phrases. It's the way Bernie says things, not what he says, that tickles one's funnybone.

The supporting players are Jane Pickens, Buddy Clark and nutty Lew Lehr. A swell cast they make. Miss Pickens, a delightful singer, offered "I'll Take Romance," and a duet with Clark, "How Many Rhymes?" Buddy's solo number was "Sweet Someone." Almost everyone has enjoyed hearing Lehr in the newsreels; he's just as enjoyable on the air, and with good material this program should serve as a springboard for air stardom for him.

"Ben Bernie and All the Lads" are presented Wednesdays at 9:30 P. M. over CBS. Campbell-Ewald is the agency.

"Manhattan After Dark"

Something really new in radio is the "Manhattan After Dark" program, which on Wednesday took the place of Sid Skolsky's Hollywood chatter for the Emerson Drug Co.

This program each week will go into New York night clubs for its talent, presenting on the air the entertainers currently appearing in each club. Eddie Garr, mimic and comedian, serves as the em cee and guide.

Wednesday, Garr took the listeners and his mike to the International Casino, where he interviewed several of the chorus girls and the Caligary Brothers, and presented the music of Yascha Bunchuk. All this in addition, of course, to his own chatter and songs.

Listeners, particularly those in the hinterlands, should take to "Manhattan After Dark." It is novel, is ably presented, and brings true New York night life to an audience, the greater part of which knows it only by what it reads in the papers or by what it sees on the screen.

"Manhattan After Dark" is presented Wednesdays from 8:30 to 8:45 P. M. on the NBC-Blue. J. Walter Thompson is the agency.

Banner

Boice Book on Radio Is Called Comprehensive

A new comprehensive study and analysis of radio, written by Hugh K. Boice, CBS vice-president in charge of sales, has been published by [illegible] network and is awaiting distribu[illegible] to the industry.

Titled "Radio," it discusses 14 questions commonly asked about radio advertising. Chapters are devoted to the listening habits and preferences of the public, an analysis of what makes a program popular, the responsiveness of the radio audience, uses of spot broadcasting, a study of television and chapters on various other subjects.

Boice writes that there are 7,000,000 more radios in the U. S. than automobiles; more than twice as many homes in the U. S. are equipped with radios than telephones; that the total radio families in the nation last year numbered 24,500,000. Last year the radio audience paid $440,000,000 for new sets; $150,000,000 for electric power to operate the sets; and $151,000,000 for tubes.

Writing of television, Boice predicts that the first television audiences will be people of the upper income class. Continuing, he writes: "We know from television tests of recent years that even the present movies are too slowly paced to hold a television audience for long. Television programs will be subtly built, subtly enacted." He concludes that practical television is a reality and commercial television is a future certainty.

The book is fully documented and thoughtfully written and covers practically all phases of radio from an advertising standpoint. ·B.

Revamp WOW News Program

Omaha, Jan. 13.—WOW's "Newstowers" have now been streamlined, an idea of Foster May, WOW newscaster. The idea is to do away with hit or miss news presentations and to conduct news casts on a definite pattern.

May's newscasts are written according to his own style sheet. Weather always leads the period, then a brief resume of what's coming, then the stories in detailed form.

Wiseman Edits WOW Paper

Omaha, Jan. 13.—W. O. ("Bill") Wiseman of Station WOW, whose initials spell his station's letters, has been named editor of WOW's *News Tower,* a monthly publication on the station's activities which goes to a paid circulation of 10,000.

Star Signs Canada Stations

Star Radio Programs, Inc., has just signed a new Canadian station for the "Morning Bulletin Board" program and the Star commercials. The station is CFGP in Grande Prairie, Alberta. Star has also signed another new station, KATE, Albert Lea, Minn.

KEN SISSON
AMERICA'S MUSICAL AMBASSADOR TO CANADA

Around the Country

Oklahoma

Oklahoma City, Jan. 13.—Irwin Drake-Bingham, WKY announcer, returned recently from a vacation spent in Woodward, Okla. . . . Leroy Stokely of the WKY sales department, returned recently from a vacation in Wichita. . . . Bernard Tulius, formerly WKY engineer, is now with KTOK as staff engineer . . . Mathew H. Bonebrake, commercial manager of WKY, was married to Sue Schofield of Oklahoma City.

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Philadelphia

Philadelphia, Jan. 13. — A. W. Dannenbaum, Jr., has been installed as sales manager at WDAS. He is the son of the station's owner . . . The Wellman Advertising Agency has bought time for 100 spot announcements over WIP. Time will be used in the interest of M. B. Kelly Clothing Co. . . . Harry Feigenbaum Agency placcd indefinite contract renewal for six 10-minute periods weekly over WIP. Time was bought for Adams Clothes, Inc., with Stoney McLinn, veteran sports scribe doing daily sports roundup . . . Norman Sickel, is writing the new KYW serial, "Behind Closed Doors" . . . Doris Havens, WCAU staff accompanist, fully recuperated from serious automobile injuries, is back on the Ben Alley Household Finance program.

KSFO Gets A New Series

San Francisco, Jan. 13.—A 52-week contract to sponsor the "Wild West Revue," featuring Dude Martin's Gang, has been signed with KSFO, local CBS outlet, by Star Outfitting Co. The 60-minute program will be aired six days weekly.

Other new KSFO accounts include Scott Towel Co., New York; American Popcorn Co., Sioux City, Ia.; Lashman Brothers Department Store; Santa Fe Railroad; Mother's Cake and Cookie Co.; Milen's; M. J. Breitenbach Gude's Co.

Herald Renews KOIL Program

Omaha, Jan. 13.—The Chicago *Herald and Examiner* has renewed its Sunday morning half-hour program, "Uncle Don Reads the Comics," on KOIL. The newspaper has made a strong bid for Omaha circulation through this show since this city became a one-paper town last fall.

Athens to Get Station

Athens, Ga., Jan. 13.—Athens soon will have a new broadcasting station, a permit sought by J. K. Patrick & Co. having been approved. Owners of the new station with the probable call letters WACC, are J. K. Patrick, Tate Wright, C. A. Rowland, E. B. Braswell and Lynne Brannen.

Jean Hoff Joins KDKA Staff

Pittsburgh, Jan. 13.—Jean Hoff, who got her radio start in Chicago as one of "The Two Shades of Blue," has been added to the artists staff at KDKA. A singer, she will be featured in a new series.

FCC Dates Examiner Hearings to March

Washington, Jan. 13.—The Federal Communications Commission has tentatively assigned dates for examiners' hearings on a number of broadcasting applications, as follows:

Jan. 17: Applications of Madison Broadcasting Co. for a 1,450-kilocycle, 250-watt station at Madison, Wis.; Four Lakes Broadcasting Co. for an 830-kilocycle, 100-watt, daytime station at Madison, Wis.; State Broadcasting Corp. for a 1,370-kilocycle station at Gretna, La., with 100 watts power night, 250 watts day; and WESG, Ithaca, for change of frequency from 1,040 to 850 kilocycles and increase of time to operate nights with 1,000 watts power.

Jan. 31: Applications of Scripps-Howard Radio, Inc., for a 630-kilocycle station at Denver, with 1,000 watts power night, 5,000 watts day; KVOD, Denver, for change of frequency from 920 to 630 kilocycles and increase of power from 500 to 1,000 watts; KFEL, Denver, for increase of power from 500 to 1,000 watts, and WFIL, Philadelphia, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

Feb. 28: Applications of WMBS, Uniontown, Pa., for increase of time to operate nights with 100 watts power, and WRDW, Augusta, Ga., for change of frequency from 1,500 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night and day.

March 7: Application of KRMC, Jamestown, N. D., for change of frequency from 1,310 to 900 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

March 16: Applications of Kings-Trendle Broadcasting Corp. for a 1,010-kilocycle, 250-watt station at Grand Rapids; Pinellas Broadcasting Co. for a 1,370-kilocycle station at St. Petersburg, Fla., with 100 watts power night, 250 watts day, and WDAE, Tampa, for change of frequency from 1,220 to 780 kilocycles.

F.C.C. Sets Dates For Applications

Washington, Jan. 13.—Tentative dates for the holding of examiners' hearings today were assigned by the Federal Communications Commission for a number of broadcasting applications, as follows:

Feb. 11: Application of KUJ, Walla Walla, Wash., for change of frequency from 1,370 to 560 kilocycles and increase of power from 100 to 250 watts.

Feb. 23: Applications of Frank Ray for a 1,310-kilocycle station at Dickinson, N. D., with 100 watts power night, 250 watts day; Jonas Weiland for a 1,370-kilocycle, 100-watt station at New Bern, N. C.; L. B. McCormick for a 1,370-kilocycle, 250-watt daytime station at Greenville, N. C.; WFOY, St. Augustine, Fla., for change of frequency from 1,210 to 590 kilocycles and increase of night power from 100 to 250 watts, and KPAC, Port Arthur, Tex., for change of frequency from 1,260 to 1,350 kilocycles, increase of time from day to unlimited and increase of power from 500 to 1,000 watts.

March 15: Applications of WNEW, New York, for increase of day power from 2,500 to 5,000 watts, and WAIR, Winston-Salem, for increase of time from day to unlimited.

Change Children's Series Time on CBS

The CBS children's programs schedule will undergo a change beginning Jan. 17.

"Dear Teacher" will be moved to Mondays and Wednesdays, 6 to 6:15 P. M. Nila Mack's "Let's Pretend" will be presented Tuesdays and Thursdays from 6 to 6:30 P. M., beginning Jan. 18.

A new juvenile program will be inaugurated Jan. 21 when Howard Barlow conducts the Columbia concert orchestra in recitals for children, to be broadcast Fridays, 6 to 6:30 P. M.

Nichols Joins Spencer

Seattle, Jan. 13.—Robert Nichols has been named head of a new radio advertising department of the Lloyd Spencer Agency. Nichols came to Seattle several seasons ago after a number of years with NBC and CBS in San Francisco and Los Angeles, and more recently has been associated with the KOMO and KJR.

Batten Gets Bank Post

Philadelphia, Jan. 13.—H. A. Batten, president N. W. Ayer & Son, Inc., has been elected a director of the First National Bank of this city. He follows in the footsteps of the two late presidents of the agency firm—F. Wayland Ayer and Wilfred W. Fry.

◀ *Radio Personals* ▶

"BILL" LEWIS, CBS vice-president in charge of programs, returned to New York yesterday following a six-week stay in Hollywood. . . . Hildegarde has been signed for NBC Thesaurus recordings. . . . Madeline Gray, conductor of the CBS "Dear Teacher" series, has become Mrs. Robert Rubentine. He is a New York attorney. . . . Jack Skinner of the CBS press department injured his hand boxing with a friend in the gym. . . . Fred Raphael, WHN program director, has returned once again to the station following a Florida vacation. . . .

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WAPI Seeking New Talent

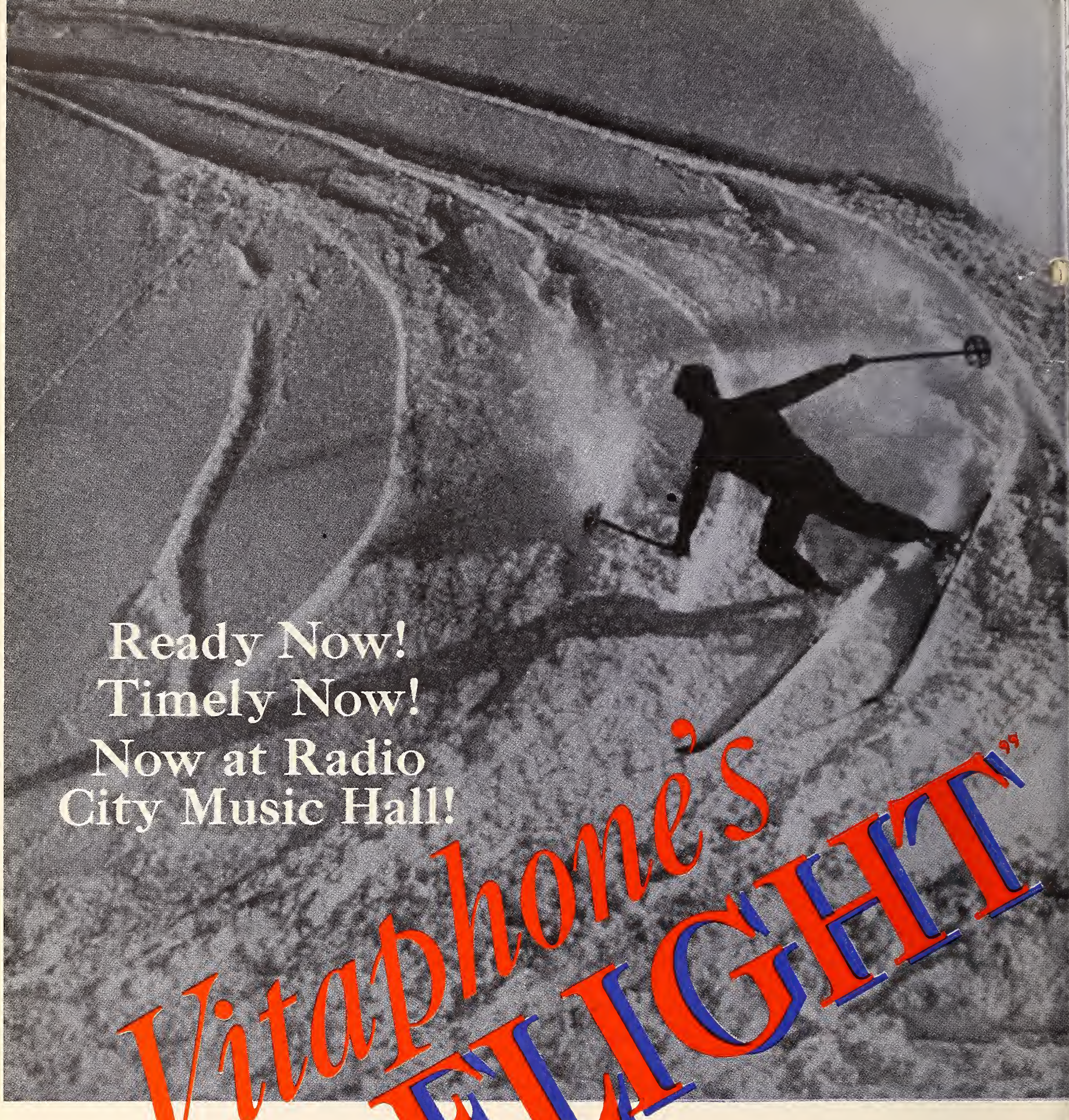
Birmingham, Ala., Jan. 13. — WAPI, in cooperation with the Chamber of Commerce, is inaugurating a series of "touring microphone" programs. Broadcasts will be made from 10 cities within a radius of 60 miles of the city. O. O. Black is handling details.

If any outstanding talent is found, records will be made and brought to Birmingham with the view of offering them for consideration to commercial sponsors.

LITTLE BOY DO!

That's it, Wesley! Tell the big lady with the phony smile that you won't have your recordings made anywhere but at WOR's modernly equipped studios. Remember what we told you, Wesley! Here at WOR you get the services of skilled technicians and the plus benefit of sixteen year's experience in filling the wants of the nation's top agencies and advertisers . . . *at a very reasonable cost.*

WOR ELECTRICAL TRANSCRIPTION and RECORDING SERVICE



Ready Now!
Timely Now!
Now at Radio
City Music Hall!

Vitaphone's "SKI FLIGHT"

Film Daily: "Magnificent sport reel! No single reel made is more lucid, instructive or entertaining! Exhibitors everywhere, the deepest South included, will find 'Ski Flight' a charming addition to their programs!"

M. P. Daily: "A seasonal gem—probably the best film on the subject to date. There should even be an advance campaign on it! Vivid and beautiful!"

Get In On Top!

Call Your Warner Exchange Today!

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 12 NEW YORK, SATURDAY, JANUARY 15, 1938 TEN CENTS

Air Programs Coming Up at Allied Meet

Directors Also to Talk Legislative Policy

Film stars' air programs are schedled as a major topic at the annual board meeting of Allied at the Carlton Hotel, Washington, next Tuesday and Wednesday.

Because of the multiplicity of plans ostered by Allied leaders for a legisative program, an effort will be made o clarify the ideas in the adoption of national policy for the year. Elecon of officers and the date and place or the next national convention are lso on the agenda.

Several plans designed to curb parcipation of Hollywood personalities n broadcasts and film company sponorship of air programs will be dis-

(Continued on page 4)

Appoint Watters to Head Station WCPO

CINCINNATI, Jan. 14.—Mortimer Watters has been appointed general manager of WCPO, local Scripps-Howard station, it was made known oday by Jack R. Howard and James C. Hanrahan, president and vice-presdent, respectively, of Scripps-Howrd.

Watters formerly was commercial manager of WHEC, Rochester, and ater was director of the West Virinia network. He succeeds William A. Kirkendale at WCPO, the latter aving been promoted to advertising manager of WMPS, Memphis, anther Scripps-Howard station.

Two Talent Agencies In Merger on Coast

SAN FRANCISCO, Jan. 14.—Consolidation of Associated American Arists, independent talent agency, with Consolidated Radio Artists' northern California office here, has been revealed by Larry Allen, C.R.A. manager.

The tieup brings 16 orchestras and more than 70 radio and night club acts under one management.

The entire staff of the A.A.A. will move into the C.R.A. office, with Allen in charge. The best known bands on the list are Jack Winston, Bob Saunders, Jack Meakin, Paul Martin, George Cavalli, Carvel Craig and Joe Sudy.

More Radio—P. 4

Outlawing of Holding Firms Roosevelt Aim

Says He Will Seek New Law This Session

By BERTRAM F. LINZ

WASHINGTON, Jan. 14.—Personal and other types of holding companies, and investment trusts which vote their stock holdings, are to be eliminated by legislation which may be asked of Congress during the current session, it was disclosed today by President Roosevelt.

At his semi-weekly press conference, the President declared his purpose of having such companies outlawed. Personal holding companies of film executives and actors were among those investigated last year by the House Ways and Means Committee during its inquiry into Treasury charges of tax evasion and avoidance.

The President made it clear that his opposition to holding companies was not confined to those in the public utilities field, but extended to all, of whatever type. He did not disclose whether he would ask Congress for legislation on the subject immediately.

Bids Are Asked for U. S. Housing Films

WASHINGTON, Jan. 14.—Plans for the production of films descriptive of the Government's housing program were disclosed today bv the Federal Housing Administration. Bids will be opened Jan. 18 on at least one picture.

The contemplated program will consist of one general introductory film

(Continued on page 3)

Service a la Carte

Hollywood, Jan. 14.—M-G-M has put three lunch wagons into operation on the lot, canvassing the hungry workers. The wagons go about the studio continually. They serve almost everything from hot soup to charlotte russes.

Trade Practice Meet Is Again Postponed

The trade practice conference sponsored by Harry Brandt, president of the I. T. O. A., which Ed Kuykendall, head of the M. P. T. O. A., and Nathan Yamins, national Allied president, were to attend, has again been postponed indefinitely.

Brandt will leave today on a West Indies cruise and will return in two weeks. Asked yesterday about the forthcoming meeting, he said: "It will hold."

Kuykendall left Columbus, Miss., yesterday for Washington where he plans to remain a few days before coming here. His present schedule would leave him available for the projected conference after Jan. 19.

Yamins recently advised Brandt that the new Allied president, to be elected at the board meeting in Washington, next week, will attend the meeting.

Expect Little Heed For Admission Taxes

WASHINGTON, Jan. 14.—Little or no attention is expected to be paid the question of admission taxes during hearings of the House Ways and Means Committee on tax revision, to open Monday.

The tax sub-committee, which today submitted its report, made no recommendation with respect to admission taxes.

The greater part of the testimony

(Continued on page 3)

New Producing Head for G. N. Being Sought

Goldstone Finishing New Setup for Financiers

HOLLYWOOD, Jan. 14.—Within two months Grand National will have a new production head for whom negotiations are now under way, MOTION PICTURE DAILY learned today. E. L. Alperson, president, is handling production at present on a more or less unit system. He will be in charge of the sales end.

Executive changes are to be made under the reorganization plan worked out by Phil Goldstone, veteran independent producer and financier, who was called in by financial backers of the company to straighten out the situation in which the company found itself, with 5,000 accounts closed and insufficient funds to produce pictures to meet contracts. For the last two weeks Goldstone has been engaged in daily conferences with G. N. officers and has smoothed out troubles. The original company backers have promised added funds upon being shown that a return on the money is possible.

Goldstone said today he would leave

(Continued on page 3)

Warner British Plan To Await New Quota

Warner production plans in England will be held in abeyance until adoption of the new British quota, said Sam E. Morris, vice-president in charge of foreign sales, arriving yesterday from the coast. He does not plan to go abroad in the near future.

Irving Asher, production head at Teddington studios, who has been here since Dec. 15, returned here with Morris and will leave today on the *Ile de France*. Accompanying him will be John Sloan, Teddington production manager; Herman Maier, in charge of theatre construction, who will supervise the construction of Warners' new theatre in London, and Fernand Gravet, actor.

Ascap to File Suit Against Florida Law

Ascap's fourth legal action attacking the constitutionality of state legislation designed to bar it from operating within state boundaries will be filed at Tallahassee, Fla., next week, it was learned yesterday.

The decision to proceed with the Florida litigation was made when it became evident that Ascap's action to

(Continued on page 3)

Screen Greatest Medium of Public Opinion—Butler

The screen is the greatest instrumentality in the world today for the molding of public opinion, Dr. Nicholas Murray Butler, president of Columbia University, declared yesterday in an address at the Waldorf-Astoria. The occasion was a luncheon in the Empire Room of the hotel, at which the Division of Film Study of the university honored Cecil B. DeMille on his 25th year in the film industry.

Dr. Butler, who made the principal address, said that the screen is even more important in fashioning public opinion than the radio, since it combines appeal to both the eye and ear. "It is more important than ever that the administration of the industry be continued on the same high plane that it has attained," Dr. Butler declared.

The speaker paid high tribute to the industry, following a brief introduction by Will H. Hays, president of the M.P.P.D.A., who acted as toast-

(Continued on page 3)

MOTION PICTURE
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Pledge $57,000 for Jewish Charity Fund

Checks and pledges totaling $57,000 were announced by Ed Wynn, chairman of the Louis Sobol testimonial luncheon at the Hotel Astor yesterday in connection with the campaign of the New York-Brooklyn Federation for the Support of Jewish Philanthropies.

The donors were all figures in the amusement field, chiefly in films. A total of $170,000, including $50,000 from Hollywood, has been raised toward the $200,000 quota of the amusement division.

Speakers were Judge Joseph M. Proskauer, Louis Nizer, Ben Bernie, Wynn and Sobol. On the dais, in addition to the speakers, were Walter Reade, Sr., David Bernstein, Lawrence Marx, president of the Federation; License Commissioner Paul Moss, Harry Brandt and Belle Baker. About 300 attended.

Warner Due Thursday

Harry M. Warner, Gradwell L. Sears, S. Charles Einfeld and Sam Schneider of Warners will leave Hollywood Monday for New York. They are due here Thursday.

Purely Personal

Edward A. Golden, Samuel Rinzler, John Fraser, Max Rudnick, Eugene Howard, William Brandt, Irving Caesar, Jack Cohn, Samuel Rosen, Nate J. Blumberg, C. C. Moskowitz, Oscar A. Doob, Abe Lastfogel, Arthur Schwartz, Bernie Sobel, Eleanor Powell, Adele Dixon, Evelyn Laye and Frank Lawton at the Jewish Federation luncheon at the Astor yesterday.

•

Henry Armetta will arrive from Hollywood on the Commodore Vanderbilt this morning. While here he will make a short for Warners, and fill a personal appearance schedule set by the Fanchon & Marco office.

•

Sonja Henie is en route to Cleveland in the course of her skating exhibition tour. She was in Washington yesterday for the presentation of a state honor by the Norwegian Ambassador.

•

Richard Day left yesterday for the coast after a series of consultations with Pan-American Airways in connection with Samuel Goldwyn's forthcoming "Trans-Atlantic Flight."

•

Jack Chertok, head of M-G-M's short subject department on the coast, and Ben Goetz, who is in charge of M-G-M English production, will arrive Monday from the coast.

•

Eugene W. Castle, head of Castle Films, will sail today on the *Ile de France*. He will tour Europe and will return Feb. 28.

•

Clinton M. White, G. B. assistant general manager, was in Milwaukee yesterday on a tour of exchanges.

•

Ernest Emmerling of Loew's recently became the father of a boy. The child is his third.

•

Carl Esmond, British actor recently signed by M-G-M, is en route from London.

Phil Reisman, vicepresident of RKO; Irving Asher and John Sloan of Warners; Francis Harley, 20th Century-Fox, and Mrs. Harley; Eugene W. Castle, president of Castle Films, and William Haines will leave today on the *Ile de France*.

•

Frank J. Kivlan, former New York newspaperman, has been appointed manager of the newly opened New York office of Wilding Picture Productions, Inc., commercial film producers.

•

I. E. Lopert, president of Pax Films, Inc., left for Philadelphia yesterday morning, negotiated some business on "Mayerling," and was back at his deck in the afternoon.

•

Grace Moore and her husband, Valentine Parera, arrived yesterday from the coast. Miss Moore will sing at the Metropolitan Opera House this afternoon.

•

Sam Singer, treasurer of Best Film Co., returned from Chicago Tuesday and left yesterday for Boston. He plans to return next week.

•

Al Crown, Grand National Latin-American representative has just returned from a two-month trip to Peru and Brazil.

•

Joseph M. Weber, president of the American Federation of Musicians, leaves today for Florida.

•

Charles Schwartz of Schwartz & Frohlich left for a Florida vacation of several weeks.

•

Fred Kohlmar, Goldwyn casting director, is due from the coast tomorrow.

•

Benny Baker has arrived at the Warwick from the coast.

•

Walter Florell, Viennese actor and dancer, is in town.

Gravet Is Party Guest

Fernand Gravet was given a bon voyage party by Warners at the 21 Club last night. Critics and magazine writers attended and some of them met Gravet. Richard Watts was there —looking quite well.

Others present were: Henry Youngman, Ethel Merman, Toby Wing, Milton Berle, Benny Goodman, Patricia Norman, Carl Leserman, Mort Blumenstock, Danny Walker and Sid Rechetnick.

"Buccaneer" Sets Record

"The Buccaneer" set a new house record in completing its first week at the Saenger in New Orleans, it was stated yesterday at the Paramount offices here.

Cantor in Hospital

Hollywood, Jan. 14.—A streptococcus throat infection has confined Eddie Cantor to a hospital here.

Opens Charlotte House

Charlotte, Jan. 14.—Ellis Blumenthal of Winston-Salem, has opened the Tryon here.

Waldorf Films Shorts

The Waldorf-Astoria has produced three shorts to be used in the training of its staffs. Writing, directing and acting were all handled by the hotel staff with Harry R. Martin, superintendent of mechanical operations, in charge for Lucius Boomer. The films are titled: "Restaurant Service in the Waldorf-Astoria," "Uniformed Service in the Waldorf-Astoria" and "Housekeeping in the Waldorf-Astoria." Other hotels are using the films and the uniform picture was recently loaned to the Eastern Air Lines.

Col. Opens Sales Drive

Columbia's sales force will open the Montague Good-Will Campaign, the company's annual sales and billing drive, today, with Rube Jackter, assistant general sales manager, in charge. The drive continues to May 15 and will include competitive sales events and a series of bonuses for all branch office employes.

Republic Meetings Start

Chicago, Jan. 14.—Republic opened its sales meetings at the Palmer House here today and will continue the sessions through Sunday.

20th-Fox to Produce Own One-Reel Shorts

Twentieth Century-Fox will produce its own shorts for distribution beginning with the 1938-39 season. John D. Clark, general manager of distribution, said yesterday. Only one-reelers will be made, he stated.

Educational's five-year releasing contract will not be renewed upon its expiration next August, he said. There are various reasons for disconti[illegible]ng the Educational association, he pointed out, the chief one being that there is no market for two-reelers, since 80 per cent of the country is double bill territory.

Twentieth Century-Fox plans 52 one-reel subjects, some in color. Truman Talley will head production, according to present plans. He has been producing the "Magic Carpet" and "Newsreel Cameraman" series of one-reelers.

Production will be in New York, probably in a new structure to go up in the rear of the Movietone building on 54th St. at 10th Ave.

E. W. Hammons, president of Educational, yesterday had no comment other than to say that the contract with 20th Century-Fox does not expire until Aug. 31, and that Educational will deliver product to that date. It will take about two years for liquidation of accounts, he said. Hammons has been considering the production of feature-length pictures.

Thompson Renamed Rogers Drive Head

Major Leslie E. Thompson of RKO has again been named by the Will Rogers Memorial Commission to organize the annual Will Rogers National Theatre Week. The commission, which met at the Harvard Club, was presided over by Will H. Hays. Major Thompson received a vote of thanks for the success of his administration in the past.

Among those present at the meeting were Owen D. Young, Jesse H. Jones, Patrick J. Hurley, A. G. Carter, Col. Joseph M. Hartfield, Former Senator J. Henry Walters, Y. Frank Freeman, Spyros P. Skouras, W. C. Michel, Joseph N. Hazen, Harold Rodner, John A. Gifford, Walter Trumbull, John W. Elwood and A. P. Waxman.

Ford to Coast in Feb.

Charles E. Ford, who resigned as Universal Newsreel editor Thursday, will sail on the *Shawnee* today for a two-week vacation in Miami. On his return he will be in New York two weeks winding up his affairs before leaving for the coast to begin a production assignment. Ford said yesterday that while his new association was set he is not at liberty to disclose it at this time.

Kann Dinner Set Jan. 26

The dinner committee, headed by Howard Dietz, M-G-M publicity chief, has finally selected Jan. 26 as the date for the Maurice Kann Round Up and Barbecue. This testimonial barbecue will be held in the Belvedere Room of the Hotel Astor.

Ferguson Transferred

Oklahoma City, Jan. 14.—Todd Ferguson, manager of the Warner, has been transferred to the Midwest.

Ascap to File Suit Against Florida Law

(*Continued from page* 1)

validate Nebraska legislation barng the society from operating within at state could not be tried until xt fall. In a preliminary attack on e legislation Ascap succeeded in obining an injunction restraining Neaska officials from enforcing the law early indications were that a trial e case to test the constitutionalof the law could be concluded this inter. For that reason, Ascap offials had planned to await the outcome the Nebraska trial before proceedg with the Florida litigation.

Preliminary trial work in the Neaska case, including the taking of positions and interrogatories, will t be concluded before April, which ould make trial of the case prior to e summer court recess impossible. ebraska exhibitors, meanwhile, have sumed payment of theatre music xes to Ascap.

Actions to enjoin the states of Monna and Washington from enforcing ti-Ascap legislation were heard by atutory courts eight months ago but decisions have been made yet.

nternational Cinema Asks Reorganization

Los ANGELES, Jan. 14.—Internaonal Cinema, Inc., one of the larg t film laboratories here, today filed the local Federal Court a petition reorganize under 77B of the Bankptcy Law. The company listed asts of $714,342 and liabilities of $285,47.

An unusual angle to the filing is that e list of assets did not name the perns owing money to International, a ocedure which is usually followed.

The action was filed by G. P. egan, president, and A. C. Snyder, cretary, through Samuel A. Miller, torney. Indebtedness of the laboraory to various independent film proucers is believed to have prompted e move. It is expected that Fedal Court will order International, hich was organized in Jan., 1934, file an additional statement listing btors.

ampa Trust Action Will Start Jan. 25

TAMPA, Jan. 14.—Trial of the antiust suit brought by the Rivoli, ampa, against United Artists and ther major distributors is scheduled start Jan. 25 in Federal court here. d Raftery of New York counsel for e defendants arrived here today to gin preparations for the trial.

In its action against the distriburs, the Rivoli alleges that it was rced out of business in 1931 because its inability to obtain sufficient roduct.

ids Are Asked on U. S. Housing Films

(*Continued from page* 1)

f between 2,000 and 4,000 feet and ch other films as the F.H.A. may eem expedient, not to exceed 4,000 et each.

Bids are to be submitted on the asis of both sound and silent 35 mm. lm and for reduction of both to 16 m. Master negatives and one print f each are to be furnished.

Screen Greatest Medium of Public Opinion—Butler

(*Continued from page* 1)

master. Hays noted the fact that Butler attended an industry luncheon 11 years ago at which consideration was given to the improvement of the quality of the screen's product.

The part played by the screen in the formation of public opinion is an aspect of its work which is neither appreciated nor understood by the general public. Today world opinion carries more importance and authority than ever before, Butler' said. "The public must be educated and kept educated," he declared, and contended that the public must be reached in maturity, must be stimulated and informed, and great happenings must be interpreted in understandable terms.

"It is a mistake to look on the film as a source of entertainment and amusement alone," Butler said. "Of course it is entertainment," but it is important in its use as a door to the intelligence. He foresaw the screen as of value in rousing the public intelligence from "its slumber," declaring that the world today talks without limit, but does not act.

Hays, in replying, declared that the screen recognizes its responsibility. He praised DeMille's work in the production of historical films, and read a letter from Richard E. Byrd congratulating DeMille, one of many such telegrams and letters received.

DeMille expressed appreciation for the tribute, and declared it "thrilling" that universities are becoming interested in the screen. The purposes of the screen, he declared, are to entertain, instruct and reflect the life of the period it depicts, but its first function is to entertain. He called the screen the greatest teacher in the world today, "a painless form of acquiring knowledge and information." He told of the painstaking research that goes into the making of historical films.

DeMille presented the working script of his latest production, "The Buccaneer," to the New York Public Library, and it was accepted by Dr. H. M. Lydenberg, director of the library.

Among those attending were A. W. Smith and George J. Schaefer, United Artists; William DeMille, Arthur DeBra and Kenneth Clark of the M.P.P.D.A., Colvin Brown, general manager of Quigley Publishing Co,; Terry Ramsaye, editor of *Motion Picture Herald*; Robert W. Gillham, Al Wilkie and Alec Moss, Paramount.

Find U. S. Films Not Inside Academy Rule

HOLLYWOOD, Jan. 14.—If the Government wants to compete for an award in the short subjects division of the Academy, the Academy will have to create a new classification for documentary and educational films, a committee representing short subjects producers has decided.

Meeting for the first time to smooth out procedure for this year's short subjects awards, the producers, with Frank Capra, Jane Murfin and Howard Estabrook, of the general awards committee, decided to recommend to the awards committee that "The River," Government-made documentary film, be placed in a new classification for educational and documentary film, and not be allowed to compete in the regular short subjects award classifications.

The present classifications are: Animated cartoons; one-reel black and white; two-reel black and white; color shorts, 3,000 feet or under.

It has been decided at the meeting to hold the nominations showing for the four divisions at RKO studios Jan. 26 and 27, with the final showing to be judged Feb. 23 by a committee of 50 at the Filmarte Theatre.

Monogram Signs Cooper

HOLLYWOOD, Jan. 14.—Jackie Cooper has been signed by Monogram to make two pictures. The contract is for $3,500 a week, with a guarantee that the salary will total at least $10,500 for each picture.

Saunders Censor Head

RICHMOND, Jan. 14.—Col. Peter Saunders, secretary to four successive Virginia governors, has been named permanent director of the Division of Motion Picture Censorship. In the past the three members of the board have alternated as director.

Hamrick-Evergreen Bonus Checks Paid

SEATTLE, Jan. 14.—Bonus checks have been sent out to Hamrick-Evergreen executives and managers for their efforts in the Managers' Bonus Contest for the quarterly period ending this month.

Al Finkelstein of the Portland division was top ranking executive, with checks also for Roy Brown and Mose M. Mesher of the Portland headquarters. Frank Christie, Seattle booker, and Vic Gauntlett, Seattle advertising head, were check-winners in the local headquarters.

Circuit house managers who were awarded checks for exceeding their quotas were:

Division A—H. B. Sobottka, Portland; William Hamrick, Seattle; Don Geddes, Seattle; Andrew Saso, Seattle; Joseph Rosenfield, Spokane.

Division B—Leo Hartley, Seattle; James Carey, Vancouver; James O'Connell, Eugene; William Hartford, Everett; H. J. Murphy, Olympia; Jack Rosenberg, Bellingham; E. W. Baker, Spokane; Morrie G. Nimmer, Wenatchee.

Division C—Mike Newman, George Appleby, Orville Reynolds and Ray Grombacher, all of Portland.

Division D—Carl Mahne, Seattle.

Assert No Panay Cuts

MEXICO CITY, Jan. 14.—The local Universal office asserted today that the three-reel special on the *Panay* bombing was not cut by the Mexican censor, but was given the earliest possible showing. The Japanese minister here, it was said, withdrew his request that the film be censored.

Jameyson Recovering

KANSAS CITY, Jan. 14.—Howard E. Jameyson, district manager for Fox Midwest at Wichita, Kan., is recovering in a Wichita hospital from a major operation performed last week.

New Producing Head Is Sought for G. N.

(*Continued from page* 1)

tonight for New York to complete final phases of the reorganization. He said he had no interest in holding a G. N. position, but was acting as adviser because of backers' requests and because he personally financed several productions released by G. N.

"The company will be in good shape following the reorganization," Goldstone said. "Activity for the next two months will continue under the present setup to make films and meet contracts with accounts. Following the revamping G. N. will have plenty of money from the same group of backers who put up the original funds."

Expect Little Heed For Admission Taxes

(*Continued from page* 1)

to be taken next week is expected to refer to the proposed changes in the undistributed profits tax, which is to be lifted from corporations with incomes of less than $25,000, which will be subject, however, to higher normal taxes than they now pay, the subcommittee recommending a sliding scale ranging from 12½ to 16 per cent in lieu of present rates of eight to 15 per cent, to which are added the surtax of seven to 27 per cent on undistributed income.

Exhibitor Cruise Ends

A party of 15 exhibitors and others returned yesterday from a Havana-Bermuda cruise on the *Queen of Bermuda.* Among them were Walter Reade, Sr., Joe Lee, Mr. and Mrs. John Manheimer, Sally Fisher, Frances Bregman of the Elite Circuit here and Mr. and Mrs. Joseph Gellman, Duquesne, Pa. They were gone eight days.

Rename Arthur Rieck

HOLLYWOOD, Jan. 14.—M-G-M has changed the name of Arthur Rieck, Viennese actor, to Arthur Montfort.

Wall Street

Recessions Dominate in Stocks

	Open	High	Low	Close	Net Change
Cons.	1¾	1¾	1¾	1¾	— ⅛
E. K.	164¾	164¾	163½	163½	—2
G. T. E....	13½	13¾	13⅜	13½	.....
Loew	50¾	50⅞	50⅜	50⅞	+ ⅜
Loew, pfd..	106½	106½	106½	106½	+ ¼
Para.	11⅜	11⅝	11	11½	+ ¼
Para. 2.....	11	11¼	11	11¼	— ¼
Pathe	6⅛	6¼	6	6	— ¼
RKO	4¾	5	4½	5	+ ⅜
20th Fox...	22¾	22¾	22⅜	22⅜	— ⅝
20th pfd. ..	31	31	31	31	.....
Univ. pfd...	52¼	53	52	52	—1⅜
W. B.	7⅛	7¼	7	7¼	+ ⅛
W. B. pfd..	37	38½	37	38½	—1½

Small Curb Changes

	Open	High	Low	Close	Net Change
Monogram	2⅜	2⅜	2⅜	2⅜	— ⅛
Sentry	¼	¼	¼	¼	.....
Sonotone ..	1⅞	1⅞	1⅞	1⅞	.....
Tech.	19	19⅝	18⅜	19¼	+ ¼
Trans-Lux	3	3	3	3	+ ⅛
Univ. Corp.	3⅜	3⅜	3⅜	3⅜	— ⅛

Para. Bonds Up 1¼ Pts.

	High	Low	Close	Net Change
Loew 3½s '46.....	99	99	99	.....
Para. Pict. 6s '55	96¼	96¼	96¼	+1¼
Para. Pict. '47...	74	74	74	.....
W. B. 6s '39......	78¼	78¼	78¼	— ½

(Quotations at close of Jan. 14)

Air Programs Coming Up at Allied Meet

(Continued from page 1)

cussed. Allied of N. J. representatives will push for the adoption of a plan which, according to Irving Dollinger, president, is "startling in its originality." While he refused to divulge details, he said it entailed bringing pressure on interests responsible for the alleged competition. Dollinger and Sidney Samuelson, former national Allied president, will represent the New Jersey unit.

The plan differs from those previously proposed by exhibitors in that the pressure campaign would not be directed against producers or distributors, but, through the public, against commercial sponsors of broadcasts, it was learned. The proposal was to have been put into effect in New Jersey jointly with the I. T. O. A. of N. Y., but since the meetings of the two committees have been deferred, N. J. Allied decided to present it at Washington for national adoption.

"Guffey Act" Reaction Due

Results of the poll of Allied units on the proposal of Abram F. Myers, general counsel, for a "Guffey Act" for the industry will be disclosed at the session. Myers' idea, first submitted at the Allied of N. J. convention in Atlantic City last September, is to establish regulation of the industry by a commission similar to that supervising trade practices and labor relations in the soft coal industry.

It was reported here yesterday that the results of the canvass among the units on this question are confusing and an attempt will be made at the board meeting to obtain definite expressions of sentiment.

Since Allied leaders have different ideas on what the national legislative policy should be, an attempt will be made to crystallize a plan of action. Under this head are the perennial proposal to abolish block booking, moves for Federal investigation and regulation, Federal and state measures to divorce production and distribution from exhibition, state taxes aimed to break up circuits and state legislation against designated playdates. There is no unanimity of opinion on all of these proposals.

Meeting Places Suggested

Indianapolis, Minneapolis and Atlantic City have been proposed as the place of the next national convention.

There is sentiment for the re-election of Nathan Yamins as president for a third term, but he has not indicated that he will accept. Booms have also developed in behalf of two former presidents.

Allied Theatres of Connecticut has designated Abe Fishman of New Haven as its representative at the board meeting. He will substitute for J. B. Fishman, a regular board member, who is unable to attend.

In Pittsburgh Show

Pittsburgh, Jan. 14.—Stephanie Diamond of the WCAE dramatic staff and Charles Roe, announcer at the same station, have been signed to play the leading roles in the Pittsburgh Playhouse's next show, "Accent on Youth." It will open a three-week run Jan. 25.

FCC Sends Rebuke to NBC For Mae West's Broadcast

Washington, Jan. 14.—A sharp reprimand for carrying the Mae West "Adam and Eve" skit was issued to NBC by the Federal Communications Commission today, with warning that NBC must have due regard to the proprieties in the writing and production of its programs.

Individual stations carrying the program also were rebuked by the commission, and were warned that the public interest, convenience and necessity were paramount to any contracts they might have with sponsors, and that, in considering applications for renewal of license, thought would be given to violations such as involved in the Chase and Sanborn program.

The commission's views were made known in a letter to Lenox R. Lohr, president of NBC, in which commendation was given for the apologies over the radio and through the press and to the commission by letter, but the excuse that the production was only a "human error in judgment" was not accepted.

"While the primary responsibility for this program rests on your company," the commision wrote, "the stations that carried it cannot be excused for carrying this program on the ground that such program was received over the network under a contract for program service. Each licensee carries his own definite responsibility for the character of programs broadcast and he must be and will be held to account regardless of the origin of the program. All who are interested should, therefore, take notice that trespasses against the public interest will be charged against every station engaging in such trespass."

In view of the company's recognition of the objectional character of the program and the assurance that greater care will be exercised in the future, no further action will be taken in the matter.

Chairman Frank R. McNinch said plans are under consideration for the calling of a more or less general conference of broadcasters to discuss what can be done about programs.

FCC Ruling Hits Local Monopolies By Air Stations

Washington, Jan. 14.—Administration opposition to monopolistic tendencies in industry today reached the Federal Communications Commission, which adopted a policy of refusing to any person or organization already holding a broadcasting license the authority to construct a second station in the same area unless it is shown conclusively that there is need for another station and that no other interests are prepared to erect it.

The commission's policy was enunciated in a decision denying to WSMB, Inc., operators of WSMB, New Orleans, authority to construct a second station in that city.

Local Operators Not Affected

The purpose of the ruling, it was explained by Chairman Frank R. McNinch, is to prevent the development of local monopolies in broadcasting. The rule is not to be applied to the acquisition by one interest of two or more stations in different areas, nor will it have any effect upon persons or companies which already operate two or more stations in the same area.

"The available frequencies in the broadcast band are limited," it was pointed out in the WSMB decision, "and the commission is loath to grant facilities for an additional broadcast station to one who already holds a license for a station in the same community unless it is clearly shown that the public interest, convenience or necessity would be served thereby."

Quits as KFAB Announcer

Lincoln, Jan. 14.—J. B. Lake, chief announcer at KFAB, has resigned to become station manager of KFWB, Hutchinson, Kan. In Lake's place on the KFAB staff Chuck Miller has become chief announcer.

Halt Propaganda In Broadcasting, Urges Dr. Angell

Dr. James R. Angell, former president of Yale University and now educational counsellor for NBC, urges a check on radio propaganda, calling such broadcasts a "sinister factor in life."

Dr. Angell mentioned specifically the use of radio in instilling an aggressive hostility to democratic ideals in South America. Radio has great political and social consequences, he says, and it must be used properly and controlled.

Four Stations Sign With Wisconsin Net

Green Bay, Wis., Jan. 14.—Four more stations have signed contracts for affiliation with the Wisconsin Radio Network, according to Rev. James A. Wagner and O. Praem, president of the network.

The new additions are WEMP, Milwaukee; WHBL, Sheboygan; WCLO, Janesville, and WOMT, Manitowoc.

The basic stations of the network, WHBY, Green Bay; KFIZ, Fond du Lac, and WIBU, Poynette, have been operating under the network setup since Sept. 1, 1937.

Report NBC Shifting Junction

Kansas City, Jan. 14.—Reports here are to the effect that NBC will move its junction point from this city to Oklahoma City because of bad weather conditions over the Rocky Mountains, a condition which has been giving trouble here for some time. It is said that the new line will run from Chicago by the southern route. A. T. & T. is believed to be ready to start work on the making of the change.

◂ Radio Personals ▸

E. K. COHAN, CBS executive, will sail for England and France today aboard the *Ile de France*. . . Gerald Lyons, recently with Edwin C. Hill as news editor, has joined the staff of the CBS publicity depart[illegible]t. His major assignment will be [illegible]he handling of the Bowes Amateur Hour program. . . . Arthur Godfrey's publicity is now being handled by Ken Lyons. . . . Bea Lillie unexpectedly planed to Hollywood yesterday for retakes on her picture, and so she will not appear at Benny Goodman's swing concert tomorrow, where she was to serve as commentator.

+

It will be "Radio Day" at the Advertising Club next Thursday, and the guest speaker will be Bob Carter, WMCA chief announcer. . . . Maxwell Anderson's second original radio drama, written for NBC, has been completed and will be presented over the Red from 9:30 to 10 P. M. Jan. 29. . . . Gale Page, Chicago radio actress, is en route to Hollywood to make pictures for Warners. . . . O. H. Caldwell, publisher of *Radio Today*, has been appointed chairman of the committee appointed to raise funds among radio manufacturers and dealers for the National Foundation for Infantile Paralysis.

+

Martin Starr has been appointed assistant dramatic critic to Harry Hershfield at WMCA. . . . Vincent Lopez is behind a movement to alter the tune of the national anthem. What next will the bandleaders try? . . . "Magazine of the Air" will become a musical program Sunday with Morton Bowe, Genieve Rowe, Mark Warnow's orchestra and Vera Brodsky and Harold Triggs. . . .

Paralysis Drive Show on Tonight

An elaborate program for the Infantile Paralysis Foundation has been set and will be heard tonight from 9 to 9:45 P. M. on the NBC-Red. The talent includes Rudy Vallee, Al Jolson, Jeanette MacDonald, Nelson Eddy, Edgar Bergen, Lanny Ross, Kennie Baker, Joe Penner, Parkyakarkus, Dorothy Lamour, Walter O'Keefe, Alice Faye, Tony Martin, Phil Baker, Don Wilson and Meredith Willson's orchestra.

Charles E. Stahl Dies

Montclair, N. J., Jan. 13.—Charles Edward Stahl, president of the Arcturus Radio Tube Co. of Newark, succumbed of pneumonia at his home here. Survivors are his widow; his mother, Mrs. Nettie A. Stahl of Chicago, and a daughter, Mrs. Marietta Cerf of Willow Grove, Pa.

Spokane Signs on Music

Spokane, Jan. 14.—KFPY, CBS outlet, and KHQ and KGA, NBC affiliates, have signed contracts with the local musicians' union. Contracts guarantee a minimum number of musicians on staff at each station for next two years.

Page-Wood Quits Ewald

Chicago, Jan. 14.—Gerald Page-Wood, for the past year vice-president in the local offices of Campbell-Ewald Co., Inc., advertising agency, has resigned, effective immediately.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 13 — NEW YORK, MONDAY, JANUARY 17, 1938 — TEN CENTS

Music Pacts Return 1,000 To Air Work

'wo-Year Musician Deal Effective Today

Approximately 1,000 previously un-
nployed union musicians throughout
e nation will return to work be-
nning today, when the two-year con-
act recently negotiated between the
merican Federation of Musicians and
e Independent Radio Network Af-
iates goes into effect. The pact will
crease the I.R.N.A. station salary
idgets for union musicians by $1,500,-
0 per year for two years.

Contracts covering the key stations
the networks have been completed,
ith terms mutually satisfactory to
e federation and the networks, but
yet they are undelivered. Accord-
g to word received here, the signed
ocuments will be exchanged some
me today. Under the terms of the

(Continued on page 8)

'wo Stations Join CBS Coast Network

KARM, Fresno, and KROY, Sac-
amento, became official members of
e CBS network on Saturday as
embers of the Pacific Coast Group.
KARM and KROY are available
n an optional basis as members of
e group. KROY at present broad-
asts on a partial schedule. When
oth stations are on the air they must
e bought in combination, at a base
ate of $150 per night hour. They
ill be counted as one station hour in
omputing discounts. The base rate
or Fresno, when KROY is not avail-
ble, will be $100 per night hour, and

(Continued on page 8)

McDonald Disposes Of Stock in Zenith

WASHINGTON, Jan. 16.—Disposition
y E. F. McDonald, Jr., Chicago,
fficer and director of Zenith Radio
orp., of 9,500 shares of the company's
ommon stock held through the Seneca
ecurities Corp., was reported tonight
y the Securities and Exchange Com-
ission in its second November report
n the transactions of corporation of-
cers and directors in the stocks of
eir companies.

At the close of the month, it was
hown, McDonald held 3,725 shares
f common direct and 66,631 shares
hrough the Seneca company.

More Radio—Pp. 8-9

Euripides Or—

Ed Wynn, who is doing yeoman work in the amusement division of the New York-Brooklyn Jewish Charities drive, recalls that some years ago when asked why he gave so much of his money to charity instead of saving it, he "accidentally" replied: "I have no desire to be the richest man in the cemetery."

"That remark has since been translated into 53 languages," he declared, "and I suppose in the history books Euripides or someone will get credit for it."

Allied Board to Talk Its Plans With Lawmakers

WASHINGTON, Jan. 16.—A conference with Congressmen from some of the districts represented at the annual board meeting of national Allied will be held here Wednesday, the second day of the sessions, to obtain their views on the course to be pursued by Allied in its national legislative program.

The meeting, which will be attended

(Continued on page 5)

Virginia Governor To Address M.P.T.O.

RICHMOND, Jan. 16.—Gov. J. H. Price and Mayor John F. Bright of Richmond will be among the speakers at the midwinter convention of the Virginia M.P.T.O. here Jan. 27. Members of the Legislature also have been invited.

Charles A. Somma, chairman of the board, will discuss current exhibition problems.

N. Y. Theatres Gain; Total 1,081 in 1937

Gross Seating Capacity Reached 1,249,653, Film Board Finds

There were 1,081 theatres open in the Greater New York area Jan. 1 with a total seating capacity of 1,249,653, or a gain of 34 theatres and approximately 13,000 seats over 1936, according to the annual theatre directory of the N. Y. Film Board of Trade, made public by Louis Nizer, executive secretary.

The total number of theatres in the metropolitan area at the end of 1937 was 1,200, having a seating capacity of 1,343,864, a gain of 36 theatres and 13,317 seats over the preceding year. Of this number, 119 theatres having a seating capacity of 94,211 were dark, an increase of two closed theatres over 1936.

Two new circuits were added during the year, bringing the total to 48 individual circuit operations. In circuit folds were 761 theatres with a seating capacity of 1,032,829. The totals represent an addition of 50 theatres with a seating capacity of 54,157 to circuit operations during 1937.

Independent theatre operations totalled 439 houses with 311,035 seats, a decrease of 14 theatres during the past year. New Jersey independent operations accounted for all of the decrease,

(Continued on page 9)

French Trade Is Disturbed By Tax Change

By PIERRE AUTRE

PARIS, Jan. 16.—The French film industry is seriously disturbed by the law, passed by the Chamber of Deputies, and effective Feb. 2, which reduces the state tax by 25 per cent on those film houses only which have orchestras and vaudeville in conjunction with the film program, while at the same time it increases by 25 per cent the state tax on film houses not using vaudeville and orchestras, whose monthly receipts exceed $6,700.

The measure is believed to have the effect of causing considerable losses to producers and distributors, in the event that exhibitors are faced with

(Continued on page 9)

Report Richards Para. Stock Sale

By CLARENCE LINZ

WASHINGTON, Jan. 16.—Disposition by E. V. Richards, New Orleans, Paramount director, of 2,000 shares of Paramount second preferred stock held through the Rochelle Investment Corp., in October, and an additional 1,400 shares in November together with 1,400 shares held direct, has been disclosed by the Securities and Exchange Commission.

At the close of November, Richards held 1,400 shares of second preferred

(Continued on page 5)

Reade Plans Eleven New Houses in Year

Eleven theatres are planned for construction this year by Community Theatres, Walter Reade, president, said Saturday. Seven were completed by the circuit last year, its first year of operation.

Four new houses are to get under way in the next 30 days, Reade said. These will be in Red Bank, N. J., and Ellenville, N. Y., both to seat 1,100, and in Beacon, N. Y., and Trenton, N. J., both with 1,600 seats. Reade

(Continued on page 9)

Sears Attacks Giveaways; Showmanship a "Lost Art"

HOLLYWOOD, Jan. 16.—The first major distribution executive to blast chance games, Gradwell L. Sears, upon leaving Hollywood for New York, said exhibitors should stop running gambling halls and instead run legitimate houses.

"Showmanship is fast becoming a lost art in the film business because of exhibitors degrading their theatres with Country Stores, Turkey Nights and other destructive giveaways when they should be plugging pictures instead," he said.

"How can exhibitors expect studios to give them great productions made at substantial costs if theatres fail to make these pictures bring the revenue they should? If exhibitors would devote as much time to merchandising these great shows to customers as they

(Continued on page 5)

IATSE Claim Before Federation Council

MIAMI, Jan. 16.—The executive council of the A. F. of L. which goes into session here this week is scheduled to give consideration to the I.A.T.S.E. claim to jurisdiction over all workers in the film industry, including the Screen Actors' Guild, which is chartered by another A. F.

(Continued on page 9)

MOTION PICTURE
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Legion Approves All Of 17 New Pictures

The National Legion of Decency, in its list of 17 new pictures reviewed and classified for the current week, has approved all of them, 13 for general patronage and four for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Change of Heart," "Eva" (German), "Harlem on the Prairie," "In Old Chicago," "Lost Ranch," "Love is a Headache," "Mama Runs Wild," "The Old Barn Dance," "Orphan of the Pecos," "Paroled to Die," "Outlaws of the Prairie," "She's Got Everything," "En Saga" (Swedish). Class A-2, Unobjectionable for Adults—"Action for Slander," "Loco Lindo" (Spanish), "Tears of Love" (Arabic), "Women in Prison."

Thomas Takes Two Back

Kingfisher, Okla., Jan. 16.—The Thomas and Temple have been repurchased and are now being operated by John H. Thomas. He took the houses back from Consolidated Amusement Co. Kenneth Thomas, son of John H. Thomas, has returned from California to manage the houses.

Purely Personal

EDDIE MANNIX, M-G-M producer and Howard Strickling, in charge of studio publicity, will leave tomorrow or Wednesday for the coast. They came in for the funeral of John H. Mannix, the producer's father, which was held Saturday.

•

Margot Grahame will give a "Hands-Across-the-Sea" dinner for Collette Lyons on Jan. 22 in the Georgian Room of the Hotel Piccadilly. Members of the local British colony have been invited.

•

Bernie Hyman, M-G-M associate producer, will arrive tomorrow on the *Berengaria* from a European vacation. He has been gone two months.

•

Claudette Colbert and her husband, Dr. Joel Pressman sailed Saturday on the *Conte Di Savoia.*

•

Charles Bickford arrived over the weekend. He will shortly be seen in the stage play, "Casey Jones."

•

. . . Denver

Donnelly James is the father of twins. Mrs. James and the boys are doing well.

Gene Gerbase is back in town after a southern vacation.

Carlos Holscher is in Denver arranging publicity for the safe-driving short, "Safe Roads."

Nat Wolfe has sold his interest in the Bideawee to Hiram Curtis and Leo McNammara.

Ted Halmi, artist at the Orpheum, succeeds Ben Sweeten there as publicity man. Sweeten is leaving soon for California.

•

. . . Oklahoma City

Robert Busch is managing the Tower temporarily while James Burge stays in Standard's headquarters and rests up after a siege of pneumonia. Carl Flourney, assistant manager of the Circle is in charge of that theatre for the time being.

Gerald Stettmund, manager of the H. & S. theatre in Chandler, Okla., has been elected president of the Chandler Chamber of Commerce for the coming year.

Joe Lee Hogue, manager of the Lyric in Idabel, Okla., for ceveral years has gone to Pittsburgh. La., to manage a theatre there owned by Barton McClendon.

D. F. Bredreck, Canton, Okla., and Bruce Hendrix have purchased a house in Hydro, Okla., which Bredreck will manage.

Wisconsin Men Shifted

Marinette, Wis., Jan. 16.—Clarence Wall, former manager of the Strand in Green Bay, Wis., has been named manager of the Fox houses here and in Menominee, Mich., succeeding E. R. Brennan, who has been transferred to Green Bay as manager of the circuit's Orpheum, succeeding Vic Geisel, resigned. Geisel has moved to Hollywood.

Joseph M. Baisch, assistant manager at the Bay theatre in Green Bay, succeeds Wall as manager of the Strand.

Gets Cooperation

Fremont, Neb., Jan. 16.—Bill Mack, manager of the Empress, got the last word in cooperation from Mayor Drew for "Wells Fargo." The mayor declared a holiday and a pony express run with the film was made from Omaha to the theatre on opening day.

Jewish Drive Nears Its $200,000 Goal

David Bernstein, vice-president of Loew's, who is co-chairman with Albert Warner of the amusement division in the campaign of the New York-Brooklyn Federation of Jewish Philanthropies, on Saturday expressed confidence that the division would meet its quota of $200,000. The drive ends Jan. 31.

The amusement division has already pledged or contributed $170,000 toward the $6,250,000 campaign, of which $5,500,000 has been secured. A committee is also gathering funds in Hollywood.

Among the large contributions in the amusement division are: William Paley, president of CBS, $15,000; Harry M. and Albert Warner, $10,000; David Bernstein, $8,000; Louis Frisch and Samuel Rinzler, $5,000; Nicholas M. Schenck, $3,500; Arthur Loew, $3,000; Joseph H. Cooper. Cooper Foundation, $3,000; Frank V. Storrs, $3,000; Warner Bros. Music Co., $2,500; J. Robert Rubin, $2,500: Al Lichtman, $2,500: Bob Hall, $2,500; Sally Rand, $1,650; Abram Schwartz, $1,500; Jack Cohn, $2,500: William and Harry Brandt, $2,000: Jules Brulatour, $1,250: Walter Reade, $2,000: Leopold Friedman, $1,500; Leo Feist, $1,500: C. C. Moskowitz, $1,000: B. S. Moss, $1,000; Nate Spingold, $1,000; Walter Wanger, $1,000: Barney Balaban, $1,000; William Klein, $2,600; R. S. Cohen, $1,100.

Donations have been received also from many non-Jews. Bill Robinson and Cab Calloway are listed among the contributors.

Producers Will Get Schedules on Census

Washington, Jan. 16.—Mailing to film producers and other manufacturers of schedules for the biennial census of manufactures was announced tonight by the U. S. Census Bureau.

The schedule consists of four pages, including one and a half pages devoted to instructions. Producers will be asked to report the number of persons employed during 1937, total salaries and wages, cost of contract work, cost of studio supplies, containers for films, fuel and energy and cost of production, together with the number of theatrical films produced and their cost, and the cost, separately, for news, advertising, educational and other films.

The 1935 census showed 129 establishments, employing a total of 27,417 persons who received $101,754,426 in salaries and wages. A total of 1,094 theatrical films costing $129,836,134 were reported as produced during the year together with news and advertising films costing $5,001,321 and educational pictures costing $369,796. Other pictures produced cost $2,635,564.

Hays Guest Tonight Of Phila. Ad Club

Will H. Hays will be guest of honor tonight at the annual dinner of the Poor Richard Club of Philadelphia, whose gold medal of achievement for 1937 will be awarded to him for "outstanding leadership" in this industry. Alfred P. Sloan of General Motors was the recipient of the award last year. The affair will [illegible] held at the Bellevue-Stratford.

Hays plans to leave for the coast late this week or early next for a visit of a few weeks.

Eugene Castle Sails For European Survey

Foreign distribution possibilities for 16 mm. and 8 mm. subjects will be surveyed by Eugene W. Castle, president of Castle Films, who left Saturday on the *Ile de France,* to be gone six weeks. The company has 6,000 dealer outlets, including 500 in foreign countries.

Castle will survey the Continent with expansion in view in France and Italy and probably Germany and will decide whether to make foreign language films or superimpose titles on the pictures made here. Bell & Howell is the company's British distributor.

Castle has made five series for home projection, using newsreel clips of outstanding events in some instances.

Warners Planning No More Foreign Houses

Except for the house now being built in London, Warners plan no other foreign theatres, Herman Maier, in charge of the circuit's construction, said Saturday before sailing on the *Ile de France.*

The foundation for the London theatre has been completed, and Maier will supervise further work, which is expected to be completed in September. The house, which will have about 2,000 seats, will be on the site of the old Daly.

Hummel Now at Sydney

Joseph S. Hummel, Warners general foreign sales manager, is now in Sydney, Australia, and is not expected back here until next May, according to the home office. He expects to remain in Sydney until late in February, then will go to Bombay and tour the Far East.

Mario Zama, Warners director in Italy, and C. L. Conradsen, in charge of the Scandinavian countries, will arrive here together late this month for conferences with Sam E. Morris, vice-president in charge of foreign activities.

Sack Amusement in Deal

San Antonio, Jan. 16. — Sack Amusement Enterprises has completed a deal for southern and midwestern distribution of four all-Negro features which Richard C. Kahn will produce in Hollywood during 1938. The first will be "Two-Gun Man from Harlem."

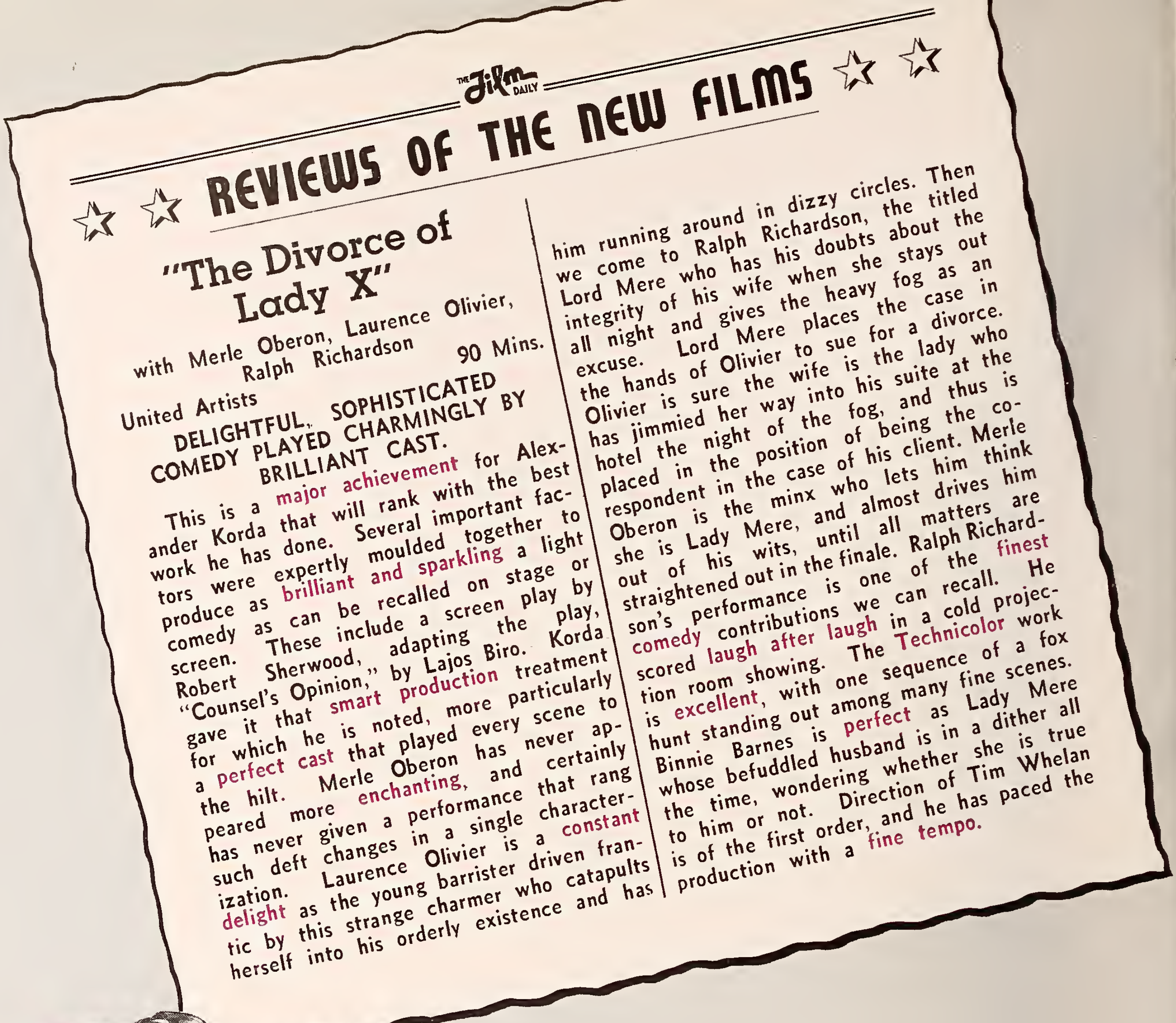
Acquire Newsreel Site

Newsreel Theatres, Inc., has leased the plot at 236 West 34th St. for construction of a new house. The property adjoins entrances to the Pennsylvania Station. Construction work is to be started in 30 days.

There are only
two things
that could make
MERLE OBERON
even more perfect than she is:
COLOR
and
COMEDY!

ALEXANDER KORDA
has given her the
best of both in
"THE DIVORCE
OF LADY X"
A TECHNICOLOR
comedy that
surpasses his
greatest
achievements!

The trade press agrees.
Turn the page, please.



THE Film DAILY

☆ ☆ REVIEWS OF THE NEW FILMS ☆ ☆

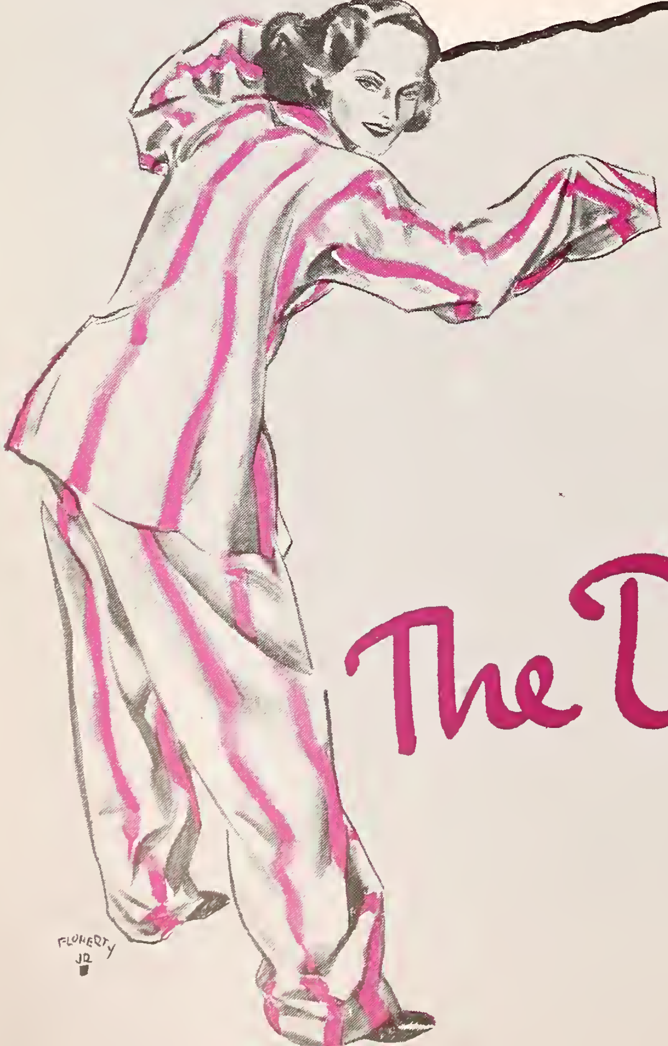
"The Divorce of Lady X"

with Merle Oberon, Laurence Olivier, Ralph Richardson

United Artists 90 Mins.

DELIGHTFUL, SOPHISTICATED COMEDY PLAYED CHARMINGLY BY BRILLIANT CAST.

This is a major achievement for Alexander Korda that will rank with the best work he has done. Several important factors were expertly moulded together to produce as brilliant and sparkling a light comedy as can be recalled on stage or screen. These include a screen play by Robert Sherwood, adapting the play, "Counsel's Opinion," by Lajos Biro. Korda gave it that smart production treatment for which he is noted, more particularly a perfect cast that played every scene to the hilt. Merle Oberon has never appeared more enchanting, and certainly has never given a performance that rang such deft changes in a single characterization. Laurence Olivier is a constant delight as the young barrister driven frantic by this strange charmer who catapults herself into his orderly existence and has him running around in dizzy circles. Then we come to Ralph Richardson, the titled Lord Mere who has his doubts about the integrity of his wife when she stays out all night and gives the heavy fog as an excuse. Lord Mere places the case in the hands of Olivier to sue for a divorce. Olivier is sure the wife is the lady who has jimmied her way into his suite at the hotel the night of the fog, and thus is placed in the position of being the co-respondent in the case of his client. Merle Oberon is the minx who lets him think she is Lady Mere, and almost drives him out of his wits, until all matters are straightened out in the finale. Ralph Richardson's performance is one of the finest comedy contributions we can recall. He scored laugh after laugh in a cold projection room showing. The Technicolor work is excellent, with one sequence of a fox hunt standing out among many fine scenes. Binnie Barnes is perfect as Lady Mere whose befuddled husband is in a dither all the time, wondering whether she is true to him or not. Direction of Tim Whelan is of the first order, and he has paced the production with a fine tempo.


FLOHERTY JR.

ALEXANDER KORDA *presents*

MERLE OBERON

in

The Divorce of Lady X

A COMEDY IN TECHNICOLOR

with **LAURENCE OLIVIER** and

BINNIE BARNES • RALPH RICHARDSON • MORTON SELTEN

Directed by TIM WHELAN • RELEASED THRU UNITED ARTISTS

Allied Board to Talk Its Plans With Lawmakers

(*Continued from page* 1)

by exhibitors in addition to the directors, will get under way here Tues[illegible] at the Carlton Hotel.

Pittsburgh, in addition to Indianapolis and Atlantic City, have been proposed as the place of the next national convention. The time and place of the meeting will be decided Tuesday.

Abram F. Myers, chairman and general counsel, will divulge the results of his recent correspondence with Procter & Gamble involving Jimmy Fidler's Hollywood broadcast, which has been attacked as injurious to the industry. The board will then consider the proposal of Allied of N. J. to combat film star broadcasts.

Other highlights of the Tuesday agenda are a report by P. J. Wood of Columbus, on the Federal admission tax and the possibility of its modification and consideration of a legislative program and "protective measures under the anti-trust laws" with discussion led by Col. H. A. Cole of Texas.

On Wednesday there will be discussion of an insurance proposal at the request of the M.P.T.O. of Maryland and consideration of the product situation as it shapes up to date and a proposal to extend sales surveys. Inter-organization cooperation will be discussed.

In addition to officers, the board will elect an executive committee consisting of not more than five and not less than three directors. The committee now consists of Nathan Yamins, president; Sidney Samuelson of New Jersey and Arthur B. Price of Maryland.

The annual dinner for directors and visiting exhibitors will be held Tuesday night at the Shoreham Hotel.

Report Richards Para. Stock Sale

(*Continued from page* 1)

stock in his own name and 3,600 shares through the investment company.

Other transactions reported by the S.E.C. in its semi-monthly summary of transactions of officers and directors in the securities of their corporations included the receipt by Edward J. Peskay, New York, officer and director in Grand National Films, of 950 shares of the company's common stock and its transfer to a trust.

July and August reports filed by the Chase National Bank disclosed that in the former month it disposed of 600 subscription warrants for General Theatres Equipment Corp. common stock and in August disposed of 2,365, entirely disposing of its holdings. At the close of August, however, the bank still held 181,213 shares of the company's common stock.

Term Pact for Lane

HOLLYWOOD, Jan. 16.—Because of his work in "Having Wonderful Time" at RKO, Allan Lane has been given a term contract and has been set for the lead opposite Joan Fontaine in "Certified."

Sears Attacks Giveaways; Showmanship a "Lost Art"

(*Continued from page* 1)

do in putting over audience games which drive away business the entire industry would be better off. Hollywood isn't falling down," he continued, citing new and novel story material, "it's the exhibitor."

"Motion picture theatres are built for motion pictures, not constructed for the purpose of being used as gambling halls or for lotteries. Hollywood obviously can't step into theatres and sell the fine product it makes. That is up to the exhibitor. He must cooperate to the utmost extent or suffer along with the producer. Studios can't maintain their present terrific pace unless the theatres of the country get behind them with showmanship which actually sells. Unless theatres wake up and go to work, producers will be compelled to cut production budgets. The public must be made conscious of the enormous entertainment values or all the splendid efforts and skill of the studios will fail to get the results they merit.

Calls Cooperation Lacking

"Hollywood delivers great attractions and the distributors do all they can to help exhibitors put them across. But the theatres themselves fail to come through with the follow-up which is vital to both the producer and themselves. Turkey Nights, Country Stores and such industry ailments are like hypodermics. After you give the patient a lot of shots in the arm he can't live without them. And then what happens when the hypo doesn't help the patient any more? That question is for the theatres to study and decide before it is too late.

"Theatres are not playing fair with Hollywood by not getting all the money they should from its product. It's certainly time the theatremen became smart and got back into the show business. If they don't junk Turkey Nights and all the other trash which is ruining the industry and discouraging producers they will end up in financial suicide. The industry is based on showmanship, which is its life blood. Unless exhibitors infuse showmanship into their operations it is going to be a tragic thing for the entire film business."

To Fight Bank Nights

HACKENSACK, N. J., Jan. 16.—Prosecutor John J. Breslin of Bergen County has announced that he will take steps to prosecute theatre owners using Bank Night or any other game after Jan. 17.

Continue Games in Frisco

SAN FRANCISCO, Jan. 16.—San Francisco theatres are continuing operation of chance games despite the recent ruling of State's Attorney General U. S. Webb that all such devices violate the state anti-lottery law.

Spokane to Pay Quarterly

SPOKANE, Jan. 16.—Upon plea to the City Council, independent exhibitors won the right to pay their annual license fees on a quarterly basis instead of a year in advance. Theatres pay flat fees of $50 for 500 seats or less and $80 for over 500.

Meredith Plans to Drop Equity Office

Burgess Meredith, acting president of Actors' Equity Association, will not continue as head of the stage performers' union after next June, he states in an article in the current issue of *Equity Magazine,* in which he sets forth a 10-point policy program which he proposes to follow during his tenure in office.

The program consists of Equity support for the Coffee Bill, WPA Theatre Projects and Arts Union Conference; active participation of the theatre in World's Fair plans; support of the American Theatre Council; cooperation with the Four A's; reorganization of *Equity Magazine;* drafting of a new Equity contract; efficiency and economy programs for Equity administration; assistance for cooperative producing ventures; liquidation of investigating committees, and final organization of night club and cabaret workers.

Meredith also states that unless managers take immediate steps to curb ticket speculation Equity will intercede to stop the practices with "drastic" measures of its own.

Academy Ballots Go Out to Actor Guild

HOLLYWOOD, Jan. 16.—Under the revised awards procedure of the Academy of M. P. Arts and Sciences, the Screen Actors' Guild tomorrow will mail out to senior members ballots for the determination of nominees for the four acting awards—best performances by male star, feminine star, male supporting player, feminine supporting player. Also included on the ballot will be nominations for 10 outstanding productions of the year.

After tabulation of the nominations by an accounting firm, the Guild will report its five nominees for each of the acting awards, and the Academy will send out final ballots to both junior and senior members of the guild, and all directors and all writers, regardless of organization affiliation, under the revamped plan proposed by the Actor's Guild.

In turn, the Actors' Guild members will be asked to vote on the finals for writer and direction awards.

Blank to Build Another

DES MOINES, Jan. 16.—Tri-State Theatre Corp. has leased a location for a second new house. When completed this will make nine Tri-State theatres in Des Moines. A. H. Blank recently purchased the Hiland, this will be closed when the new theatre to be built in that vicinity has been completed.

Henry Plude, assistant manager of the Des Moines, has been made manager of the Hiland; I. E. Peterson, former owner and manager of the Hiland, is at the Paramount. Bruce Shelton, assistant manager of the Paramount, has been made assistant manager of the Des Moines and Dell McDermott, chief of service at the Paramount, has been made acting assistant manager.

Motor Plants' Cuts Hit Michigan Takes

DETROIT, Jan. 16.—With automobile production cut to the bone and thousands of workers either idle or working but a few hours a week, grosses in subsequent runs have dropped.

Woodward avenue, street of Detroit's all-night houses, the Roxy, Colonial, Majestic, Fine Arts and Forest, are hard hit.

Out-state the situation is much the same. Ford, General Motors and other plants have parts factories in the smaller towns and with these closed, small town theatres are struggling along on 50 per cent of average takes.

Flint is particularly hard hit with the big General Motors plants there practically shut down. Most of the houses in Flint that have been playing three changes a week have gone to two to cut down film rentals.

First runs have not been hit so hard.

Republic Meet Set For Coast in Spring

CHICAGO, Jan. 16.—Republic's sales forces started a two-day conference here today and agreed, among other things, to hold the annual convention in Los Angeles in the spring.

Next year's schedule will be the same as this year.

Several of those attending will leave for the coast tomorrow.

Republic on Saturday let out 10 clerks in the contract department. It was explained by Grover C. Schaefer, comptroller of the company, that the dismissals were the result of the altered sales setup in the company, following the meeting of Republic's franchise holders here last week.

Schaefer explained that in view of the fact that the company is operating without a general sales manager, all contract activity is handled through the district sales managers at the exchanges in the field, and not at the home office as heretofore. Consequently, Schaefer said, considerable detail work on contracts has been eliminated in the home office and the dismissals followed. He said there are no immediate plans for filling the post of general sales manager.

Wall Street

Eastman, Loew's Up on Board

	Open	High	Low	Close	Net Change
Cons.	1¾	1¾	1¾	1¾	.....
E.K.	164	166	164	166	+2½
G.T.E.	13⅝	13⅞	13⅝	13⅞	+ ⅜
Loew	50¾	52½	50¾	52⅜	+1½
Para.	11½	12¼	11½	12	—1
Pathe	6¼	6¼	6¼	6¼	+ ¼
R.K.O.	5	5⅛	5	5	.....
20th Fox....	22¼	23	22¼	23	+ ⅝
Univ. pfd...	50	50	50	50	—2
W. B.......	7⅛	7½	7½	7⅜	+ ⅛

Technicolor Heads Curb Rise

	Open	High	Low	Close	Net Change
G. N.......	¾	¾	¾	¾	.....
Monogram .	2½	2½	2½	2½	+ ⅛
Technicolor.	19¾	20¾	19¾	20½	+1
Trans-Lux.	3	3	3	3	.....
Univ. Corp..	3⅛	3½	3⅛	3½	+ ⅛

Paramount Bonds Increase

	High	Low	Close	Net Change
Loew 3½s '46....	99	99	99	.....
Para. Pict. '47....	74½	74½	74½	+ ½
W. B. 6s '39......	78¼	78¼	78¼	.....

(Quotations at close of Jan. 15.)

"Gangster" Up In Washington New Year Gain

WASHINGTON, Jan. 16.—New Year's bills, with the Universal and Movietone *Panay* films, helped grosses in a big way. "The Last Gangster" went out front at Loew's Capitol with an elaborate stage show to help. The take was $25,000, up by $4,100.

"Tovarich" at the Earle, with a vaudeville show headed by Bert Frohman, took $20,000, or $1,600 over par. At the Metropolitan, "Submarine D-1," playing a continuation run, did $5,700, or $1,400 over the first run average. "A Damsel in Distress" took $14,200 at RKO-Keith's (including New Year's Eve evening at 99 cents top), to go $3,600 over par. At Loew's Columbia, "Nothing Sacred" did $5,100 on a return engagement, or $1,500 over the first run average.

Second week of "Rosalie" at Loew's Palace did $10,300, or $5,600 under the first week average.

Total first run business was $80,300. Average is $73,700.

Estimated takings, exclusive of tax, for the week ending Jan. 7:

"TOVARICH" (W. B.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Michon Brothers; Nick Long Nadine Mae; Frankson; Nina Allen; Bert Frohman. **Gross:** $20,000. (Average, $18,400.

"THE LAST GANGSTER" (M-G-M)

LOEW'S CAPITAL—(3,434), 25c-66c, 7 days. Stage: "Hollywood Bandwagon," with Abbott & Costello; Keen Twins; Vic & LaMarr; Loraine & Roonan; Melba; Carol Manners; Vern Rath; Charles Malone; Sixteen Hollywood Starlets. **Gross:** $25,000. (Average, $20,900)

"NOTHING SACRED" (U. A.)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). Gross: $5,100. (Average, first run, $3,600)

"ROSALIE" (M-G-M)

LOEW'S PALACE—(2,370), 35c-55c, 7 days, 2nd week. **Gross:** $10,300 (including about $1,500 for special midnight showing of "The Hurricane" on New Year's Eve). (Average, first week, $15,900)

"SUBMARINE D-1" (F. N.)

METROPOLITAN — (1,591), 25c-40c, 7 days (continuation run, from the Earle). **Gross:** $5,700. (Average, first run, $4,300)

"A DAMSEL IN DISTRESS" (RKO)

RKO-KEITH'S—(1,836), 25c-55c, 6½ days. Gross: $14,200 (including the New Year's Eve half-day at 99 cents). (Average, $10,600)

British Exports of Positive Film Gain

LONDON, Jan. 16.—British exports of exposed positive film for 1937 totaled 22,772,882 feet, according to figures issued by the Board of Trade. The total represents an increase over the 1936 aggregate of 472,350 feet. The total value of the 1937 exports was £129,767.

Imports during 1937 totaled 20,984,593 feet, a decrease of 2,354,150 feet from the 1936 total. The 1937 imports were valued at £167,296.

Associated British Issuing Securities

LONDON, Jan. 16.—Associated British Pictures Corp. is arranging a new security issue to go to debenture and share holders, consisting of 1,500,000 five-shilling shares to be sold at 14 shillings, nine pence each.

The proceeds of the issue will be used to complete payments on properties acquired by the company, and to consolidate its position.

U. S. Protests New Uruguay Film Limit

The State Department, at the request of major film companies, has entered a protest against the law scheduled to go into effect Feb. 2 in Uruguay limiting the importation of prints to seven a month with a total gross value of $500. This amount, it is specified, will include trailers and accessories.

Foreign department heads yesterday expressed fear that the drastic regulations would dry up the country as a revenue producer. There are about 1-0 theatres in Uruguay.

It is estimated that on the basis of the statutory valuation of the import prints, the law would curtail distribution in that country by almost 50 per cent. The act is a currency restriction and applies to a number of commodities. Uruguay finds itself in the same exchange position as Brazil and some other South American countries, as well as Germany, Italy and Japan, from which it is virtually impossible to withdraw money.

Most of the major companies service Uruguay from Buenos Aires, it was said.

U. S. Films Unharmed By Buenos Aires Law

The Buenos Aires law exempting the 180 theatres in the city from taxation if they show locally produced pictures is not expected by foreign department heads here to prove harmful to American companies.

The measure is aimed to stimulate production of Spanish language pictures at Argentine studios. About 50 films were Argentine-made last year.

No steps are being taken to counteract the ordinance, since, it was pointed out at the Hays office on Friday, the domestic films are of a grade that is acceptable only to the smaller provincial theatres, while the more important houses prefer American product with Spanish subtitles.

A more serious problem for American distributors, it was declared, is the law in Buenos Aires which forbids the attendance of children under 12 years at film theatres and provides that parents or guardians shall accompany children under 16.

Exporters Urged to Abide by New Rules

WASHINGTON, Jan. 16.—The U. S. Dept. of Commerce has placed in effect the revised edition of Schedule B, the statistical classification of domestic commodities exported from the United States. It is pointed out by N. D. Golden, chief of the Motion Picture Division of the Dept. of Commerce, that it is vitally important that foreign heads of film companies take note of the revisions.

Under the regulations, customs officers will not accept declarations which are not filled out with a typewriter or in ink or indelible pencil, unless all the required information is shown and will not accept documents when the details are not in full accord with the provisions of Schedule B.

New "Lone Wolf" Title

HOLLYWOOD, Jan. 16. — Columbia's feature, "The Lone Wolf," will be released as "The Lone Wolf in Paris." Francis Lederer and Frances Drake are starred.

"Rosalie" Strong In 3rd Cincy Week

CINCINNATI, Jan. 16.—"Rosalie" continued to demonstrate strength in its third downtown week at the RKO Grand by grossing $4,500. This was $1,750 over normal.

"Your're a Sweetheart" went $800 over the line on a take of $10,800 at the RKO Palace and was moved to the RKO Capitol. "True Confession" took a par $12,000 at the RKO Albee and was moved to the RKO Lyric.

Total first run business was $48,350. Average is $58,700.

Estimated takings for the week ending Jan. 13:

"TRUE CONFESSION" (Para.)

RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $12,000. (Average, $12,000). Moved to RKO Lyric.

"YOU'RE A SWEETHEART" (Univ.)

RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $10,800. (Average, $10,000) Moved to RKO Capitol.

"TOVARICH" (W.B.)

RKO SHUBERT—(2,150), 35c-42c, 7 days, 3rd week. **Gross:** $4,400. (Average, $6,500)

"STAGE DOOR" (RKO)

RKO CAPITAL—(2,000). 35c-42c, 7 days, 2nd downtown week. **Gross:** $6,000. (Average, $6,500) Moved to RKO Grand.

"WISE GIRL" (RKO)

RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $3,200. (Average, $6,500)

"ROSALIE" (M-G-M)

RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $4,500. (Average, $2,750)

"THE ADVENTUROUS BLONDE" (F.N.) (2 days)

"TALK OF THE DEVIL" (G.B.) (2 days)

"THERE GOES THE GROOM" (RKO) (3 days)

RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,450. (Average, $2,450)

"LOVE AND HISSES" (20th-Fox)

KEITH'S—(1,500), 30c-40c, 7 days, 2nd downtown week. **Gross:** $5,000. (Average, $6,500)

"Truth" New Haven Lead with $5,300

NEW HAVEN, Jan. 16.—"The Awful Truth," on a dual with "Big Town Girl," made the best showing in a fair week by grossing $5,300 at the College for a second week. This was $2,500 over normal.

"Rosalie" and "Danger—Love at Work" pulled $10,000 at Loew's-Poli. This was $2,000 over the normal mark.

The Roger Sherman brought back "The Hurricane" and "Expensive Husbands" for four days, after a first run of 10 days, and took $3,500, under the usual seven-day gross by $1,100. The Paramount five-day holdover of "Wells Fargo" also took $3,500, under the week's par by $1,300.

Total first run business was $22,300. Average is $20,200.

Estimated takings for the week ending Jan. 14:

"THE AWFUL TRUTH" (Col.)

"BIG TOWN GIRL" (20th-Fox)

COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $5,300. (Average, $2,800)

"ROSALIE" (M-G-M)

"DANGER—LOVE AT WORK" (20th-Fox)

LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $10,000. (Average, $8,000)

"WELLS FARGO" (Para.)

PARAMOUNT—(2,348), 35c-50c, 5 days, 2nd week. **Gross:** $3,500. (Average, $4,800)

"THE HURRICANE" (U.A.)

"EXPENSIVE HUSBANDS" (W.B.)

ROGER SHERMAN—(2,200), 35c-50c, 4 days. **Gross:** $3,500. (Average, $4,600)

Plans Houston Theatre

HOUSTON, Jan. 16.—A new first-run theatre, seating 1,500 and costing $125,000, will be constructed here about March 1. Gail Pettit, Iowa theatre operator, will build the house.

"Octopus" and Band $26,000, Philadelphia

PHILADELPHIA, Jan. 16.—A hangover from the holiday trade lifted so[illegible] first run grosses with the Earle gett[illegible] the biggest cut. "Sh! the Octopus," with Hal Kemp and his band grossed a topnotch $26,000.

"Rosalie" also continued to click at the Fox and got $17,500 for its second week, too good a figure to let the picture go. It will stay for most of a third week. Second run houses, the Karlton and Keith's, likewise defied the jinx with good business for "True Confession" and "Tovarich," respectively.

"Hurricane" finished its three-week run at the Aldine with a remarkable $7,500.

Total first run business was $92,650. Average is $82,160.

Estimated takings for the week ending Jan. 13:

"THE HURRICANE" (U.A.)

ALDINE—(1,300), 40c-55c-65c, 7 days, 3d week. **Gross:** $7,600. (Average, $8,160)

"BEG, BORROW OR STEAL" (M-G-M)

ARCADIA—(600), 25c-40c-50c, 3 days, 2nd run. **Gross:** $650. "Thoroughbreds Don't Cry" (M-G-M), 2 days. **Gross:** $400. (Average, 7 days, $2,800)

"MAN PROOF" (M-G-M)

BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $12,500. (Average, $14,000)

"SH! THE OCTOPUS" (F.N.)

EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Hal Kemp with band and revue. **Gross:** $26,000. (Average, $14,000)

"ROSALIE" (M-G-M)

FOX—(3,000), 40c-55c-65c, 7 days, 2nd week. **Gross:** $17,500. (Average, $14,000)

"TRUE CONFESSION" (Para.)

KARLTON—(1,000), 25c-40c-50c, 7 days, 2nd run. **Gross:** $4,200. (Average, $4,000)

"TOVARICH" (W.B.)

KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $5,300. (Average, $4,000)

"YOU'RE A SWEETHEART" (Univ.)

STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $11,500. (Average, $14,000)

"BAD MAN OF BRIMSTONE" (M-G-M)

STANTON—(1,700), 30c-40c-50c, 8 days, 2nd week. **Gross:** $7,000. (Average, 7 days, $7,000)

Security Films Go To Various States

WASHINGTON, Jan. 16.—Methods followed in the various states in the application of the Social Security Act are outlined in a series of 10 films prepared by Pathe for the Social Security Board as a supplement to four pictures heretofore released.

The pictures were prepared under a contract providing for a price of $3,000 per picture.

The production of films for states was undertaken at the request of some of the state authorities who wished to acquaint their citizens more fully with the Act. A national picture was prepared, and in the making of copies for each state inserts were made at appropriate points to show state officials and give local atmosphere.

Only 10 states so far have requested the film and that number have been prepared and are now being released. A contract with Pathe, it was said, is sufficiently flexible to permit the production of copies for other states which may make requests, so that the eventual production might run as high as 48, although it is not expected to reach half that number.

Films previously issued by the Social Security Board dealt with the workings of the Act, old age assistance, and unemployment relief.

"Rosalie" Out Front in Two Boston Spots

BOSTON, Jan. 16.—"Rosalie" topped the list with snow and rain offering small competition. At Loew's Orpheum it grossed $20,000, above average by $8,000. The same film at Loew's State took $16,000, over the line by $5,000.

"Wells Fargo," with a stage show featuring Little Jack Little at the Metropolitan, grossed $25,000, above par by $3,000. "Damsel In Distress" was good for $13,000 at the RKO Memorial. Average is $12,000.

Total first run business was $108,700. Average is $89,500.

Estimated takings for the week ending Jan. 8:

"THRILL OF A LIFETIME" (Para.)
"NIGHT CLUB SCANDAL" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $4,600. (Average, $4,500)
"DAMSEL IN DISTRESS" (RKO)
RKO MEMORIAL—(2,907), 25c-50c-55c, 7 days. **Gross:** $13,000. (Average, $12,000)
"ROSALIE" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days. **Gross:** $20,000. (Average, $12,000)
"ROSALIE" (M-G-M)
LOEW'S STATE—(3,537), 25c-35c-55c, 7 days. **Gross:** $16,000. (Average, $11,000)
"WELLS FARGO" (Para.)
METROPOLITAN—(4,332), 25c-40c-65c, 7 days. Stage: Little Jack Little and his orchestra. **Gross:** $25,000. (Average, $22,000)
"THRILL OF A LIFETIME" (Para.)
"NIGHT CLUB SCANDAL" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,100. (Average, $7,000)
"CRASHING HOLLYWOOD" (RKO)
RKO BOSTON—(3,246), 25c-40c-55c, 7 days. Stage: Phil Regan. **Gross:** $22,000. (Average, $22,000)

"Rosalie" $14,000 Indianapolis Hit

INDIANAPOLIS, Jan. 16.—"Rosalie" was a smash hit at Loew's, where $14,000 was taken, double the normal gross. Week-end business was particularly heavy.

All the first runs eschewed double featuring for the week. "Love and Hisses" was $500 over the normal at the Indiana, where the take was $7,500. Universal's bombing of the *Panay* was on the bill.

Total first run business was $36,500. Average is $30,500.

Estimated takings for the week ending Jan. 7:

"WELLS FARGO" (Para.)
APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $3,000. (Average, $4,000)
"TOVARICH" (W.B.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)
"LOVE AND HISSES" (20th-Fox)
INDIANA — (3,200), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)
"ROSALIE" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $14,000. (Average, $7,000)
"SHE LOVED A FIREMAN" (F.N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Happiness Follies plus vaudeville acts. **Gross:** $8,000. (Average, $8,000)

Cincinnati Taft to Close

CINCINNATI, Jan. 16.—The Taft, part of the Masonic Temple, opened by Milford Unger on New Year's Eve with stage shows and pictures, will close Jan. 13, concurrently with reinstatement of a similar policy at the RKO Shubert, which played the combination policy last season, but closed for the summer.

Out Hollywood Way

HOLLYWOOD, Jan. 16.—Because of their work in "True Confession," JOHN BARRYMORE and LYNNE OVERMAN will be seen together in Paramount's "Spawn of the North," in which GEORGE RAFT will be starred.

Warners have loaned ANITA LOUISE to M-G-M for "Marie Antoinette." . . . ANN SHERIDAN goes into "The Dude Rancher," formerly titled "Howdy, Stranger," at Warners, opening the way for LOLA LANE to draw the "Torchy" role in "Torchy in Panama." . . . Paramount will team GEORGE BURNS and GRACIE ALLEN in "Havana," which has a Cuban locale. . . . Sid Silvers, who ought to know something about the subject, and LILLIE HAYWARD, have sold a story, "The Stooge," to Paramount. BOB HOPE, FRANCES DEE and SILVERS will top the cast.

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Casting—JIMMY DURANTE will be among the supporting players in "Little Miss Broadway," which Irving Cummings will direct for 20th Century-Fox. . . . The four men in the same lot's "Four Men and a Prayer" will be GEORGE SANDERS, WILLIAM HENRY, REGINALD DENNY and DAVID NIVEN. LORETTA YOUNG is the "prayer." . . . BARNETT PARKER in M-G-M's "Marie Antoinette." . . . CANDIDA, RONALD REAGAN, GRANVILLE BATES and EMMA DUNN in "The Dude Rancher," Warners. . . . MELVILLE COOPER in "Gold Diggers in Paris," Warners. . . . HEDDA HOPPER to RKO's "Certified"; FLORENCE LAKE and ALAN BRUCE in "Vivacious Lady," and LOUIS HAYWARD in "Condemned Women."

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Writers—WINSTON MILLER, brother of PATSY RUTH MILLER, has joined the M-G-M short subject writing staff. . . . ELIJAH W. CUNNINGHAM, sports writer and radio commentator, has been signed by Paramount to write the story for an untitled football musical and act as technical advisor on the story being written around the annual Dartmouth College ice carnival. . . . FRANK MANDEL and JOSEPH SCHRANK are working on the screen play of an original musical for Fanchon's production at Paramount. . . . VICTOR SHAPIRO and HERBERT KLEIN, authors of MGM's "Here Comes the Band," have completed a new work, "Her Private Business," on a major production schedule for next season.

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Directors—LLOYD BACON will direct "Boy Meets Girl," JAMES CAGNEY'S first vehicle on his return to Warners. . . . JOHN FARROW will guide "Little Lady Luck," at Warners, replacing WILLIAM MCGANN.

"Rosalie" Is Given 2nd Week Houston

HOUSTON, Jan. 16.—"Rosalie" and "Hitting a New High" raced for box-office honors, the former taking $7,800 at Loew's State and the latter, bolstered by Dave Apollon and his "Varieties of 1938" on the stage, grossing $8,000 at the Metropolitan. Average at both theatres is $7,000. "Rosalie" was held over.

"Wells Fargo" at the Majestic played a good average at $7,000. "Tarzan's Revenge" and "Partners in Crime" failed to bring the Kirby to par. The take was $4,700. Average is $7,000 for the week.

The mild weather of the holidays continued through the week with occasional showers.

Total first run business was $27,500. Average is $26,000.

Estimated takings for the week ending Jan. 6:

"TARZAN'S REVENGE" (20th-Fox)
KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $2,800. (Average, 7 days, $5,000)
"PARTNERS IN CRIME" (Para.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,900. (Average, 7 days, $5,000)
"ROSALIE" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $7,800. (Average, $7,000)
"WELLS FARGO" (Para.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)
"HITTING A NEW HIGH" (RKO)
METROPOLITAN—(2,600), 25c-50c, 7 days. Stage: Dave Apollon. **Gross:** $8,000. (Average, $7,000)

Para. Buys Beebe Story

HOLLYWOOD, Jan. 16.—Paramount has purchased story material dealing with "cafe society" from Lucius Beebe, New York columnist, and plans a picture with that title. Tentatively cast are John Barrymore, Dorothy Lamour and Bob Hope. Jeff Lazarus will produce.

"Fargo" Is Denver 2nd Week Leader

DENVER, Jan. 16.—"Wells Fargo" was still the outstanding draw in its second week at the Denham with a take of $11,500, more than double the normal gross of the house, in spite of a snow storm and icy streets.

"Rosalie," on a dual with "Danger Patrol," turned in a nice profit with $8,750 at the Orpheum for the second week. "Love and Hisses" went $500 over the line on a take of $9,000 at the Denver and was moved to the Aladdin.

Total first run business was $35,500. Average is $32,250.

Estimated takings for the week ending Jan. 12:

"TOVARICH" (W. B.)
ALADDIN—(1,400), 25c-40c, 7 days, after a week at the Denver. **Gross:** $2,500. (Average, $3,500)
"I'LL TAKE ROMANCE" (Col.)
BROADWAY—(1,500), 25c-40c, 7 days, after a week each at the Denver and Aladdin. **Gross:** $1,250. (Average, $2,500)
"WELLS FARGO" (Para.)
DENHAM—(1,392), 25c-35c-40c, 7 days, 2nd week. **Gross:** $11,500. (Average, $5,500)
"LOVE AND HISSES" (20th-Fox)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $8,500)
"ROSALIE" (M-G-M)
"DANGER PATROL" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 7 days, 2nd week. **Gross:** $8,750. (Average, $7,500)
"52ND STREET" (U. A.)
"WHEN THIEF MEETS THIEF" (U. A.)
PARAMOUNT—(2,096), 25c-40c, 7 days. **Gross:** $1,500. (Average, $4,000)
"ALCATRAZ ISLAND" (F. N.)
"HANDY ANDY" (20th-Fox)
RIALTO—(878), 25c-40c, 7 days. **Gross:** $1,000. (Average, $1,750)

Change Uptown Policy

KANSAS CITY, Jan. 16.—The Uptown, Fox Midwest uptown first run, has adopted the policy of using the Fox Plaza's position as the city's first subsequent run in order to maintain a high level of product.

"Wells Fargo" Minneapolis' 2d Week Top

MINNEAPOLIS, Jan. 16. — "Wells Fargo" made an excellent showing in its holdover week at the State after seven days at the Minnesota by grossing $9,000. This was $3,500 over a first week par. The same attraction, in its first week at the St. Paul Riviera took $4,500, over normal by $1,100.

"True Confession" also went front in a big way by getting $13,000, up by $3,000, at the Minnesota, and $9,000, over par by $3,500, at the St. Paul Paramount.

Total first run business in Minneapolis was $39,100. Average is $28,500. Total first run business in St. Paul was $21,900. Average is $14,800.

Estimated takings:

Minneapolis:

Week Ending Jan. 5:

"YOU'RE A SWEETHEART" (20th-Fox)
ORPHEUM — (2,900), 25c-40c, 8 days. **Gross:** $7,000. (Average, $7,000)

Week Ending Jan. 6:

"TRUE CONFESSION" (Para.)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $13,000. (Average, $10,000)
"WELLS FARGO" (Para.)
STATE—(2,400), 25c-55c, 7 days, 2nd week, hold over from 7 days at Minnesota. **Gross:** $9,000. (Average, $5,500)
"THOROUGHBREDS DON'T CRY" (M-G-M)
CENTURY — (1,600), 25c-40c, 3 days. **Gross:** $2,100. (Average, $4,000)
"THE GIRL SAID NO" (G. N.)
WORLD—(400), 25c-35c, 7 days. **Gross:** $1,500. (Average, $2,000)

St. Paul:

Week Ending Jan. 4:

"IT'S LOVE I'M AFTER" (W.B.)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

Week Ending Jan. 6:

"TRUE CONFESSION" (Para.)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $9,000. (Average, $5,500)
"WELLS FARGO" (Para.)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $3,300)
"MERRY GO ROUND" (Univ.)
"DANGER PATROL" (RKO)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $3,900. (Average, $2,000)

Protest Child Ban At Argentine Films

By N. BRUSKI

BUENOS AIRES, Dec. 29.—The new Argentine law regulating the attendance of children at theatres has aroused a storm of protest from the public over the country, aided by the press. Some protests declare the regulations to be a violation of individual rights.

Children under five are prohibited from attending films at all times except when special programs are put on for them at matinees. Children between five and 12 may attend only matinees, provided the films shown have been approved by the new Government department as suitable for children. Exhibitors are loudly voicing their protests over the regulations, fearing substantial losses at the box-office, particularly among suburban theatres.

Carter Goes to Denver

DENVER, Jan. 16.—E. S. Carter, recently RCA manager at Seattle, has been moved here to manage the district offices. Dean Lewis, formerly manager here, has resigned.

Music Pacts Return 1,000 To Air Work

(*Continued from page* 1)

contract for key stations, the networks will spend approximately $500,000 per year for staff musicians, and the delivery of the key station pact is virtually assured today.

About 90 per cent of the 273 I. R. N. A. stations have forwarded contracts guaranteeing participation in the agreement, and the others are expected to follow within a few weeks.

Contracts are now being photostated by the Federation and Ernst & Ernst, the latter handling the pact for the I.R.N.A., and will be exchanged for filing some time next week. Stations have been forwarding their signed contracts to Ernst & Ernst, while the locals have been filing their station contracts with the Federation.

In a wire addressed to all I.R.N.A. members, sent Saturday, Samuel R. Rosenbaum and Emile J. Gough of the I.R.N.A. negotiating committee, notified the stations that the national plan of settlement is to become effective today, and urged all members who have not yet entered into agreements with the union to do so under the terms of "a short period of grace" which has been alloted them by the federation. Rosenbaum and Gough, who signed the wire asked to be discharged from further responsibility not later than the N.A.B. convention in February.

Contracts Retroactive

All contracts signed within this period, however, must be made retroactive to Jan. 17, Rosenbaum & Gough said.

Thus, the negotiations to bring about a more equitable employment of musicians, inaugurated last August, have been completed, without recourse to the national strike which the federation threatened to invoke shortly after the negotiations were begun.

Under the terms of the contracts already in, more than 100 stations which have had no musical staffs will provide jobs for musicians. In no case will the outlay for musicians' wages be reduced at stations which have employed musicians.

To aid I.R.N.A. stations in carrying the added financial burden, the networks have guaranteed to contribute $200,000 annually. This sum is in addition to the $500,000 the networks will spend for their key stations.

F. C. C. Forbids Sale Of WAAW in Lincoln

Lincoln, Neb., Jan. 16.—The anti-monopoly attitude of the Administration in Washington was reflected here yesterday in the collapse of the second deal for the sale of WAAW by the Omaha Grain Exchange. The F.C.C. rejected a proposal that Central States Broadcasting Co. be licensed to operate it, saying that no new stations could be granted to an organization already having one stand in the city.

The deal for the Omaha *World-Herald* to buy the station for $150,000 was quashed a year ago and now the *Journal and Star* offer of $55,000 goes by the board.

Congress Not Satisfied by NBC Rebuke

By BERTRAM F. LINZ

Washington, Jan. 16.—The reprimand of NBC by the Federal Communications Commission will not satisfy Congressional critics of the F.C.C., it was indicated yesterday at the Capitol.

Speaking on the floor of the House yesterday just before issuance of the commission's letter, Representative Laurence J. Connery (Dem. Mass.), brother of the late Congressman William P. Connery, who led the agitation for a broadcasting investigation last session, predicted the incident would be whitewashed, and indicated such action would not be accepted as properly meeting the situation.

"I have no hesitancy in predicting that the punishment meted out, if any, will be a slight reprimand with the allegation or promise on the part of NBC officials that it will not happen again," Connery said.

Members of Congress yesterday were critical of the commission's action, particularly the threat that, while the incident is closed so far as NBC is concerned, the 59 stations which carried the broadcast face loss of their licenses as a result, if other complaints are received against them before the time comes for application for renewal.

It was flatly stated that the incident is not closed, so far as Congress is concerned, and that the action of the commission demonstrates the need for a Congressional investigation of broadcasting.

Four Stations Join Induction Program

Four New Jersey stations have accepted the WOR offer to join in the simultaneous broadcast of the ceremonies at the inauguration of Governor-elect A. Harry Moore to be held tomorrow. The stations are: WHOM, Jersey City; WCAP, Asbury Park; WSNJ, Bridgeton, and WNEW, Newark and New York.

WOR issued a special invitation to all stations in the state to join in the broadcast, either by tying in by wireless to the nearest point of pickup or by rebroadcast direct by air.

Church Leaves NBC To Join Kated, Inc.

Ted Church of NBC's press department has resigned to join Kated, Inc. He will serve as assistant to Ted Collins. The latter and Kate Smith comprise the corporation.

Church came to New York about a year ago. Previously he occupied various executive berths with WJSV, the CBS station in Washington.

Ohio Station Out of Business

Ironton, O., Jan. 16.—The Ironton Broadcasting Co., which has been operating on time purchased from WCMI, Ashland, Ky., has gone out of business. The Ashland station will establish studios here, however.

To Dedicate WICC, New Haven, Jan. 29

The formal dedication of WICC's New Haven studios now under construction has been set for Jan. 29.

The new studios will be housed in a two-story building of modern design. The studio will occupy two floors, embracing a single studio of two-story height; single floor studio; transcription and announcer's booth; central control room and circular observation and reception room. Office space will include manager's office, audition and sales offices.

During the week following the official dedication WICC will hold "open house," inviting the public to visit the studio.

Cancel Drug Show; Started Last Week

"Manhattan After Dark," the series for the Emerson Drug Co., which made its debut on NBC last Wednesday, has been cancelled because of "production reasons," it is said by J. Walter Thompson, the agency handling the account.

Beginning next Wednesday, the period will be occupied by Harriet Parsons, daughter of Louella. She will be heard in Hollywood gossip, for a period of three weeks. Plans beyond that are indefinite.

Eddie Garr, who was the "em cee" on "Manhattan After Dark" had a short term contract, and it is believed the agency has settled his contract.

Cohan of CBS Off For Cairo Meeting

E. K. Cohan, CBS director of engineering, sailed Saturday for Cairo, Egypt, where he will represent CBS at the International Telecommunications Conference in February. The American delegation, headed by Senator Wallace H. White of Maine, sailed Jan. 4.

En route to Cairo, Cohan will stop in London to confer with engineering executives of BBC and to visit Columbia's European headquarters.

Two Stations Join CBS Coast Network

(*Continued from page* 1)

may still be counted as one station-hour in computing discounts. Both are 100-watt stations.

Another station, WBRK, Pittsfield, Mass., will join the CBS network as a member of the basic supplementary group and the CBS-New England network on or about Feb. 1. The station operates on 250 watts day and 100 watts night WBRK will be available to CBS advertisers at a base rate of $125 per night hour.

Wurlitzer Takes WIL Time

St. Louis, Jan. 16.—The Wurlitzer Co. has signed for a Saturday morning 30-minute period over WIL for a period of 52 weeks. Jeff Salter, will produce and "em cee" the show remote from Wurlitzer's downtown studio.

Standard Oil to Go on KNX

Hollywood, Jan. 16.—Standard Oil Co., through the McCann-Erickson agency, has signed a 51-week time signal contract with KNX, three times daily Mondays through Sundays.

Around the Country

Columbus

Yvonne Neal, nee Yvonne Isle, wh has been off the air since her marriag many months ago, has returned in series of her own programs under titl of "Yvonne," and is heard over WBN at 5:45 P.M., Monday, Wednesda and Friday. She is supported by he husband, Walter Snook, and Clif Bussell and Ray Christman. . . Ronald Ellis has started a new program over WBNS at 10:15 A.M. Mondays and Fridays. . . . Lowel Riley, who conducted a program unde the title of "The Seven Serenaders,' now has a four-person progran known as "Three Girls and a Boy." . . . "The Radio Column of the Air," heretofore broadcast by the *Columbus Citizen* at 6:30 P.M. on Tuesdays, has moved to a similar Monday evening spot. It is aired over WHKC.

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Lincoln

Harry Johnson, KFAB sports announcer, has been assigned the radio relations job for the national semi-pro baseball contests in 48 states next summer. Finals will be in Wichita, Kan.... Chuck Miller is now KFAB's chief announcer, after J. B. Lake's resignation to become program director at KFWB, Hutchinson, Kan. . . . Bill Edholm is now selling theatre accounts for KFOR. . . . John Bentley, sports editor of the *Nebraska State Journal,* has dropped from six to three nights weekly on the air with his sports talks for Clarks clothing. . . . Helen Coffey, who took the professional name of Nash, has joined Anson Weeks' band. Jack Wells, KFOR's romantic singer, preceded her by a week to the same organization.

Laundry Firm Takes New Series on WOV

The Rainbow Laundry Service is sponsoring a series of electrical transcriptions over WOV, Mondays, Wednesdays and Fridays from 8:30 to 8:45 A. M. The contract is for 13 weeks.

"Romance of the News," started several days ago on WOV, will be heard daily except Sundays from 9:30 to 9:45 A. M. The contract is for 52 weeks, and Pope Food Products, a division of De Rosa, Inc., is sponsoring.

Texans Endorse N.A.B. Plan

Dallas, Jan. 16.—Directors and members of Texas Broadcasters meeting here yesterday, endorsed in principle the proposed reorganization plan of the National Ass'n of Broadcasters. O. L. Taylor, president, will seek to list every Texas station as a member of the N.A.B. The state has 45 stations, 30 of which are now members.

Another meeting of the Texas group will be called following the national convention of the N.A.B. in Washington Feb. 14 to 16.

Radio Personals

DAVID ROSS, CBS announcer, has been signed to do the announcing for five Paramount shorts. Paul Ross, CBS artists bureau, negotiated. . . . Leon T. Litt, one of the [illegible]ing television authorities in the country, spoke on the impending inauguration of commercial television over WBIL yesterday. . . . Dan Seymour, announcer, and Leith Stevens, CBS staff conductor, have been signed to perform in their customary roles for the two broadcasts of "Big Town" which will originate from New York Jan. 18 and Jan. 25. . . . H. V. Kaltenborn has been signed by CBS artists bureau for a lecture date in Hartford, Feb. 15. He will speak at an Aetna Life Insurance Co. banquet.

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Jimmy Melton has been signed for a guest shot on the Coca-Cola "Song Shop" Jan. 21. . . . Jimmy Appel, of the CBS artists bureau, has set Margaret Daum and Hollace Shaw for dates at the Women's Conference on National Defense at the Mayflower Hotel, Washington, Jan. 25 and 26, and Doris Rhodes for a guest engagement on the Hammerstein show Jan. 28. . . . Roy Gobey has returned to the WMCA airways after an absence of eight months. . . . "Dan Harding's Wife" will be on the air two years Jan. 20.

Ed Wood, WGN sales director, is in New York on WGN and Mutual sales contacts. . . . Paula Nicoll of the Mutual sales department in New York, will leave for the coast next week on a business and holiday trip. . . . Nelson Eddy will leave the cast of the Chase and Sanborn show next week to engage in a concert tour. He will be succeeded by John Carter, tenor, until the summer, when Eddy will return. . . . Sammy Kahn and Sol Kaplan, who did the adaptation of "Bie Mir Bist Du Shoen," will be the guest of Al Pearce on Tuesday's Ford show.

Oxo, Meat Board on Dean Show

Oxo, Ltd., through Platt-Forbes, Inc., have contracted for participation in Martha Deane's program over WOR. Their period is Mondays through Fridays from 3 to 3:45 P. M. Another new participant in the series is the National Live Stock and Meat Board, which, beginning tomorrow, will sponsor the 3 to 3:45 P. M. periods on Mondays, Tuesdays and Fridays.

Set Mennen Show Title

"Cheer Up, America" is the title of the forthcoming new NBC series for the Mennen Co. The program will begin Jan. 19, and will be heard from 7:45 to 8 P.M. The complete cast includes Henry Burbig, the Funnyboners, Frank Novak's band and Ray Murray. Samm Baker will handle the program for the Kiesewetter agency.

Waring Signs Hilda Cole

Hilda Cole, formerly of the CBS press department, has been retained by Fred Waring to handle publicity and to serve as advance contact during the Pennsylvanians' current personal appearance tour.

Response Count

Sponsors may like to know: Recently Jimmy Scribner asked his listeners if they wanted him to continue his "Johnson Family" sustaining program on Mutual. The network mail count is not complete yet, but from WOR listeners alone came 11,434 replies.

Also: "True or False" has been on Mutual for only two weeks, yet Dr. Harry Hagen, who conducts the series, has already received requests from 21,100 persons asking to be allowed to participate in the contests.

"Snow White" Hits Weekend High Spots

Broadway business was reported good at most of the first runs Saturday. Matinee business was unusually heavy on "Snow White and the Seven Dwarfs" at the Music Hall, attendance being swelled by a large children patronage.

"Hurricane," in its first popular price run at the Rivoli, opened strongly Saturday, and the theatre reported biggest business since "Dead End."

"Hollywood Hotel" at the Strand was another stand-out, and "Wells Fargo" at the Paramount, "Man-Proof" at the Capitol and "I Met My Love Again" at the Roxy also did well.

"In Old Chicago" garnered $19,793 in the first week of its two-a-day run ended Thursday at the Astor. The advance sale is reported heavy. The second week of "Love and Hisses" gave the Roxy $33,000 and "It's All Yours" grossed $10,000 at the Criterion.

"Bordertown," Warners reissue, starts at the Criterion Jan. 21.

Reade Plans Eleven New Houses in Year

(Continued from page 1)

said these theatres will not be in opposition to any other circuits, except in Beacon where he will build against Sam Cocalis.

In the summer of 1936 Reade announced his organization would build 100 theatres of the community type over a period of years, chiefly in small towns lacking modern theatre facilities. Thomas Lamb is the architect for the project.

St. Louis Building Up

ST. LOUIS, Jan. 16.—Statistics compiled by Building Commissioner Charles A. Welsch indicate that 31 film theatres and other places of amusement were started or remodeled during 1937. The total cost of the construction was estimated at $47,300, but the actual total costs, including equipment, etc., ran well above $100,000.

Gross Joins Monogram

BOSTON, Jan. 16. — Gene Gross, formerly office manager for Grand National here, has been added to the sales department of Monogram Pictures of New England, Inc., by manager Steve Broidy.

N.Y. Theatres Up to 1,081, Report Shows

(Continued from page 1)

ending the year with 145 houses as compared with 158 last year, while New York State's 294 independent houses remained unchanged.

Affiliated circuit operations in New York State added 14 theatres with a seating capacity of 27,064 during the year, bringing the total to 134 houses and 279,815 seats. In New Jersey, affiliated houses increased by three, bringing the totals to 66 theatres with 119,371 seats. Unaffiliated circuits in New York State added nine houses, bringing the total to 434 theatres with a seating capacity of 505,262. In New Jersey, unaffiliated circuits account for 127 houses with 128,381 seats, a gain of 24 theatres for the year.

There were 1,177 sound theatres, of which 96 were closed on Jan. 1, and 23 silent theatres, all dark. This represents a gain of 33 sound theatres and three silent theatres during 1937.

Brooklyn the Leader

Brooklyn led the boroughs with a total of 239 theatres open. Manhattan is second with 216; Queens and Long Island account for 156; the Bronx, 91, and Staten Island, 17. New York State, outside the metropolitan area, had 862 theatres with 984,305 seats, compared with 839 theatres and 979,698 seats at the end of 1936. New Jersey, exclusive of the metropolitan area, had 338 theatres with 359,559 seats, compared with 325 theatres and 350,849 seats the preceding year.

Brandt Theatres, with a total of 77 houses, is the largest circuit numerically, affiliated or unaffiliated, covered by the report. The Loew Circuit is second with 71 theatres; Skouras is third with 67, and RKO Film Booking Corp. fourth with 60. The leaders in numerical order thereafter are Warner Brothers Circuit Management Corp., 51; Randforce Amusement Corp., 45; Interboro Circuit, 31; Walter Reade Circuit, 30; Century Circuit, 29; Prudential and Playhouses Operating Co., 28; Consolidated Amusement Enterprises, 20; Cocalis Circuit, 20, and Springer Cocalis Circuit, 18.

Brandt Houses City-Wide

The Brandt theatres consist of 25 in Manhattan, 23 in Brooklyn, 20 in Long Island and nine in the Bronx. Loew's consists of 23 in Manhattan, 19 in Brooklyn, 13 in the Bronx and 16 in Queens, New York State and New Jersey. Skouras consists of 52 in Long Island. New York and New Jersey, 11 in Manhattan and four in the Bronx. RKO has 27 in Long Island. New York and New Jersey: 17 in Manhattan, 11 in Brooklyn and five in the Bronx. Warners' 51 are all in New Jersey, while Randforce's 45 are all in Brooklyn and Long Island.

Razing Charlotte House

CHARLOTTE, Jan. 16.—Work has begun on the demolition of the State. to make way for the planned Woolworth Bldg. The State will merge with the Criterion, which will be remodeled and renamed the State.

French Trade Is Disturbed By Tax Change

(Continued from page 1)

the necessity of replacing the usual two features with programs of one feature and a stage show. However, this move is seen in some quarters as unlikely, since the tax reduction is not deemed sufficient to warrant the expense of providing stage shows and orchestras.

The increase in the state tax will affect the 100 largest French theatres, diminishing by 25 per cent the revenues for producers and distributors, and consequently bite deeply into French production.

At a meeting of exhibitors here, at which producer and distributor representatives were present, full power was given the managing boards of the three industry branches to urge the new Government, when the cabinet is formed, to repeal the new tax law, to take steps, often promised, to reduce the existing entertainment taxes, and to consult with the industry in plans for new film legislation.

It is indicated that if negotiations fail before the effective date of the new law, all film houses in Paris may be closed in protest, with the possibility also that if that move fails, all exchanges, studios, laboratories and theatres throughout the country will close.

IATSE Claim Before Federation Council

(Continued from page 1)

of L. union, the Associated Actors and Artistes of America.

George Browne, I.A.T.S.E. president and a member of the executive council of the A. F. of L., is here for the meeting. So far as could be learned today neither the Four A's nor the Screen Actors' Guild will send a representative here to contest the I.A.T.S.E. jurisdictional claim. Informal opinion among A. F. of L. officials indicates, however, that this may be due more to lack of concern on the part of the latter two organizations over the I. A.'s claim than to any unwillingness on their part to oppose it.

Although the jurisdictional claim is on the A. F. of L. agenda, it was indicated that it may be disposed of without formal hearing.

Reopen Detroit House

DERTOIT, Jan. 16.—The much opened and closed Downtown turned on its lights again Saturday. This time it's Sam Carver who will give it a try. The policy will be double bills—one new feature and one re-issue—at popular prices. The last fling at making the house go was taken by Lipton Astrachan, former Chicago exhibitor, who opened it on New Year's eve and closed it 10 days later.

Universal Changes Title

HOLLYWOOD, Jan. 16.—Universal has changed the title of "Shannons of Broadway" to "Goodbye, Broadway," which will feature Charles Winninger, Alice Brady and Tommy Riggs, the ventriloquist. Edmund Grainger will produce.

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humiatsky's 'all Held Due To Poor Films

o Soviet Sabotage Is Believed Involved

Charges of inefficiency, and not sab-ge, resulted in the removal of Boris umiatsky as head of the Soviet film ustry, according to the impression ned by the local Amkino office.

N. Napoli, assistant to Vladimir I. rlinsky, president of the company, o is now in Moscow, said yesterday t Shumiatsky made a mistake in empting to be a one-man organiza-n without delegating supervision of large industry to subordinates.

'Naturally, with only one man king after things, there was bound be relaxation of vigilance in some ections and resultant mismanage-nt," Napoli declared. He denied t Shumiatsky could be classed as "enemy of the people" and said he d no information that the deposed ief would be subjected to drastic nishment.

Verlinsky, who has been in charge Amkino, the branch of the Soviet lustry for the American hemisphere, ice 1933, was called to Moscow late

(Continued on page 8)

VOR Planning Unit Of High Frequency

WOR will install a new transmitter r ultra high frequency broadcasting xt week. The new equipment, under e call letters of W2XJI, will trans-it Mutual and WOR programs, with ogram operations to begin when stallation is completed in a week or

The transmitter will be located on e roof of the building adjoining the OR studios, on Broadway. A 45-ot antenna pole will serve as a radia-r for the transmitter, an RCA 100-att power instrument.

Because of the characteristics of

(Continued on page 9)

Roux Quits NBC to Join Hearst Radio

Bill Roux of NBC's sales promo-on staff, has resigned to join Inter-ational Radio Sales Corp., newly-reated setup of Hearst Radio, Inc.

Roux will serve as promotion man-ger and in addition will handle pub-city at International. He began is new duties yesterday.

More Radio—P. 9

Allied Directors to Open Meeting Today

WASHINGTON, Jan. 17.—Members of the Allied States board of directors will convene here tomorrow for a two-day annual meeting at which monopoly and legislation will be the outstanding subjects of discussion. The board also is to elect officers and an executive committee for the current year and determine upon the city in which to hold the 1939 annual meeting, Atlantic City, Indianapolis and Pittsburgh being among the contenders.

At its initial meeting tomorrow, P. J. Wood of the Ohio I.T.O. will discuss the admission tax situation, which later in the week he is to present befor the House Ways and Means Committee, and consideration will be given

(Continued on page 5)

Imperial to Offer Common Stock Issue

WASHINGTON, Jan. 17.—Issuance of $61.286 shares of $1 par common stock, 450,000 of which are to be offered immediately at $1.50 per share through A. D. Braham & Co., Inc., underwriters, is planned by Imperial Pictures, according to a registration statement filed with the S.E.C.

The statement shows that 425,000 shares will be sold through the underwriter, to return $637,500, and the

(Continued on page 5)

20th-Fox Preparing Season's Final Ten

HOLLYWOOD, Jan. 17.—Preparations for the final 10 films on the 20th Century-Fox lineup are going ahead at the company's studios. At present there are seven films before the cameras and the final 10 will be started next month.

The pictures in production are "The Baroness and the Butler," "Kidnapped," "Josette," "Gypsy," "Walking

(Continued on page 5)

Tax Hearings Open; P. J. Wood to Appear

By CLARENCE LINZ

WASHINGTON, Jan. 17.—Hearings on the new tax bill were opened today before the House Ways and Means Committee, with a number of industrialists scheduled to appear to testify regarding the more than 60 changes recommended by the tax sub committee last week.

While the sub-committee's report made no mention of admission taxes, the committee has scheduled, for hearing Friday, the appearance of P. J. Wood of Columbus, secretary of the I.T.O. of Ohio, who will ask for relief from the admission tax.

A. F. of L. to Push N. Y. Full Crew Bill

ALBANY, Jan. 17.—George Meany, president of the State Federation of Labor, told MOTION PICTURE DAILY tonight that the full crews bill, requiring two operators in the projection room at all times, would be pushed for passage within the next few weeks.

In view of labor's strong position in the present legislature, such support by the A.F.L. makes the bill's passage loom nearer. It was also learned tonight that the American Labor Party bloc in the assembly is committed to the bill and may make an active fight for its enactment.

20th-Fox Abandons Charlie Chan Film

HOLLYWOOD, Jan. 17.—Twentieth Century-Fox shelved $100,000 worth of production on "Charlie Chan at the Ringside," paid off the cast and dismissed the staff when Warner Oland walked off the set today. It was the 17th Chan picture.

No reason was given for Oland's action, which is the second of its kind, but it is believed to be of a personal nature.

17,000 Active Theatres, Hays Announces

PHILADELPHIA, Jan. 17.—Approximately 740 more theatres were opened during 1937, bringing the total for the nation to 17,000, or a gain of approximately five per cent over 1936, Will H. Hays revealed in his address to the Poor Richard Club at the Bellevue-Stratford here tonight.

The estimated gain for 1937 compares with an increase of 880 theatres during 1936, which brought the total of theatres in operation at the end of that year to 16,258. The seating capacity of the 17,000 open theatres is estimated at 10,720,400, compared with the 10,440,600 seats available at the end of 1936. The total of both open and closed theatres in the United States at the end of 1937 is estimated at just under 19,000.

Theatre attendance for 1937 was estimated by Hays at "12,000,000 daily," or 84,000,000 per week. This

(Continued on page 8)

Dallas Appeal Is Filed with Supreme Court

Fixed Admission Price, Dual Issues Involved

By BERTRAM F. LINZ

WASHINGTON, Jan. 17.—Appeal of the distributors from the decision of the Dallas Federal District Court in the Government's anti-trust suit involving license restrictions on admission prices and double features was formally filed with the Supreme Court today by George Wright, of counsel for the defendants.

The Government's suit charged that the defendants, including, in addition to the large producers and distributors, the Interstate Circuit and the Texas Consolidated Theatres, had conspired to control exhibition in Texas by requiring second and subsequent run houses to adopt a minimum night admission price of 25 cents when showing any picture which had first run in any city for a night at an admission price of 40 cents or more, and by prohibiting the showing of their pictures on any double bill.

In bringing the case to Washington, the defendants contended that they had

(Continued on page 8)

Doyle to Talk U. A. Deal with Giannini

Final discussions of Stuart F. Doyle's plans for building five theatres in South Africa and of obtaining a 10-year distribution and exhibition franchise for United Artists product there will be held with Dr. A. H. Giannini, United Artists president, in Hollywood next week, Doyle said yesterday. He plans to leave for the coast late this week and will sail for Australia from there.

Doyle arrived in New York late

(Continued on page 5)

"Snow White" Pulls $65,066 on Weekend

"Snow White and the Seven Dwarfs" at the Music Hall grossed $65,066 in the first four days ending Sunday night. Speculators took advantage of the heavy demand for reserved mezzanine seats and asked fancy prices.

One difficulty experienced by the management is that many children sit through a second showing, preventing a larger seat turnover. The picture will go a second week, with a third to be decided upon.

"Hurricane" at the Rivoli appears

(Continued on page 5)

MOTION PICTURE
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Naval Bill Carries Film Appropriation

WASHINGTON, Jan. 17.—Carrying the usual Government contribution of $85,000 for film service, the naval appropriations bill for the coming fiscal year was reported to the House today by its Appropriations Committee.

The film service for ships and shore stations costs about $310,000 a year, to which the department contributes $85,000, the remaining expense being met out of the profits of ships' stores.

Photographers Party Set

The Press Photographers' Association will hold its ninth annual dance at the Hotel Commodore on Feb. 18. Three dance bands will supply music and an entertainment program has been arranged.

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Insiders' Outlook

By A-MIKE VOGEL

GRADWELL SEARS says that showmanship is a lost art. The Warner sales head blames it on chance games and giveaways. There are other factors.

Mr. Sears makes no sudden discovery. The neglect of showmanship is not precisely new. It represents a condition long developing.

Showmanship can be remembered as having a conspicuous part in the progress of the business. There was a period made memorable by the exploiteers. Intensive and consistent selling at the box-office had lots to do with the industry's progress. But with the waning of this same showmanship, production has crowded more and more into the picture.

▼

Now Hollywood has on hand an unprecedented listing of high cost productions. There is more put into the film can than ever before. The trend may be traced back to the time in the early days when the exhibitor picked up his show at the express office, hung up a one-sheet announcing "Biograph Day" and opened the box-office. But that doesn't work as well today.

When there was plenty of money in circulation in the pre-depression days, any lack of high-power retail showmanship was not quite so apparent. Now it becomes obvious.

And what to do about it?

▼

The quickest answer and the best is to arouse latent enthusiasm among theatremen who have ability to pick up the slack. There are smart showmen still about. They are aching to go. They must be allowed to go if we are to accept Mr. Sears' opinion that "unless exhibitors infuse showmanship into their operations, it is going to be a tragic thing for the entire show business."

▼

But showmanship cannot function while it bears the step-child classification. Showmanship will not return dividends so long as promotional departments are the first to feel the retrenchment axe. Showmen in the field will not respond to urging while their ideas are ignored, their efforts discouraged.

There might be added incentive for theatremen to extend their efforts. And this incentive might come through an adaptation for exhibition of the quota plan used successfully in sales and gross drives. It seems a suitable time for some company to consider such an expedient.

Chance games and giveaways, as discussed by Mr. Sears in Monday's MOTION PICTURE DAILY, do not belong in the theatre. But let the industry take heed that comprehensive showmanship in the theatre is, was, and always will be the keystone of the motion picture structure. With that thoroughly understood, lotteries and other destructive methods will disappear automatically.

▼ ▼

MOTION PICTURE DAILY'S recently completed poll among four hundred newspaper radio editors to determine the radio champions for 1937 disclosed a definite first for Charlie McCarthy. Conducted by the *New York Daily News* in cooperation with fifty leading newspapers, another poll was sponsored in which readers alone were asked to vote for their radio favorites of 1937. Again, Charlie McCarthy finished in front.

It appears that in this instance newspaper critics and their readers were in perfect accord.

No Expansion—Rhoden

KANSAS CITY, Jan. 17.—Elmer C. Rhoden, head of Fox Midwest, tonight stated that the circuit is neither engaged in nor contemplating any large scale purchase of additional theatres. He said, however, that he is discussing the acquisition of three independent houses but that the deals have not been consummated.

"Children" Case Today

ALBANY, Jan. 17—The appeal of the decision against "Tomorrow's Children" was not reached today on the docket of the Appellate Division. Should the case come up tomorrow it is understood that the film will be shown in court as in the "Ecstasy" case. Arguments concerning the picture's decency will follow the review.

Thompson to Be Host

Major Leslie Thompson, RKO executive, will be host today to industry leaders at the Rockefeller Center Luncheon Club during which he will outline plans and set a date for the Will Rogers National Theatre Week. Among those invited are: Will H Hays, Col. J. M. Hartfield, Y. Frank Freeman, Charles C. Moskowitz, Joseph R. Vogel, Joseph Bernhard, Harold Rodner, Spyros P. Skouras, W. C. Michel, J. Henry Walters, Neil F. Agnew, Joseph Unger, William F. Rodgers, Gradwell Sears, John D. Clark, William Sussman, Jules Levy, A. W. Smith, Jr., Abe Montague, William A. Scully, Edward Golden, Edward L. Peskay, Ralph Poucher, Arthur Greenblatt, Herman Robbins, Walter Trumbull, John W. Elwood and A. P. Waxman.

Purely Personal

JULES LEVY, RKO general sale manager, returned yesterday fro a two weeks business trip to Ne Orleans and Miami, where he watche "Snow White" open in the "big business" class. Reported theatre att[illegible]ance picking up in the south.

●

H. J. YATES will remain in Hollywood three or four weeks for Republi production conferences and to mak preliminary plans for the annual sale convention, to be held there May 3-5 He will arrive on the coast today.

●

ED KUYKENDALL, M.P.T.O.A. president, who arrived in Washingto yesterday from his Columbus, Miss. home, is expected in New York lat this week.

●

GEORGE SCHAEFER and HARRY BUCKLEY doing an Alphonse and Gasto while it snowed yesterday in front o 729 Seventh Ave. They were gettin into a cab.

●

ERROL FLYNN has arrived in tow from the coast combining a vacatio with a search for a new yacht. He will return west the end of the week.

●

WHITFORD DRAKE, Erpi president, recuperating at his home from a recent illness, is not expected back at his office for another week.

●

HYMAN RACHMIL, local exhibitor, and MRS. RACHMIL will leave today for Florida and then will visit their son, Louis, in Hollywood.

●

ARTHUR GREENBLATT, G. B. eastern division manager, left yesterday on a business trip to Pittsburgh, Philadelphia and Washington.

●

ALAN MOWBRAY is due here the end of this week from the coast, after spending two or three days in Chicago.

●

GEORGE PRATT, Erpi West Coast manager, is scheduled to arrive in New York today from Hollywood.

●

HERBERT GRIFFIN, vice-president of International Projector Corp., has left for the coast.

●

T. P. LOACH of Pathe was called to Chicago yesterday because of a death in the family.

●

O. HENRY BRIGGS, Pathe president, returned yesterday from a Florida vacation.

●

FRANK BRUNING, publicity director for the Rivoli, is taking a short vacation.

●

CONSTANCE BENNETT will arrive here today, to remain until Saturday

●

CLAIRE TREVOR arrived yesterday from the coast for a short vacation.

●

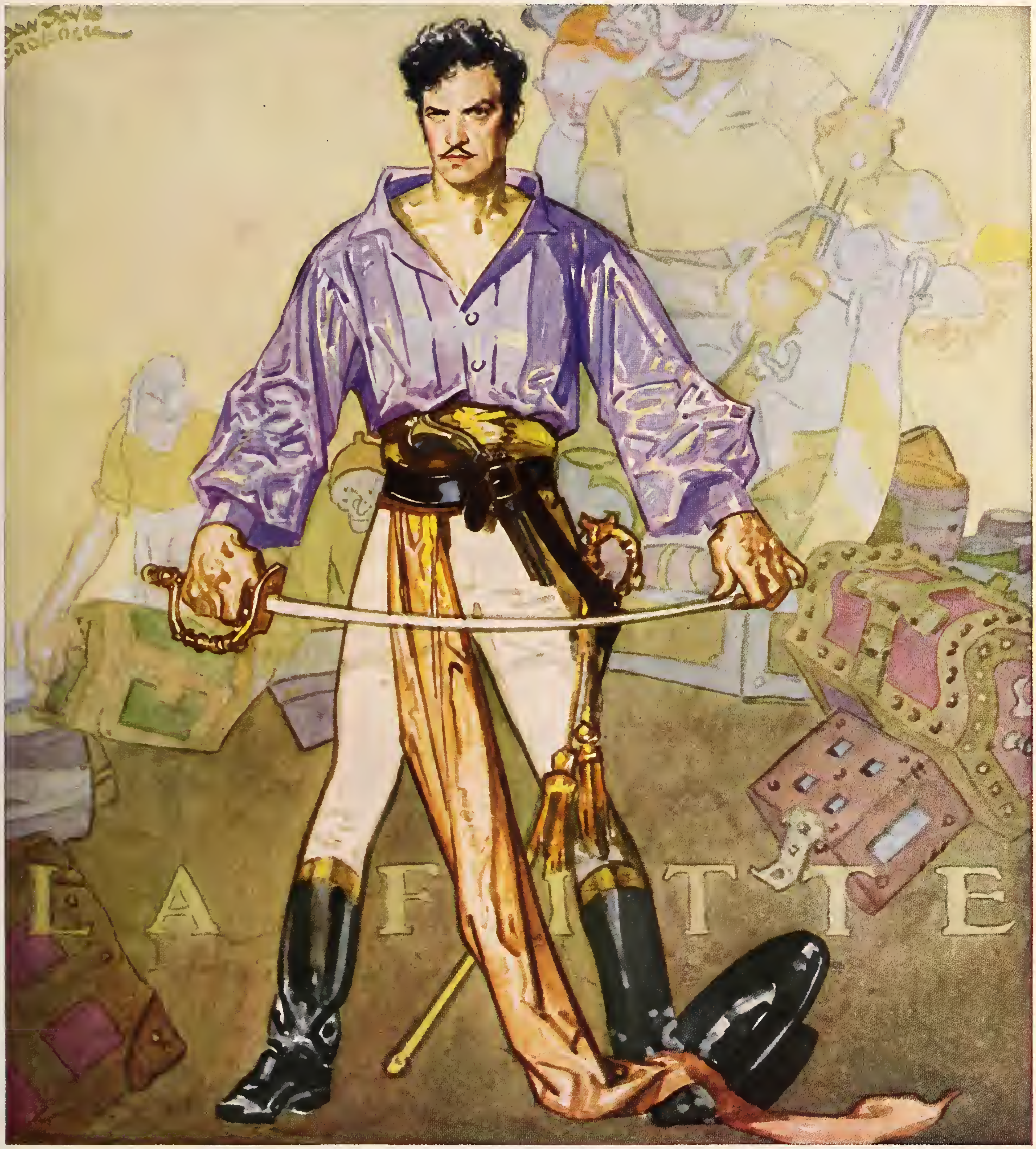
PHIL FOX, Albany branch manager for Columbia, is in town.

●

EDWARD G. ROBINSON arrived yesterday from the coast.

●

AL WILKIE is nursing an ear infection.



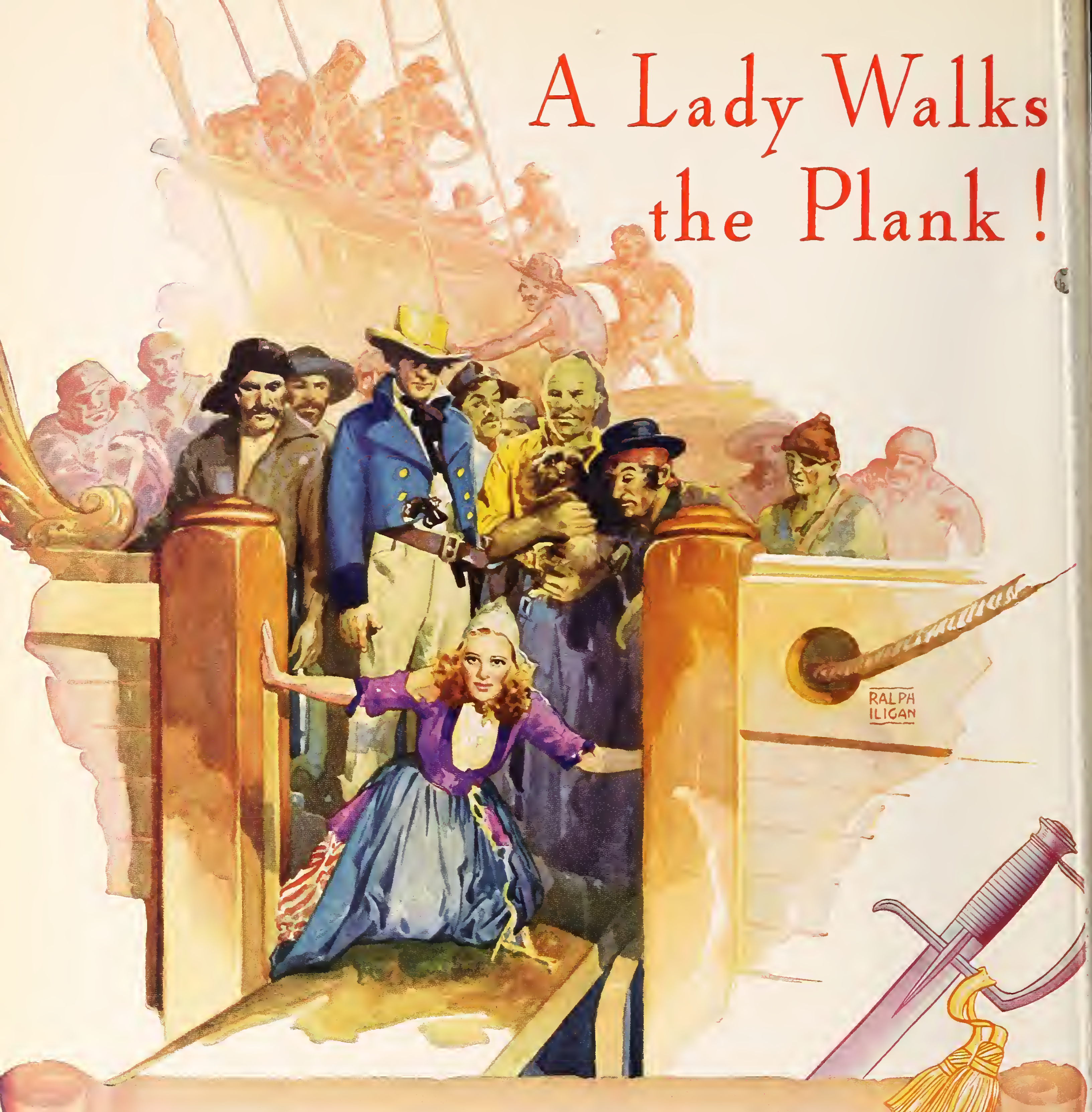
FREDRIC MARCH AS *Lafitte* IN

Cecil B. De Mille's

"THE BUCCANEER"

A Paramount Picture

A Lady Walks the Plank!



A cutthroat pirate crew force little Gretchen to walk the plank, as they raise the skull and cross-bones to the mast of a captured ship!

One of the mighty moments in Cecil B. DeMille's flaming story of Jean Lafitte, the pirate who saved a nation in the Battle of New Orleans.

Gretchen is played by Franciska Gaal, Hollywood's beautiful new star discovery.

FREDRIC MARCH

Cecil B. DeMille's

"THE BUCCANEER"

A Paramount Picture with Franciska Gaal
Akim Tamiroff · Margot Grahame · Walter Brennan
Ian Keith · Anthony Quinn · Hugh Sothern · Evelyn Keyes
Screen Play by Edwin Justus Mayer, Harold Lamb and C. Gardner Sullivan · Based on an Adaptation by Jeanie Macpherson of "Lafitte the Pirate" by Lyle Saxon
Directed by Cecil B. DeMille

Demand Inquiry of Reel House Circuit

By AUBREY FLANAGAN

London, Jan. 17.—The majority of he shareholders of Capital and Proincial News Theatres, Ltd., are coninuing to press for an investigation i the company's affairs, despite the hange in control and the appointnent of John Diamond and S. See[illegible] as chairman and managing director, respectively.

It appears certain that an investigatng committee will be appointed. Nornan Hulbert, founder of the company, and V. Hardy, a director, have resigned. The association of Seeman with the firm will link five Capital newsreel theatres with 10 others specializing in news and short subject programs.

MGM Sets "Citadel" On English Schedule

"Citadel," based on the novel by Dr. A. J. Cronin, has been added to M-G-M's original schedule for British production, boosting the first group to be made to six, said Ben Goetz, in charge of the company's production in England, on his arrival here yesterday from the coast.

No cast has as yet been selected for "Citadel," which will follow "A Yank at Oxford," recently completed. Goetz will sail tomorrow on the *Berengaria* for an indefinite stay overseas.

"Zola" Big in Mexico

Mexico City, Jan. 17.—"The Life of Emile Zola" achieved a record Saturday and Sunday gross of $6,300 at the Alameda here, a 3,300-seat house. The film, now in its second week at a 60-cent top, is beating the record of "100 Men and a Girl" by $400. "Zola" also had high Monday and Tuesday grosses, which is unusual here.

Realign GB Ad Division

The setup of the G. B. publicity and advertising department, headed by Albert Margolies, includes: Louis Berg, promoted to publicity manager; Charles Garrett, in charge of advertising production; Jack Savage continues as art director; Peggy Goldberg, in charge of fan magazine publicity.

Order Utah Games' End

Salt Lake City, Jan. 17.—Bank Night and Ten-o-win at 11 Utah theatres have been ordered discontinued with the mailing of cease and desist orders by the Utah Trade Commission. The games, which so far have not been proved to be lotteries in this state, are said to be contrary to the unfair practices act.

Italians Honor Cukor

Hollywood, Jan. 17. — George Cukor has been awarded the Order of the Crown Prince of Italy, for developing cooperation between the American and Italian industries. Copies of the Mussolini Cup were given David O. Selznick and Clarence Brown, director, for "Anna Karenina."

Warner Club in Play

The Warner Club Players, composed of home office employes, will present "Three Cornered Moon" at the clubrooms on Friday.

Hollywood Preview

"Paradise for Three"

(M-G-M)

Hollywood, Jan. 17.—"Paradise For Three," a light comedy romance, is played by an expert troupe of actors with zip and zest. With fun the keynote of all dialogue, situations and characterizations, the film was smartly staged by Producer Sam Zimbalist and Edward Buzzell's direction was pointed to keep things moving in intriguing style.

Although based on a continental story by Erich Kaestner, with most of the locale in the Alps, the screenplay by George Oppenheimer and Harry Ruskin is familiarly American in nature. A rich manufacturer, appearing incognito, joins up with a poor young man who has won a contest he has conducted; the prize is an Alpine vacation. The winner, mistaken by the hotel management for the millionaire, is treated regally, while the manufacturer is considered an undesirable guest.

The action moves from one farce situation to another, with Frank Morgan, the manufacturer, accepting his lot with good grace even when he is forced to wash dishes and almost gets himself involved in a breach of promise suit. Robert Young, the prizewinner, does his best to assist his new found friend whom he believes will be influential in getting him a job. The arrival of Morgan's daughter, Florence Rice, to rescue her father from indignities which she has heard he is being subjected to brings on romance, which, when all mistaken identities have been cleared up eventuates in Young's going to work for Morgan and the promise of Miss Rice's hand in marriage in the near future.

It is a good supporting picture for any program. It offers the names of Reginald Owen, Edna May Oliver, Mary Astor, Herman Bing, Sid Rumann, Henry Hull and Walter Kingsford in addition to the leading trio and the value of a rollicking comedy for exploitation purposes.

Running time, 75 minutes. "G."

M-G-M Shorts Sales To Remain on Coast

M-G-M will keep its short subject sales department on the coast because it has been found helpful in advising with the production department on the types of shorts to be made, said Jack Chertok, head of shorts production, who arrived here yesterday.

Chertok plans to be here four weeks or more during which he will make four Robert Benchley one-reelers and three or four Pete Smiths. He said he is seeking material for the latter. Smith will dub them on the coast after their completion here. All work will be done at the General Service Studios at Astoria, L. I.

Novelty one-reelers and two-reel musicals and comedies are the best from a sales standpoint, the musicals having the greatest appeal in foreign countries and hence return the greatest revenue, Chertok declared.

Fred Quimby, M-G-M's short subject general manager, is to remain permanently on the coast.

Doyle to Talk U.A. Deal with Giannini

(Continued from page 1)

last month from England and since has conferred on his plans several times with Arthur W. Kelly, U. A. vice-president and foreign head, here. Nothing definite has resulted from those discussions yet and indications are that a final decision will be left to Giannini.

Buys Connecticut House

Baltic, Conn., Jan. 17.—Barnett Tabackman, operator of the Devon for the past four years, has purchased the 450-seat Jodoin here, and will open it Feb. 1. Harold Tabackman will assist with the booking.

Imperial to Offer Common Stock Issue

(Continued from page 1)

underwriter will be given 75,000 shares as bonus for sale at an estimated market price of $1.50, or $112,500. The funds will be used for debt reduction, production expenses and working capital.

The remaining 361,286 shares are not to be offered for one year, but are reserved for option of the underwriter for 100,000 shares at $1 to $1.10 per share; to William M. Pizor, president, 250,000 shares at $1 to $1.30 per share, and to employes and others, 111,286 shares at $1.25 per share.

Allied Directors to Open Meeting Today

(Continued from page 1)

to the formation of a legislative program for consideration during the current session of Congress.

Also scheduled for consideration is the broadcasting by film players at hours which compete with the theatres' peak business periods.

I. C. I. Opens Office Here

I.C.I. Cinema Industries, Inc., has been formed here to distribute in North and South America the product of I.C.I., Italian producing company. Officers are Giuseppe D. Musso, president; William L. Berk, vice-president; Edward S. Fenton, treasurer, and V. Gambarelli, secretary. John Gentile has been named representative here.

Trans-Lux to Open

The new Trans-Lux Theatre on Lexington Ave. and 52nd St. will be opened on Jan. 21. An invited audience is expected to be on hand for the formal ceremonies at 9 P. M.

20th-Fox Preparing Season's Final Ten

(Continued from page 1)

Down Broadway," and "A Trip to Paris." Preparations are going ahead on "Little Miss Broadway," "Four Men and a Prayer," "Alexander's Ragtime Band," "Women Are Dangerous," "Kentucky Moonshine," "Island in the Sky," and "I'd Give a Million." "Sally, Irene and Mary" and "International Settlement" are now being edited.

Sears Says 9 from Warners Ready Soon

Nine of Warners important pictures of the season, either completed or in final stages of production now, will be released during the next few months, Gradwell L. Sears, general sales manager, reported yesterday on his return here from the coast.

The features are "The Adventures of Robin Hood," "Fools for Scandal," "Gold Is Where You Find it," "Jezebel," "Swing Your Lady," "Women Are Like That," "Girls on Probation," "The Kid Comes Back" and "A Slight Case of Murder."

The bulk of the pictures will be released during the current Sears sales drive which, on the basis of reports for its first two weeks, is already running well ahead of last year's drive for the same period, he said.

While at the studio Sears conferred with H. M. and Jack L. Warner, Hal B. Wallis, Sam Schneider, Sam E. Morris and S. Charles Einfeld. Morris returned late last week. H. M. Warner and Einfeld are expected the latter part of this week.

"Snow White" Pulls $65,066 on Weekend

(Continued from page 1)

set for three weeks on the basis of weekend business, which was the biggest since "Dead End," last fall. "Wise Girl," the previous attraction, did about $18,000 for the week.

The second week of "Rosalie" gave the Capitol $31,552. "Wells Fargo" winds up a third week at the Paramount tonight. It will be followed by "Every Day's a Holiday," featuring Mae West, and Benny Goodman and his band on the stage.

Yesterday's snowfall caused grosses to be off generally.

"Hurricane" Big on Loop

Chicago, Jan. 17.—"The Hurricane" is rolling up an exceptional gross in Chicago where, playing at the United Artists, it took in $11,500 for the weekend, according to reports.

Smith at Des Moines

Des Moines, Jan. 17.—Cresson E. Smith, RKO western and southern sales manager, will address the Des Moines and Omaha office staffs tomorrow in connection with the forthcoming Ned Depinet Drive. In the course of his trip Smith will also visit Oklahoma City, Kansas City, Denver and Chicago.

Lorentz En Route West

Pare Lorentz, producer of the U. S. Government picture, "The River," left here on the Broadway Limited yesterday to complete distribution details with west coast officials of Paramount, distributor of the picture.

THEM CRITIC
NEVER HAD

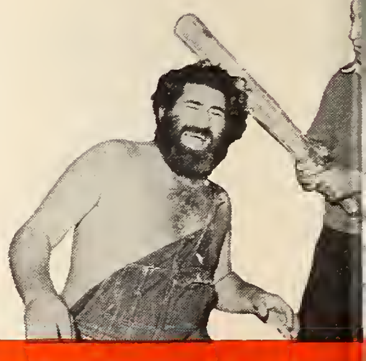
They've been alaffin' and a
see'd the rip-snortin'

SWING

Jimmy Fidler, on Nation-Wide Hook-Up
"Here's a movie everybody can enjoy—from grandpa down to the four-year-old! It's pure slapstick and broad comedy in large doses, played by comedians, who make it doubly funny. The preview audience was howling with laughter! If you want to forget your first-of-the-year bills, by all means go to see 'Swing Your Lady'!"

Film Daily
"A wild, riotous comedy that should provoke a heavy total of laughs in any theatre!"

Hollywood Reporter
"'Swing Your Lady' is riotous! Hill-billy Weavers and comedy cast score! This hill-billy farce with music is rowdy, low-brow burlesque, and grand fun for high-brow of low! It is due for exceptional popularity on all program levels!"



HUMPHREY BO
LOUISE FAZEN
PENNY SINGLET
and Those Incomparab
THE WEAVE
Direct
Screen Play by Joseph Schrank and
NICHOLSON and CHARLES ROBINSON
HITS! "Hill-b
"The

RITTERS AIN'T
UCH SPORT AFORE!

rin' ever since they
t showing of

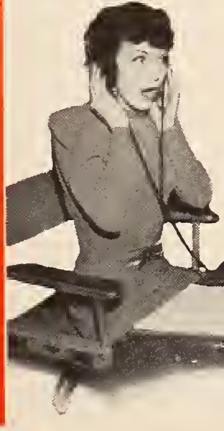
OUR LADY

Variety Daily
"Will stand up as one of the season's most refreshing and genuinely novel comedies with music! It is pure laugh entertainment and will prove a prized program leader! The music has charm and freshness, belongs to the nature of the picture and carries intrinsic part of the entertainment as music seldom does in the general run of musical comedies!"

Motion Picture Daily
"A hilarious Ozark mountain piece which provides exhibitors with a veritable fount of ideas for attracting the public to this musical film. It is made from start to finish for laughs and it obtained them at a Hollywood preview from the opening action to the final fadeout!"

Motion Picture Herald
"Showmen have a genuine cinema novelty to advertise! Made to give up capacity laugh revenue, the comedy is considerably more legitimate than most offered this season under louder ballyhoo. Previewed at the Warner Hollywood, where a well-mixed audience enjoyed itself immensely!"

FRANK McHUGH
AT PENDLETON
LLEN JENKINS
rks of Vaudeville & Radio
S. & ELVIRY
ENRIGHT
• Adapted from the Play by KENYON
yrics by M. K. Jerome and Jack Scholl
10th Avenue"
Tree"



THE SEARS DRIVE IS ON!

WARNER BROS.'

*Hill-Billy Humdinger Will Be the Comedy Novelty of the Season . . . **Watch!***

Dallas Appeal Is Filed with Supreme Court

(*Continued from page* 1)

no thought of monopoly in adopting these restrictions and that such restrictions were a lawful application of the Copyright Law under which license contracts were entered into.

Involving, as it does, two highly controversial features, the decision of the Supreme Court, in the rendition of which it is expected President Roosevelt's two appointees, Hugo Black of Alabama and Stanley Reed, Solicitor General of the Department of Justice, will participate, is one of the most important film cases to come before the court in a number of years.

Call Jackson Strike

A strike of four employes was called yesterday at Skouras' Jackson Theatre, Jamaica Heights, L. I., by Building Service Employes' Union No. 54, when the management refused to reinstate a porter. A picket line was formed.

Delay Housing Film Bids

WASHINGTON, Jan. 17.—The Housing Administration has postponed until Thursday the opening of bids, originally scheduled for tomorrow, for the supply of one or more films dealing with the Government's housing program.

Shumiatsky's Fall Due to Poor Films

(*Continued from page* 1)

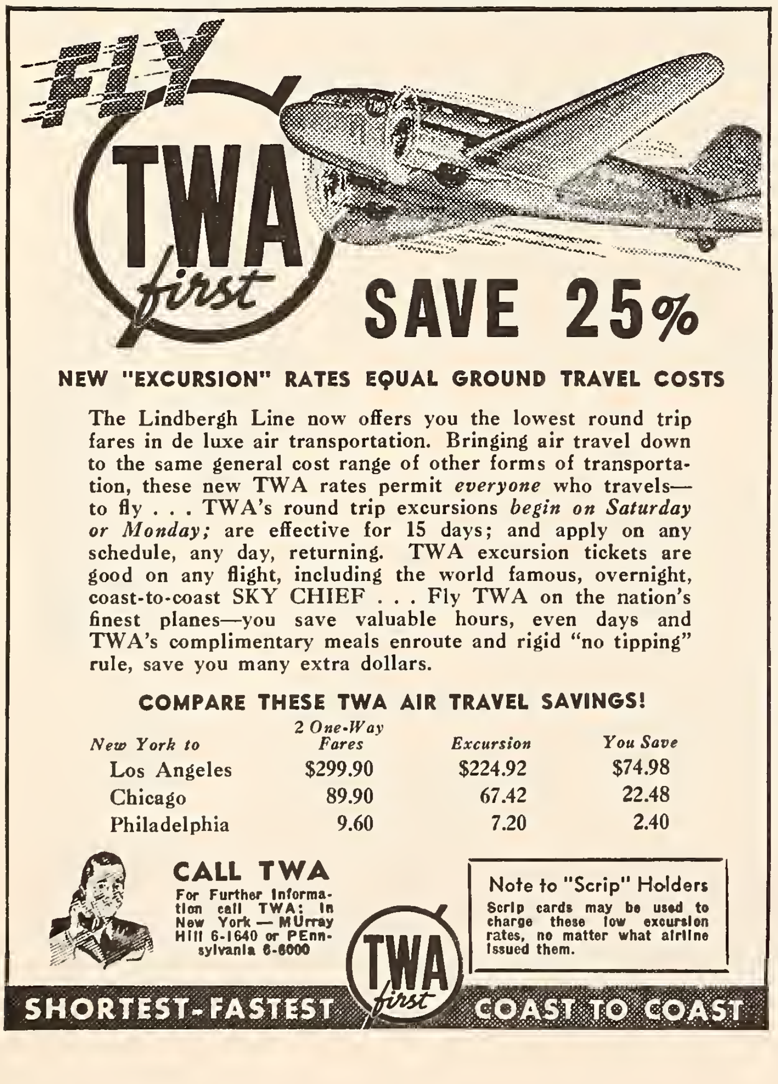
in December for a general conference of department heads of the All-Union Motion Picture Trust. The industry's representatives in London and Paris were also asked to attend.

At this meeting, Shumiatsky was severely criticized for maladministration, these charges resulting in his dismissal, according to information received by Amkino. The charges were made public in the Russian press.

Napoli stressed that as far as the American relations with the Soviet industry were concerned, there had never been any criticism of Shumiatsky by Amkino and the local office has always received good service and prompt delivery of prints from Moscow.

Verlinsky has made no mention of the current situation in daily cables he sends to Amkino, these being confined to details on productions, Napoli said. Because of the reorganization of the industry now under way, Verlinsky's return from Moscow, scheduled for next month, may be delayed. Napoli said he had received no information on the appointment of Shumiatsky's successor.

Among the pictures scheduled for American distribution shortly are "Lenin in October," on which Stalin ordered the ending remade because he thought it weak; "Lonely White Sail," based on a play by Katayeff, with child actors, and a film on the Far East.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SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA
For Further Information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

TWA first

Note to "Scrip" Holders
Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

SHORTEST-FASTEST COAST TO COAST

Theatre Total Up to 17,000, Declares Hays

(*Continued from page* 1)

is a gain of only 1,000,000 per week over 1936, when industry estimates placed attendance at an average of 83,000,000 weekly.

Hays, who was presented the Poor Richard Club's annual gold medal achievement award for outstanding leadership in industry during 1937, cited the growth and significance of the film industry as an outstanding example of the fundamental advantages of the American system in his address on "What's Right With America?" Citing the industry's business history and economic significance, Hays pointed out that it has a capital investment of approximately two billion dollars.

Sees Bright Future

Stressing an optimistic note both as to the future of the nation and the future of the industry, Hays referred to the "bitter factionalism and trade practice confusion" which he said were met with and overcome by "conciliatory and restraining influences" during industry's years of growth.

"Our association, the M.P.P.D.A., came into being as an outward expression of the industry's public responsibility," Hays said. "The largest task was the great experiment in public relations in a field in which 130,000,000 potential customers exist."

Seeks Highest Standards

The association, Hays said, subscribes to two basic purposes—"voluntarily to agree upon and enforce accepted standards in relation to good taste and wholesomeness, and to initiate and maintain processes of public education designed to encourage attendance for the higher types of pictures—that is, to raise the standard of demand as well as to raise the standard of supply."

More than 1,200 guests, including representatives of all film companies, were present at the dinner. Hays spent considerable time during the day posing for newsreel shots and press stills. Entertainment was furnished by Ted Husing and the CBS artists' bureau. The Hays address was broadcast over Station KYW.

Photophone, IATSE Reach an Agreement

RCA Photophone signed a contract with the I. A. T. S. E. late last week covering all of its sound equipment service men, it was learned yesterday. The pact had been in negotiation for many weeks.

The agreement establishes a minimum of $80 per week for service men and $110 for special inspectors and road men. RCA Photophone officials stated recently that the new wage scales would not bring about an increase in the company's service charges to theatres.

Altec Service Corp., which took over Erpi's theatre sound equipment service division in December, signed with the I. A. T. S. E. as of Jan. 1. It has made no change in service charges as a result.

Variety Club

Detroit

DETROIT, Jan. 17.—CHARLIE GEHRINGER, Detroit Tiger second baseman, was the headliner guest for the Variety Club luncheon yesterday. NORMAN DURKIN, Michigan badminton champion, and JIMMIE STEVENSON, WJR news and sports commentator, also spoke.

Next week the club will honor ANN O'DONNELL, the only woman owner of an exchange in the country, with Miss O'DONNELL, FRED NUGENT, HARRY HONDORF and JACK ZIDE as the honor guests.

The club is making plans for a "Beefsteak Blowout" to be held in February with J. OLIVER BROOKS of the Butterfield circuit in charge. The annual frolic will be held March 5, the club having reserved the entire ballroom floor of the Book-Cadillac.

Minneapolis

MINNEAPOLIS, Jan. 17. — Federal, district and municipal court judges and city officials tonight attended a dinner given by Variety Club in the Hotel Nicollet. JOHN P. DEVANEY, former chief justice of Minnesota, was the toastmaster.

The dinner was the first social affair staged by the organization since W. A. STEFFES was elected its Chief Barker. In having the judges and city officials as guests, STEFFES states that, under his leadership, he hopes to have the club take a more active part in local civic affairs and that this "get acquainted" dinner is designed as a step in that direction.

Later in the winter, a similar dinner will be tendered to St. Paul judges and officials to permit St. Paul theatre men to know their officials better.

Aherne Signed by Roach

HOLLYWOOD, Jan. 17.—Brian Aherne has been signed by Hal Roach to a contract calling for two pictures a year for two years, effective immediately.

Wall Street

Decline Marks Board Closing

	Open	High	Low	Close	Net Change
Cons.	1¾	1¾	1½	1½	— ¼
Cons. pfd...	6⅜	6⅜	6⅜	6⅜	— ½
E. K.	166¾	166¾	165½	165½	— ½
E. K. pfd..	160	160	160	160	+2½
G. T. E. ..	13¾	13¾	13⅝	13⅝	— ¼
Loew	52⅜	52⅜	51	51	—1⅜
Para.	11⅞	11⅞	11¼	11⅜	— ⅝
Para. 2.....	11½	11½	11⅛	11⅛	— ⅛
Pathe	6⅛	6⅛	6	6	— ¼
RKO	5	5⅛	5	5⅛	+ ⅛
20th Fox...	23	23¾	23	23¼	+ ¼
W. B.	7⅜	7⅜	7	7	— ⅜
W. B. pfd..	37	37	37	37	—1½

Light Curb Movement

	Open	High	Low	Close	Net Change
G. N.	¾	¾	11/16	11/16	.....
Monogram	2½	2½	2⅜	2⅜	— ⅛
Sentry	5/16	5/16	5/16	5/16	+1/16
Tech.	20¾	21	20⅛	20⅛	— ⅛
Trans-Lux	3	3	3	3	.....

Bonds Move Fractionally

	High	Low	Close	Net Change
Loew 3½ '46......	99⅛	98½	99⅛	+ ⅛
Para. Pict. 6s '55	97	97	97	+ ¾
Para. Pict. '47....	74⅜	74¼	74¼	— ¼
W. B. 6s '39.....	78½	78	78	— ½

(Quotations at close of Jan. 17)

◂ Radio Personals ▸

BOB HARRIS of the WMCA announcing staff will celebrate a wedding anniversary tomorrow. . . . Andre Kostelanetz for the second consecutive year has earned the title of America's Number One air traveler, with 136,000 miles of flying. He'll get a cup from Capt. Eddie Rickenbacher, while flying over Manhattan Jan. 27, and the ceremonies will be broadcast over CBS from 2 to 2:15 P.M. . . . Joseph J. Harty, traffic manager of WMCA, is ill at the Lenox Hill Hospital. . . . Jack Warwick, vice-president of Cecil, Warwick and Legler, will discuss the advertising agency's responsibilities to its clients, and Joe Bell, of NBC's production staff, "What Makes a Radio Show Move," at today's meeting of the Advertising Club.

+

Alfred J. McCosker will be the principal speaker at a luncheon in Brooklyn tomorrow. WHN and his own station, WOR, will broadcast the speech . . . Rockwell-O'Keefe have booked Rudolf Friml's orchestra into the Essex House beginning tomorrow . . . Ben Ruben of Zinn Arthur's band became a benedict yesterday and Jerry Conn of the same band will undergo a similar experience next week.

+

Friedrich Schorr, Met tenor, will be the soloist with the Philadelphia Orchestra next Monday . . . Jim Sauter, chairman of the general events committee for the New York Campaign of the National Foundation for Infantile Paralysis, has issued invitations to newspapermen to serve on his committee . . . Ted Collins, Kate Smith's manager and owner with Kate of the Original Celtics basketball team, will be interviewed on Stan Lomax's sports program over WOR tomorrow.

Sound Effects to Brussels

CHICAGO, Jan. 17.—An order of 30 sound effects from the Standard Super Sound Effect Library has gone to Brussels, Belgium. The complete library of effects was also sold to WOW, Omaha. Other stations buying effects in varying quantities were WSMB, New Orleans, WSM, Nashville, KNX, Hollywood, KSFO, San Francisco· KRRV, Sherman, Texas, and WFBL, Syracuse.

KDYL in Expansion Move

SALT LAKE CITY, Jan. 17.—KDYL has hired the band of By Woodbury, and has hired 22 staff members to handle a new series of live talent programs. The station also has arranged for two new studios, and taken over another floor of the Ezra Thompson Building to make more space for additional offices. The total cost of the expansion is $25,000, according to an estimate by S. S. Fox, general manager of KDYL.

Alcorn Sails on Vacation

W. C. Alcorn and Mrs. Alcorn sailed Saturday on the *Empress of Australia* for a 30-day cruise to Rio de Janeiro. Alcorn is vice-president and general manager of WBNX, New York.

CBS to Broadcast Educational Shows

Immediately following yesterday's meeting of the CBS Adult Education Board, William S. Paley, CBS president, stated that plans would be formulated at once to carry out the board's recommendations for action in the field of education. These plans call for:

The establishment of a series of half-hour evening programs dramatizing the processes of learning.

The establishment of a series of dramatic studies entitled "America at Work."

The continuous use of evening periods withdrawn from the commercial schedule and definitely reserved for experimental broadcasts in the educational field.

A. F. M. Committee In Routine Meeting

MIAMI, Jan. 17.—The entire executive committee of the American Federation of Musicians met today for six hours at the Everglades Hotel. Joseph Weber, president, New York; C. L. Bagley, vice-president, Los Angeles; Fred Birnback, secretary, Newark, N. J.; Harry Brenton, financial secretary, Boston; C. A. Weaver, Des Moines; A. C. Petrillo, Chicago; Walter Murdock, Toronto, and William Kerngood, secretary and emeritus, composed the committee. The business discussed was entirely routine and included the local situation.

Weber stated that the A. F. M. pact with radio stations means $2,000,000 more annually in salary. Practically all stations have signed, he said, except a few small units.

A meeting will take place in March or April to take steps on studio practices considered objectionable to the federation.

AFA Withdraws Its Claim to Club Field

The claims of the American Federation of Actors to jurisdiction over the night club and cabaret entertainers' field were withdrawn yesterday by Ralph Whitehead, president of the A. F. A. at a meeting of the board of the Associated Actors & Artistes of America, parent A. F. of L. performers' union, yesterday. Whitehead also withdrew his organization's claims to jurisdiction over the burlesque field, which is held now by the Burlesque Artists' Association, an affiliate of the Four A's.

The A.F.A.'s withdrawal from the night club and cabaret field leaves Chorus Equity Association with uncontested jurisdiction. A committee comprising representatives of all Four A unions was designated yesterday to work out plans for the further organization of the field and report back to the Four A board of directors next Monday.

Kayser Joins Rockwell-O'Keefe

Joe Kayser, who in the past was connected with Consolidated Radio and was in business for himself, has joined the Chicago office of Rockwell-O'Keefe, Inc., where he will be in charge of all one-night hand bookings. Bob Weems, who in the past has handled the one-night bookings for this office, will henceforth contact hotels and night clubs.

Six Sign to Sponsor 2 Programs On KNX

LOS ANGELES, Jan. 17.—KNX here, CBS station, has received contracts from several new participants in the Fletcher Wiley programs, "Sunrise Salute" and "Housewives' Protective League."

Calavo Growers of California, National Livestock and Meat Board, La Salle Extension University, Olson Rug Co., Knudsen's Creamery and Skinner & Eddy have signed for participation.

Also, Loxol Shampoo, product of Sales Affiliates, Inc., New York, has signed for transcriptions on KNX and KSFO, San Francisco, through the Milton Weinberg Advertising Agency. The programs will be transcribed.

Penn Tobacco Renews Sullivan Newscasts

CINCINNATI, Jan. 17.—Paul Sullivan's news broadcasts over WLW will be sponsored for the second consecutive year by the Penn Tobacco Co. The new 52-week contract was placed by Ruthrauff & Ryan, Inc.

In addition to his Penn Tobacco broadcasts, Sullivan is to make six New York appearances on the Vitalis show over NBC. Consequently he will broadcast his WLW news programs by remote from Radio City.

The Musebeck Shoe Co. has begun a 13-week series over WLW, through the Sehl Advertising Agency.

National Livestock and Meat Board will sponsor Arthur Chandler's organ music for 13 weeks, beginning Jan. 21. Camphell-Ewald is the agency.

Douglass Is Program Director for CSBS

OMAHA, Jan. 17.—James C. Douglass, formerly assistant manager of WAAW, Omaha, has been appointed to the newly created post of program director of the Central States Broadcasting System. Douglass will have complete charge of all programs on KOIL, Omaha, and KFAB and KFOR, Lincoln.

Douglass is well known in the midwest. He has served as assistant program director and musical director of KFKX, Hastings, Neb., and at one time was announcer at KFAB and KFOR.

WOR Planning Unit Of High Frequency

(Continued from page 1)

ultra high frequency signals, the reception from the new station will be effective only to the horizon, or within an approximate 40-mile radius from the transmitter. A number of frequencies are available to it, including 31.6, 35.6, 38.6 and 41 megacycle channels. Operations at first will be limited to about eight hours each day.

Threaten Strike at WSBM, WDSU

NEW ORLEANS, Jan. 17.—A strike against WSBM and WDSU has been ordered by the union for Friday night unless the station meets its demands before that time. WWL has signed in accordance with union rates.

H. M. Wheelahan, manager of WSBM, stated tonight that the station is willing to pay union scales but cannot meet the union demand for a closed shop.

New Shows On the Air

"Stepmother"

The first chapter in the new Colgate-Palmolive-Peet series, "Stepmother," was presented over CBS at 5:30 last evening. The story, as one may gather from the title, concerns the effort of a woman to raise another woman's children.

John Fairchild, a widower with two children, Peggy, 18, and Bob, 12, marries Kay, a newspaper woman. The story opens at the close of the honeymoon period, with the newlyweds on the way home.

The author pursues the obvious theme of having Kay greeted in a friendly manner by the youngster, Bob. Peggy's greeting of the unwelcome stepmother is confined to a frigid "Hello." Peggy will not even condescend to call her stepmother by her given name. She refers to her as "Mrs. Fairchild."

The episode closed with a hysterical outburst by Peggy, who upbraided her father for marrying without consulting her.

"Stepmother" is presented daily except Saturdays and Sundays from 5:30 to 5:45 P. M. BANNER

Union Hits Carter Signing

PHILADELPHIA, Jan. 17.—The Industrial Union Council of Philadelphia, C.I.O. unit, has passed a resolution to boycott all General Foods products as a result of the signing of Boake Carter for a commentary series by that firm. The Council, it is alleged, referred to Carter as a reactionary, and anti-labor in his expressions.

Carter currently is broadcasting over CBS for the Philco Radio Corp. but he has been signed by General Foods, also for a CBS series. The starting date for the new series, however, is still indefinite.

McCosker's Daughter Engaged

Alfred J. and Mrs. McCosker have announced the engagement of their daughter, Angela Frances, to Sheldon Van Dolen, of South Orange, N. J. McCosker is president of WOR and chairman of the board of the Mutual network. Van Dolen is with the real estate firm of McClintock & Co., of South Orange.

Orchestra Added by WJSV, Washington

WASHINGTON, Jan. 17.—WJSV, CBS key station in Washington, has retained an 18-piece orchestra in keeping with its agreement with the A. F. of M. The orchestra is now in rehearsal and will be presented in the near future.

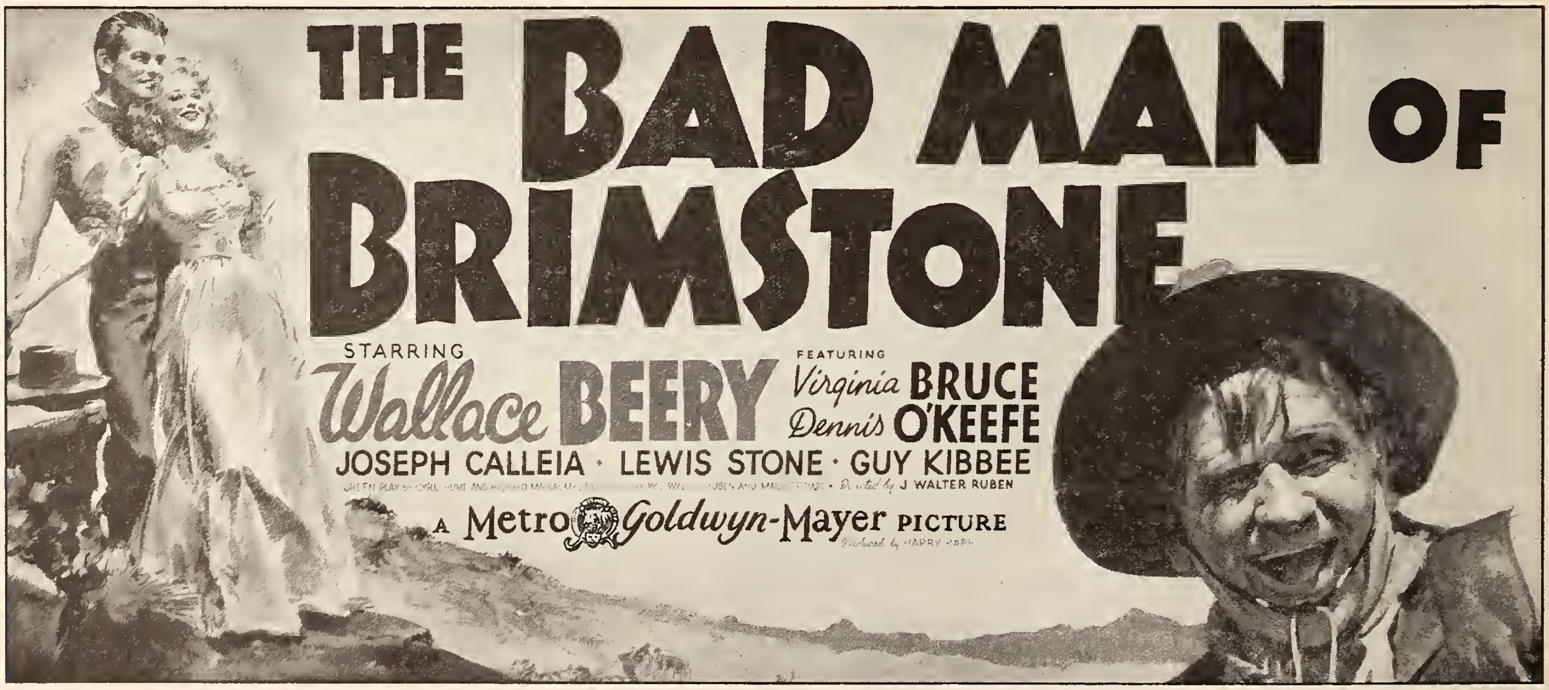
John Salb, who is the organist on the Arthur Godfrey network programs, has charge of the personnel of the orchestra. For the first two weeks it will be under the direction of Meyer Goldman, then John Slaughter, and during the third two weeks Leon Bruslioff will conduct.

To Have Foreign Announcements

Gude's Pepto Mangan will present foreign language announcements over WBNX, through a contract just effected through Morse International, Inc.

A CROSS-SECTION OF AMERICA SAYS HERE'S ANOTHER M-G-M HIT!

- Denver
- San Antonio
- Pittsburgh
- Washington
- Milwaukee
- Atlanta
- Seattle
- Chicago
- Portland, O.
- San Francisco
- Albany
- Wilmington
- Cincinnati
- Philadelphia
- Salt Lake City
- Bridgeport


THE BAD MAN OF BRIMSTONE
STARRING
Wallace BEERY
FEATURING
Virginia BRUCE
Dennis O'KEEFE
JOSEPH CALLEIA · LEWIS STONE · GUY KIBBEE
Directed by J WALTER RUBEN
A Metro-Goldwyn-Mayer PICTURE
Produced by HARRY RAPF

Watch your bookings! Here's a show that has leaped into the headlines in its first rousing engagements!

FILE COPY
DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 15 NEW YORK, WEDNESDAY, JANUARY 19, 1938 TEN CENTS

German Consul Seeks 'Time' Nazi Reel Cuts

Maker Rebuffs Demand To Alter Uncensored Films on Hitler

By CHARLES S. AARONSON

Dr. Georg F. Kraufe-Wichmann, German Vice-Consul in New York, nd Fritz Kuhn, head of the German American Bund, Nazi organization in his country, have demanded that March of Time make eliminations in he latest issue of the reel, which is evoted exclusively to Nazi Germany, nd is titled, "Inside Nazi Germany."

The issue will be generally released omorrow, and will open on that day t the Embassy on Broadway.

Louis De Rochemont, producer of he reel, in answer to the request that ertain scenes and sequences be eliminated from the release, on the ground hat they were "prejudicial to the best nterests of Germany and likely to be misunderstood by the American public," was that there would be no eliminations whatever.

De Rochemont declared: "The films which the March of Time will show re the first uncensored motion pictures to come from Germany since Hitler came into power. Every statement made in the commentary has been thoroughly checked and rechecked. After escaping Nazi censorship in Germany, we have no intention of submitting to Nazi censorship n this country."

The films, which totaled 25,000 eet, were taken by Julian Bryan, March of Time cameraman, in Germany, and brought out by way of Latvia, escaping all German censorship.

The March of Time invited Kraufe-Wichmann and Kuhn to look at the release on Monday evening, following the usual practice of inviting those

(Continued on page 2)

Cornerstone of New KNX Studio Is Laid

Los Angeles, Jan. 18.—The cornerstone of the new $1,000,000 studios of KNX, CBS outlet in this city, was laid yesterday with numerous celebrities on hand to help celebrate the occasion. Donald Thornburgh, CBS vice-president in charge of west coast operations, wielded the ceremonial trowel; Gay Breckner acted as "em

(Continued on page 6)

More Radio—Pp. 6-7

Not Backing GN-Goldstone

Phil Goldstone, independent producer and active in financing independents on the coast for many years, has "no personal interest" in the current negotiations looking toward reorganization of Grand National and its financial rehabilitation, he said yesterday.

Conferences have not shaped up to a point where anything definite is apparent, he said, but the discussions may develop something concrete "in two or three days."

Goldstone said he was here "on a confidential mission."

"I am representing mutual friends in the negotiations," he declared, indicating them as Edward L. Alperson, president of Grand National, and financial interests on the coast. He hinted that the money needed by G. N. to resume production would be forthcoming if other factors are favorable.

Since Goldstone's arrival here from the coast on Monday with Phil Krasne, head of G. N.'s studio, the two have been in almost continuous conference with Edward Peskay, vice-president in charge of sales, and other distribution executives.

Goldstone expects to have a plan pretty well shaped up before he and Krasne return to the coast in a few days. He is financially interested in "Damaged Goods," which G. N. is releasing.

The company's financial position has

(Continued on page 7)

WHITNEY OFFERS TO BUY 60% OF UNITED ARTISTS

He and Selznick Ready to Acquire Shares of Pickford, Fairbanks and Chaplin, It Is Learned Authoritatively

A definite offer for the purchase of the 60 per cent stock interest in United Artists held by Mary Pickford, Douglas Fairbanks and Charles Chaplin has been made by John Hay Whitney and David O. Selznick to the three United Artists partners, it was learned yesterday from an authoritative source.

The purchase negotiations, under way in Hollywood now, are described as being still in the conversation stage despite the fact that an official offer has been tendered by Whitney and Selznick. The progress of the deal has been retarded momentarily by the absence of Chaplin from Hollywood, but all three partners are described as being genuinely interested in the Whitney-Selznick proposal, which is also said on excellent authority to be regarded favorably by other important United Artists officials.

The Whitney-Selznick plan additionally, it is stated on good authority, contemplates the acquisition of all of the outstanding United Artists stock if such a move becomes advisable and if acceptable terms could be negotiated. This, presumably, is regarded as a secondary consideration which might develop from the attitude of Samuel Goldwyn and Alexander Korda to acquisition of a controlling interest by Selznick International.

If a deal is consummated, Selznick would be in charge of production, new producers would be added and the company's production schedule would be increased considerably.

Well informed sources are confident that Miss Pickford, Chaplin and Fairbanks are inclined to dispose of their interests on a basis acceptable to the prospective purchasers in the event that suitable assurances can be set up. It is also believed that Goldwyn, Korda and Walter Wanger could be induced to continue with the company under an adjusted production status.

Hollywood, Jan. 18.—Approximately $3,000,000 in cash plus preferred stock in a financially revamped United Artists is being offered by John Hay Whitney and David O. Selznick for the 60 per cent stock interest in United Artists held by Mary Pickford, Douglas Fairbanks and Charles Chaplin, it was learned today.

Although the negotiations have reached the point at which terms are being discussed, they are described in informed quarters as still in a very

(Continued on page 7)

Small to Produce Six Films Yearly For United Artists

Hollywood, Jan. 18. — Edward Small today signed a contract with United Artists to produce six pictures annually over a long period, thus renewing his association with U. A. which started when he and Harry Goetz organized Reliance Pictures in 1932. Under this trademark he made "Monte Christo" and other films.

In 1936 Small joined RKO as associate producer, leaving last summer to travel abroad. Under his new deal he will produce as Edward Small Prod. and will start in 60 days.

Allied Directors Turn Down Plan for Talks with MPTOA

By BERTRAM F. LINZ

Washington, Jan. 18.—Proposals for a fair trade practice conference between the leaders of the M. P. T. O. A., I. T. O. A. and Allied States were rejected today by Allied's board of directors in favor of Congressional block booking or divorce legislation.

Convening for their annual meeting, the members of the board reviewed the situation and came to the conclusion that since Allied's acceptance of the several tentative dates which have been suggested did not result in the meeting being held, the prospect of a conference at this late date might seriously jeopardize plans which the association has been formulating over a period of months and give Congress the impression that the independents' problems were on the way to solution.

It was accordingly voted that the conference not be held until present plans for seeking relief in Congress are carried to a conclusion.

Contesting applications of Pitts-

(Continued on page 7)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse, 54 Vienna VII; Hans Lorant, Representative.

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Subscription rates per year $6 in the Americas and foreign $12. Single copies: 10 cents.

Ontario Censors Get Legion Approbation

TORONTO, Jan. 18.—No organized action with regard to films is required in the Province of Ontario because of the co-operative attitude of the Ontario Censors, states Rev. M. J. McGrath, secretary of the Toronto Council of the Legion of Decency. Occasional objectionable detail slips through in the examination of films, he declared, but censorship in Ontario is quite satisfactory on the whole. This comment was made following announcement that representatives of the Catholic Church in the Province of Quebec had threatened a boycott of theatres because of an alleged lowered standard of censoring in that Province.

Hear "Children" Appeal

ALBANY, Jan. 18.—Arguments on the litigation by Fov Prod., Inc., and Principal Film Exchange, Inc., which seek to obtain a license for "Tomorrow's Children," were heard today in the Appellate Division, Third Department. The film, based on a sterilization theme, has been refused an exhibition permit by Commissioner of Education Frank P. Graves. The picture was shown in court. Decision was reserved.

"March of Time, No. 6"

(RKO)

For the first time since its inception, March of Time producers have devoted an entire issue to one subject, "Inside Nazi Germany," and it is compelling and highly significant material. Done in the expectedly direct and clean-cut fashion of these releases, it pictures Germany today, the manner in which Hitler has ruthlessly regimented and completely dominated the German people in every phase of their lives, and the spread of the Nazi doctrine into the United States through the so-called German Bund, headed by Fritz Kuhn. It is a notable film document, which may well attain historical importance.

The film was brought out of Germany despite the ban on such material, and it gives every evidence of complete authenticity. Pictured clearly, and with the support of a careful, well-spoken narrative, the issue shows the operation of the Nazi propaganda machine, the vicious and uncompromising attack on the Jews and on other churches, and the attempt to lure American tourists.

Behind the prosperous looking front which Berlin presents, is revealed the dictatorship which virtually tells Germans what they can and cannot eat, that they must save the refuse for pig fodder, the complete supervision of all German children, training them for war, the restrictions on German workmen, who are told how much they shall be paid and are forbidden to strike. Incisely is portrayed the organization which claims the allegiance of 200,000 Americans, the German Bund, under the leadership of the naturalized American citizen, Fritz Kuhn, which is attempting to spread Naziism across the United States, and the sharp rebuff it received at the hands of the residents of Southbury, Conn., when it attempted to establish a Nazi camp in that town.

Clearly shown is the strength of the Nazi war machine, on parade and in maneuver, and the alliance with Fascist Italy's Mussolini, with a verbal indication of its probable consequences to the world.

Running time, 16 mins. "G."

AARONSON

Sailors Picketing

The National Maritime Union began picketing the Music Hall yesterday in a protest against the showing of March of Time's sequence on the problems of the American merchant marine. Placards carried by the pickets urged a boycott of March of Time and described the subject as "slanderous to seamen."

The reel employed members of the union in making the sequence.

Seek Ulster Quota Similar to British

By AUBREY FLANAGAN

LONDON, Jan. 18.—Efforts are being made here, it is understood, to persuade the Ulster Government to introduce a film quota bill similar to that of England.

The Minister of Commerce is conducting a statistical investigation relative to the showing of British films in Ireland. The exhibitors of Ulster are supposed to be operating under a gentlemen's agreement whereby they are to give preferential treatment to British product.

D. W. Griffith to Speak

MIAMI, Fla., Jan. 18.—David Wark Griffith, who produced the screen classic of the silent era, "The Birth of a Nation," will be the featured speaker in Miami tomorrow at a celebration of Robert E. Lee's anniversary. Three Confederate veterans will be guests of honor at the meeting slated for the Robert E. Lee High School auditorium under the auspices of the United Daughters of the Confederacy.

Hoblitzelle Fair Head

HOUSTON, Jan. 18.—Karl Hoblitzelle, head of Interstate Theatres, Inc., has been named acting vice-chairman of the Texas World's Fair Commission.

Shift "Chicago" Spot

PHILADELPHIA, Jan. 18.—Instead of coming to the Locust Street as first announced, "In Old Chicago" will play its Philadelphia roadshow engagement at the Erlanger beginning Feb. 10.

Board Asks Producer Labor Clause Views

LONDON, Jan. 18.—The Board of Trade has asked for comment from the Film Group of the Federation of British Industries (producers) on a labor cost clause in the Films Bill now under House of Commons consideration. The clause sets a minimum of £75 paid to British subjects employed in production and permits the employment of one foreigner only on a film.

The producers are expected to ask for an increase of the minimum to two foreigners, permitting the employment of either two foreign players or one player and one director or technician. Labor is believed certain to insist on the retention of the clause permitting only one foreigner.

New Company Formed

DOVER, Del., Jan. 18.—Hollywood Pictures Corp., has been formed here, listing capital of $100,000. Mack Theatres of Chester, Inc., Chester, Pa., has increased its capital stock from 1,000 to 5,000 shares, no par value, and Helena-Intermountain Theatres, Inc., a Delaware corporation, has been dissolved.

Defer Coyne Hearings

BOSTON, Jan. 18.—The Legal Affairs Committee of the legislature today postponed hearings on the bills of Representative Francis X. Coyne, one prohibiting the use of fictitious or assumed names by film actors, and the other establishing a nine o'clock curfew in Massachusetts. The industry will oppose both bills.

Reich Consul Asks Slashes In Time Reel

(Continued from page 1)

concerned to see any reel in which they might be interested.

The German Vice-Consul, after the showing, objected to the American side of the Nazi activities as shown, and pictures of the persecution practiced by the Nazi Government in Germany. Kuhn particularly objected to the American phase of the issue. Both demanded eliminations in the reel of the particular sequences to which they objected.

Kuhn denied any connection between the Nazi Government in Germany and the German American Bund which he heads in this country. He declared the only purpose of the organization is to fight Communism in the United States.

Kuhn was heard to explain, following the screening on Monday, "If Hitler sees this film the German American Bund is ruined."

A second showing of the reel was arranged for Kraufe-Wichmann yesterday afternoon by De Rochemont. The vice-consul failed to appear for that showing, and characterized the reel as "misuse of the press." It was admitted by the German representatives that there were no errors of fact in the picture.

Chicago Bans Reel

Yesterday afternoon the Chicago censor board banned the picture in that city on the ground that it reflects on the Hitler Government, with which the United States is now friendly. De Rochemont said yesterday the reel will remain as it was completed and that a protest probably will be lodged with the Chicago authorities.

The Immigration and Naturalization Committee of the House at Washington yesterday asked for a print of the reel for immediate screening. The staff of the German embassy there saw the issue yesterday.

William E. Dodd, former ambassador to Germany, said yesterday that "every member of every American family who believes in liberty and democracy should by all means see" the film. He declared it "tells the truth about the Hitler Government." Congressman Dickstein of New York also lauded the film, declaring every American should see it.

Gillis Joins Republic

Max Gillis, salesman in Philadelphia for Columbia for 11 years, has been named Republic branch head there. He succeeds Harry LaVine, recently named eastern district sales supervisor. Gillis' appointment was made by Herman Gluckman, franchise holder for New York and Philadelphia.

N. S. S. Shifts Managers

CHICAGO, Jan. 18.—John MacPherson has been named district manager of National Screen Service in a series of changes which brings Tom Burke here from Minneapolis as Chicago territory manager and Dick Sachel as city sales manager. John Mednikow, former city sales manager, has resigned.

CAT'S "MEOW" IN TECHNICOLOR?

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But for screen tricks that will pack theatres with howling audiences—

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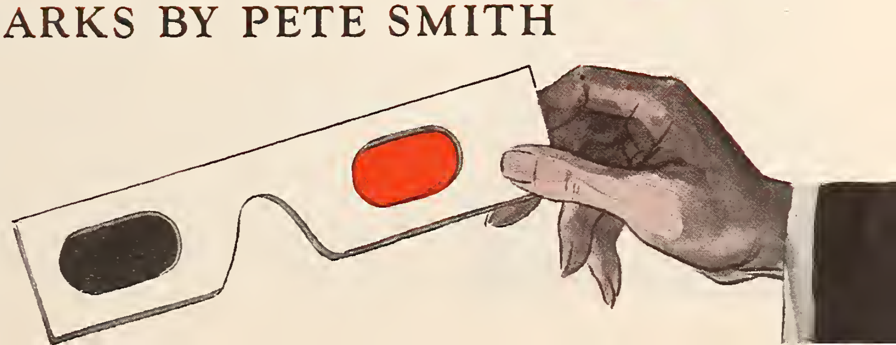

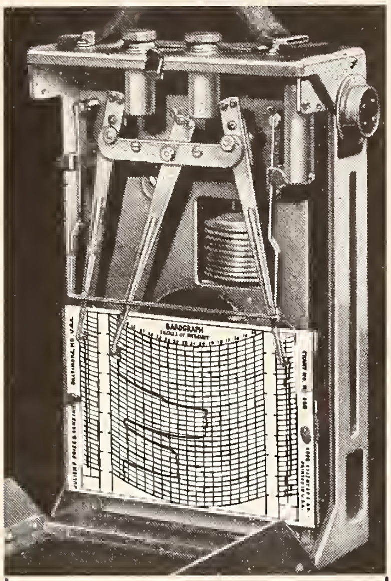

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Moskowitz Has Anniversary

Tomorrow friends and business associates of Charles C. Moskowitz, vice-president of Loew's, Inc., will congratulate him on completing 25 years with the organization. They have been felicitating him all week, and "C. C." has modestly acknowledged the greetings.

His colleagues of Loew's executive staff called on him a few days ago and asked him if he would permit a celebration. His answer was "No." He doesn't think the occasion calls for any to-do. For him it will be another working day, and there's quite a job in supervising the circuit's 100 theatres in the metropolitan area. However, some of his friends probably will inveigle him out to lunch, merely for the sake of talking over old times.

The talk most likely will begin with the days when "C. C.," a stripling of 20 fresh from N. Y. U. answered a want ad in the *Morning World* and was given a job as bookkeeper by David Bernstein, treasurer of People's Vaudeville Co. The salary was $12 a week. Marcus Loew was president; Nicholas M. Schenck, general manager; Joseph M. Schenck was in charge of booking and Leopold Friedman the legal head.

It wasn't long before the young bookkeeper who wanted to learn the theatre business came to the notice of the company heads. One afternoon Moskowitz was relieving the doorman at the American Theatre. Nicholas Schenck saw him and placed him permanently in the theatre department. Moskowitz rose steadily with the organization.

"Nicholas M. Schenck was my inspiration and still is," Moskowitz said yesterday. "The best insight into his character is the way he has built and held the loyalty of his associates."

Moskowitz recalled that Loew's was the first theatre circuit to give prominence to films, while others featured vaudeville; the first to display concrete faith in the entertainment value of the then new medium.

"C. C." refused to give his rules for success.

"It would sound too much like boasting" he declared.

Review Board Meet To Open Tomorrow

The 14th annual conference of the National Board of Review of Motion Pictures will open tomorrow at the Hotel Pennsylvania. It will continue through Saturday, when the 23rd annual luncheon of the organization will be held. Wilton A. Barrett, executive secretary of the National Board, will preside at the conference.

The major topic of discussion at the meetings scheduled will be "The Film Equation in People's Lives," with addresses to be made at sessions on Thursday afternoon and Friday morning and afternoon. Numerous film celebrities are expected to attend as guests of the organization at the luncheon on Saturday.

Louis M. Boas Dead

Boston, Jan. 18.—Louis M. Boas, a former associate of Marcus Loew and an exhibitor for the past 30 years, died last night at his home in Brookline. Death was due to a heart attack.

Boas was born at Providence in 1882. For several years he was manager of Loew's Columbia and Orpheum here. He was treasurer of the Friars' Club. He is survived by his widow, a son, Herman; a daughter, Mrs. Margaret Ross, and three brothers, Ralph, George and Bernard.

Rites for Morris Burger

The funeral of Morris Burger, 80, father of Samuel Burger, general foreign representative for M-G-M, will be held at 2 P. M. today at Park West Memorial Chapel, 115 W. 79th St. He died Tuesday of a complication of diseases.

The son is now in Bombay supervising the construction of a theatre for Loew's and has been advised by cable. Other survivors are the widow and three daughters.

New Foreign Houses Will Give Loew's 26

With five houses under construction, Loew's, Inc., will have 26 theatres in foreign territories by the end of this year. Arthur M. Loew, vice-president, is now in Italy on a globe-girdling tour in which he is approving plans for the new units. He is expected back in New York in June.

Loew's had been considering the purchase of a small number of theatres in Australia, outside of Brisbane, where the Metro was opened last month, but the deals fell through, it was learned yesterday.

A theatre going up in Sao Paulo, Brazil, will be opened the middle of March and will seat 1,800. The others will seat 1,500. These are under construction in Bombay, India, to open the middle of May; in Milan, Italy, and Amsterdam, Holland, to open the end of the year, and in San Juan, Puerto Rico.

Realign Drive Districts

Columbia, in conducting its "Montague Good-Will Campaign," will divide its exchanges into three groups. The eastern division will be headed by Louis Weinberg, the midwest by Louis Astor and the far west by M. J. Weisfeldt. The drive will close May 15.

Miss Sullavan to MGM

Hollywood, Jan. 18.—M-G-M has signed Margaret Sullavan to a long term contract and has set as her first picture "Three Comrades." This will be followed by "Road Show."

"Hurricane" Held Widely

"The Hurricane" has been held for extra playing time in its first 73 popular-price dates throughout the country, the Goldwyn office stated yesterday.

◂ Purely Personal ▸

John McGeehan, RKO exploiter, is scheduled to go out on an extended western trip in connection with "Snow White and the Seven Dwarfs." He recently returned from a 10-week tour of western sta[illegible]

•

Herbert Griffin, sales manager, and **George Friedl, Jr.**, chief engineer for International Projector Corp., have gone to the coast for conferences with the Academy Research Council Committee on Standardization of Theatre Sound Equipment.

•

Murray Silverstone, United Artists managing director in England, will embark for London on the *Aquitania*, Jan. 26, after a two months visit in the U. S.

•

G. C. Pratt, vice-president in charge of Erpi's west coast activities, arrived in New York yesterday for conferences with company executives.

•

Hal Hode, Columbia executive, on Friday will address the Advertising Club on the subject of films and their relation to consumer buying trends.

•

Jack Chertok, head of the M-G-M short subject department, will be guest of honor at a cocktail party at the Sherry Netherlands this afternoon.

•

Paul Lazarus, Jr., has finally lost out in his battle with that cold. He tried to fight it off but it overcame his objections.

•

Carl Moss of 20th Century-Fox is sharpening his eye these weekends with badminton and ping-pong sessions.

•

Jack Cohn, Columbia vice-president, plans to make a trip to the coast early in February.

•

Al Lichtman's return from the coast is now indefinite, but he may be back Monday.

•

Archie Mayo, Goldwyn director, will arrive from Europe tomorrow on the *Lafayette*.

ONE AIRLINE
takes you through Southern Sunshine
TO CALIFORNIA

● Turning South out of New York, American's route takes you quickly into Tennessee's friendly climate. Continues down to Texas and then across the sunny plains and deserts of the Southwest to California . . . OVERNIGHT! Nature designed this all-year, greater-comfort route . . . and only American uses it!

For reservations call your travel agent or VAnderbilt 3-2580.

AMERICAN AIRLINES *Inc.*

"Brimstone" Big in Dull Frisco Week

San Francisco, Jan. 18.—"Bad Man [illegible]rimstone," on a dual with "Beg. orrow or Steal," was outstanding a dull week, going to $19,500 at he Paramount where $13,000 is averge.

"Wells Fargo" slipped to $14,000 in its second week at the Fox, and Tovarich," with "Daughter of Shanghai" as the other half of the bill, was ff to $5,500 in its third week at the St. Francis. Other grosses were weak.

Total first run business was $78,00. Average is $86,000.

Estimated takings:

Week Ending Jan. 11:

"WISE GIRL" (RKO)

GOLDEN GATE—(2,850), 15c-35c-40c-55c, days. Stage: Vaudeville. **Gross:** $14,200. Average, $16,000)

Week Ending Jan. 12:

"WELLS FARGO" (Para.)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days, nd week. **Gross:** $14,000. (Average, 17,000)

"I'LL TAKE ROMANCE" (Col.)
"GIRL WITH IDEAS" (Univ.)

ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days. **Gross:** $3,000. (Average, $8,500)

"BAD MAN OF BRIMSTONE" (M-G-M)
"BEG, BORROW OR STEAL" (M-G-M)

PARAMOUNT — (2,740), 15c-35c-40c-55c-5c, 7 days. **Gross:** $19,500. (Average, 13,000)

"TOVARICH" (W. B.)
"DAUGHTER OF SHANGHAI" (Para.)

ST. FRANCIS—(1,400), 15c-35c-40c-55c-5c, 8 days, 3rd downtown week. **Gross:** 5,500. (Average, $7,000)

Week Ending Jan. 13:

"SHEIK STEPS OUT" (Republic)
"PUBLIC COWBOY NO. 1" (Republic)

EMBASSY — (1,400), 15c-35c-40c-55c, 7 days. **Gross:** $4,600. (Average, $5,000)

"NOTHING SACRED" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c-5c-65c, 7 days, 3rd week. **Gross:** $5,800. Average, $7,000)

"LOVE AND HISSES" (20th-Fox)
"THANK YOU, MR. MOTO" (20th-Fox)

WARFIELD—(2,680), 15c-35c-40c-55c-75c. days, 2nd week. **Gross:** $6,700. (Average, 13,000)

Week Ending Jan. 14:

"65,66 AND ME" (Scandinavian Films)

CLAY—(400), 15c-35c-40c, 7 days. **Gross:** 800. (Average, $1,000)

Snell, Ross Start Firm

Hollywood, Jan. 18.—Frank Snell, formerly general manager and later production manager for Condor, and Nat Ross, producer, have formed a company to produce a series of 13 two-reel comedies and have plans also for a series of 13 one-reel oddities. The comedies will feature Skippy, the wire-haired terrier known as Asta in "The Thin Man," who also was prominent in "The Awful Truth." Production is to start about Feb. 1. Ross formerly was a producer of Van Beuren shorts. RKO may handle distribution.

"Ensenada" Is Retitled

Hollywood, Jan. 18.—Paramount has changed the title of "Ensenada," musical to feature Dorothy Lamour, Bob Burns, Martha Raye, Ray Milland and Tito Guizar, to "Tropic Holiday." It is scheduled to start Jan. 20.

Emanuel on Vacation

Philadelphia, Jan. 18. — Jay Emanuel, Philadelphia exhibitor, and Mrs. Emanuel, have left for a month's rip to Rio de Janiero.

"Hurricane" Again High in Milwaukee

Milwaukee, Jan. 18.—Although business slipped a notch under the previous week, "The Hurricane" and "She's Got Everything" at the Warner again went to town with a $7,000 gross in its second week. This was $2,000 above average.

"Bad Man of Brimstone" and "She Married An Artist" collected $9,000 at Fox's Wisconsin, just $1,000 above average, while "The Game That Kills" and vaudeville did $5,500 at the Riverside, $500 to the good.

"Wells Fargo" and "Night Club Scandal," in a continued second week run at Fox's Strand, broke par by $500, grossing $5,000.

Total first run business was $31,500. Average is $26,500.

Estimated takings for the week ending Jan. 13:

"MANHATTAN MERRY-GO-ROUND" (Republic)
"PORTIA ON TRIAL" (Republic)

PALACE—(2,400), 35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"THE GAME THAT KILLS" (Col.)

RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: Vaudeville. **Gross:** $5,500. Average, $5,000)

"WELLS FARGO" (Para.)
"NIGHT CLUB SCANDAL" (Para.)

STRAND—(1,400), 35c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)

"THE HURRICANE" (U.A.)
"SHE'S GOT EVERYTHING" (RKO)

WARNER—(2,400), 35c-50c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
"SHE MARRIED AN ARTIST" (Col.)

WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $9,000. (Average, $8,000)

Songs with Travel Reels

Hollywood, Jan. 18. — Beginning with "Copenhagen," the James FitzPatrick Travel Talk released by M-G-M, a special theme song will be written and published with each of the one-reel travel subjects. "Copenhagen Love Song" is the name of the first. It was written by Jack Shilkret and Sam Ward, and has been published by the Southern Music Publishing Co.

Start Margate Theatre

Atlantic City, Jan. 18.—Work has started on a new theatre in Margate, whose people have had to come up to Ventnor and Atlantic City for their shows.

The George F. Wielland interests of Philadelphia own the site at Ventnor and Douglas Aves. and plan a 1,000-seat house. Wielland is part owner of a circuit here that includes the Ventnor, Apollo and Capitol.

Open Charlotte House

Charlotte, N. C., Jan. 18.—The Tryon, new $70,000 house on South Tryon St., opened yesterday.

The new theatre has a seating capacity of 600. It is owned by the Theatrical Enterprise Co. headed by Ellis Blumenthal. W. C. Daye of Winston-Salem has been appointed manager.

Buys Kansas Theatre

Kansas City, Jan. 18.—Emory D. Sweet has purchased the Clifton, Kan., theatre from Doyle Mowrey. D. B. Ratzlaff has opened the Lakin, Lakin, Kan. The town formerly had no theatre. Addie Becker plans to remodel the Granada, J. A. Becker's house in Independence, Mo., at a cost of $35,000.

"Brimstone" $14,000 Top On the Loop

Chicago, Jan. 18.—"Bad Man of Brimstone" gave the Roosevelt a profitable week by grossing $14,000 which was $3,000 above average and led the Loop in a week marked by a large number of holdover attractions.

"Living On Love" at the State-Lake and "Thrill Of A Lifetime" at the Oriental were also slightly over the average mark. "Submarine D-1" at the Garrick, "Wells Fargo" at the Chicago and "You're A Sweetheart" at the Palace did well on their extended engagements.

The weather was stormy most of the week and this affected business considerably.

Total first run business was $118,300. Average is $118,000.

Estimated takings:

Week Ending Jan. 13:

"WELLS FARGO" (Para.)

CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: Ted Weems Band and Revue. **Gross:** $30,000. (Average, $32,000)

"SUBMARINE D-1" (W. B.)

GARRICK—(900), 35c-55c-75c, 7 days, 2nd week. **Gross:** $6,500. (Average, $6,500)

"THRILL OF A LIFETIME" (Para.)

ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $18,200. (Average, $18,000)

"YOU'RE A SWEETHEART" (Univ.)

PALACE—(2,509), 35c-55c-75c, 7 days, 2nd week. Stage: Red Skelton and Revue. **Gross:** $18,400. (Average, $19,000)

"LIVING ON LOVE" (RKO)

STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Lita Grey Chaplin and Revue. **Gross:** $14,200. (Average, $13,000)

Week Ending Jan. 14:

"EVERY DAY'S A HOLIDAY" (Para.)

APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $6,000. (Average, $6,500)

"BAD MAN OF BRIMSTONE" (M-G-M)

ROOSEVELT—(1,500), 35c-55c-75c, 7 days. **Gross:** $14,000. (Average, $11,000)

"ROSALIE" (M-G-M)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 3rd week. **Gross:** $11,000. (Average, $15,000)

Shift Intermountain Men

Denver, Jan. 18.—The resignation of Chuck Miller, city manager at Missoula, Mont., for Fox Intermountain, has caused several managerial changes to be made by Rick Ricketson, Intermountain manager.

Miller was formerly a district manager for Fox. He resigned to enter the drug-store business in Denver. The Missoula job will be taken over by John Taylor, Sheridan, Wyo., city manager. Taylor is to be succeeded by Irving Simpson from Montrose, Colo. Ike Byrne, manager of the Paramount at Cheyenne, Wyo., goes to Delta, Colo., to replace Don Dungan who will take over the Montrose managership.

Transfer Midwest Managers

Kansas City, Jan. 18.—Fox Midwest has shifted the following managers: Komp Jarrett from the Wichita, Wichita, to the Midland, Hutchinson, Kan.; Al McClure from the Midland, Hutchinson, to the Palace, Wichita, where he replaces Paul Hiltner, resigned, and Bill Haas to the Wichita, Wichita to replace Jarrett. Jack Slinker has replaced Louis Higdon, resigned at the Paramount, Joplin, Mo. Louis Sponsler has been transferred from Beatrice, Neb., to Iola, Kan., and Charles Moorehead of Iola has gone to Beatrice.

Waikiki Theatre Wins Thousands
with
RCA's MAGIC VOICE OF THE SCREEN

LET IT BOOST *Your* BOX OFFICE!

This better movie sound makes every movie better! Available to theatres of every size—at prices to suit your own requirements!

Theatre operators with an eye to profits pick RCA Photophone Magic Voice of the Screen as a 5-star box office attraction.

With sound such an important factor in your business, it's only natural that thousands of movie goers flock to theatres that offer the *finest* in sound. That's why owners of RCA Photophone equipment make more money.

Your movie sound can equal the sound enjoyed by the patrons of the Waikiki Theatre and over 4,000 other motion picture houses. Install the Magic Voice of the Screen! Equipment for small theatres or large—at a price you can pay—is available. Remember —better sound means better box office—and you get *both* with RCA Photophone's superior equipment.

Better sound means better box office —and RCA tubes mean better sound.

RCA presents the Magic Key every Sunday 2 to 3 P. M., E. S. T. on NBC Blue Network

Magic Voice of the Screen offers 10 Proofs of Superiority!

Rotary Stabilizer . . Cellular Speakers . . Low Cost Maintenance, Liberal Service . . Simple Operation . . Economical Operation . . Push-Pull Adaptability . . High Fidelity Reproduction . . Simple Installation . . Accessibility . . Sole Ownership

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Canada Warns Of a Rise in Receiver Tax

Toronto, Jan. 18.—Official warning has been issued by the Canadian Broadcasting Corp. that its license fee for operation of a private receiving set in the Dominion will be raised 50 per cent at the close of the present fiscal year, March 31, when operators' licenses are automatically renewable for the next 12 months. Pointing out that the revenue of $2,000,000 in licenses for receiving sets at the rate of $2 per annum is insufficient to make up for the loss in commercial broadcasting returns to maintain the Canadian Government network, the corporation has advised that the fee will be raised to $3 starting with next fiscal year. This amount, it is stated, is still below the impost required by other countries.

In order to bolster revenue, the Canadian corporation recently sold time on the Dominion's network to radio users of the United States at bargain rates for new or extended contracts to the amount of $600,000. These programs already go out over national webs in the States and, accordingly, are already available to Canadian radio listeners. Further, when the Canadian Broadcasting Corp., got under way in September, 1936, it borrowed $500,000 from the Dominion Government which has not been repaid. In spite of this assistance, the company finds itself on the spot because 13 of the 16 hours of daily broadcasting in Canada are non-productive of revenue.

Crisis Seen Near

A crisis is considered imminent because complaints are already being heard from Canadian radio users over the prospective increase in license fees, the lack of improvement in quality of Canadian programs and the increased use of broadcasts from the United States at popular periods each evening. It is significant that the Canadian Association of Broadcasters, made up of industries and other commercial enterprises, will shortly hold a meeting in Ottawa, to discuss the situation and it is expected that a showdown will develop. It is pointed out that less than 100 out of a total of 500 national advertisers in the Dominion are using the radio with any degree of frequency because of the alleged unsatisfactory state of affairs.

"Good Will Hour" Is Extended 18 Months

WMCA's "Good Will Hour" is assured of another year and a half on the air with the completion of negotiations for an 18-month agreement with Ironized Yeast. The new contract, through Ruthrauff & Ryan, Inc., will be effective Jan. 23.

Succeeding *True Story Magazine*, currently the sponsor, the new agreement extends the scope of the hour from Boston to Chicago and includes the entire Inter-City System, of which WMCA is the key station, and the basic Mutual network. Other new stations added to the group carrying the broadcast include WLW, Cincinnati; WLAW, Lawrence, and WGAL, Lancaster.

Drug Industry Leads in NBC Gross for '37

The drug and toilet goods industry led all others in the purchase of time over NBC networks in 1937, figures completed yesterday show, with gross billings for that classification amounting to $13,322,990, an increase of $2,203,435, or 19.3 per cent over 1936 drug expenditures, which were $11,119,555.

NBC's total billings in all classifications for the year amounted to $38,651,286, up 12.0 per cent over 1936.

The food and beverage industry was second in total expenditures, with an increase of 13.4 per cent over 1936, to $11,008,762.

The average expenditure for NBC time by 134 network advertisers was $288,442, up 24.4 per cent over the 1936 average of $231,818.

Laundry Soaps Advance

Among the major changes in the rankings of the industries was the jump of the laundry soaps and cleaners industry into third place with an expenditure of $3,392,383, up 53.4 per cent over 1938. The automotive industry was third in 1936.

The CBS industrial breakdown, published in Motion Picture Daily Dec. 22, showed the food and food beverage field leading the classifications, with a total of $6,441,120; drugs and toilet goods second, with $5,037,070, and tobaccos third with $5,026,376. The CBS total gross for the year was $28,828,058, an increase of 24.4 per cent in gross billings over 1936.

The detailed listing of the expenditures for 1937 over NBC's Blue and Red networks alphabetized by industry follows:

Classification	1937	1936
Automotive	$2,726,825	$2,905,531
Building Materials	235,989	251,259
Tobacco	1,716,638	1,549,229
Clothing	75,164	201,345
Confectionery, Beverage	122,688	198,436
Drugs and Toilet Goods	13,322,990	11,119,555
Financial and Insurance	360,491	324,918
Foods and Food Beverages	11,008,762	9,706,273
Garden and Field	5,200	......
House Furnishings	190,623	166,393
Jewelery and Silverware	156,756	146,288
Laundry Soaps, Cleaners	3,392,383	2,260,312
Lubricants and Petroleum	2,045,918	2,691,930
Machinery, Farm Equipment	13,344	......
Office Equipment	......	132,096
Paints and Hardware	354,339	321,812
Radios and Musical	1.275,184	586,790
Schools and Correspondence Courses	8,940	96,180
Shoes and Leather	185,142	84,624
Sporting Goods	156,356	......
Stationery and Publishers	437,546	309,000
Travel and Hotels	4,590	26,640
Wines and Beers	58,020	41,722
Miscellaneous	797,398	493,300*
Totals	$38,651,286	$34,523,950

*Does not include political.

Cornerstone of New KNX Studio Is Laid

(*Continued from page* 1)

cee," and Lud Gluskin's orchestra furnished the music.

Included on the speakers' list was George McCall, who spoke on the past of Columbia Square, site of the new station; Assemblyman Kent Redwine; County Supervisors Roger Jessup and John A. Ford; City Councilman Byron B. Brainerd; President of the City Board of Public Works Adolf Hoch; F.C.C. Inspector Bernard Linden; County Counsel Everett Mattoon; Jack B. Tinney, president of the musicians' local, and newspaper publishers and writers.

The studios will be completed some time in April.

Files Suit on Use Of Mae West Sketch

Los Angeles, Jan. 18.—Joan Storm Dezendorf, playwright, has filed suit in the Superior Court here against Mae West, Don Ameche, NBC, J. Walter Thompson Co., Standard Brands, Inc., RCA and several John Does, alleging that the recently criticized Mae West skit, "Adam and Eve," was unauthorizedly dramatized from her play, "Love and Applesauce."

Miss Dezendorf has demanded an accounting of all profits accruing from the alleged unauthorized use of her play. Her attorney, Ralph W. Smith, told reporters while filing suit: "We thought we had a good clean play until Miss West got hold of it."

"Scrapbook" Heard in Hawaii

Tony Wons' "Scrapbook," sponsored over CBS three times weekly by the Vicks Chemical Co., is now being heard in Hawaii via recordings. KGMB, Honolulu, and KHBC, Hilo, are the stations being used. Arrangements also are being made to broadcast the recordings in Australia. Morse International is the agency.

NBC Changes Cooke Time

Allistair Cooke, NBC's "Critic On Broadway," will be heard at a new scheduled time in his series of talks reviewing the stage and films, beginning Jan. 22 at 7:30 P.M. over the NBC-Red.

Atlas Increases Series

Atlas Radio Corp. has increased production of "Bits of Life" from 26 to 52 episodes. The series is composed of radio dramatizations of short stories. The production expansion is due to repeat orders coming in for the series.

File Suit Over Picture Use of Hollywood Hotel

Judge Peter Schmuck in N. Y County Supreme Court yesterday se Jan. 25 for a hearing on an application for a temporary injunction in a action brought by Hollywood [illegible]tel Revue, Inc., to restrain Warners [illegible]om the use of "Hollywood Hotel" as the title of its current release. Damages of $50,000 are sought.

The plaintiff contends that the use of the title for the film is "unfair competition" since Hollywood Hotel Revue, a stage show unit, has been showing in theatres for the last year and a half. It bases its claim for damages on the allegation that film theatres which have contractual commitments to play the Warner picture refuse to book the stage show on the ground the titles conflict.

Radio Use a Factor

One of the questions to be decided, according to I. Robert Broder, the plaintiff's attorney, is whether the use of the title is competitive as employed in Campbell Soup's program on CBS and in the stage show, since Warner's contention will be that "Hollywood Hotel Revue" infringes on "Hollywood Hotel," the title of the broadcast. This charge was made in correspondence sent by Warners' counsel to Broder during negotiations preceding the suit.

The plaintiff, on the other hand, contends that radio is not competition to film theatres and the titles, as used on the air and by its unit, are not conflicting.

Warners obtained permission from the Campbell Soup Co. to use the title for its picture, it is revealed in correspondence filed in court. Morris Ebenstein, Warners' attorney, wrote Brody: "The content of our picture will be such that it will be intended to promote the good will and good name of both the Hollywood Hotel in Los Angeles and of the Campbell Soup Co.'s radio program, to the end that the use of this title for our photoplay will result to the general advantage of all parties concerned."

"Hotel" to Go Over Canadian Stations

"Hollywood Hotel" will be heard over the coast-to-coast network of the Canadian Broadcasting Corp. as well as over CBS beginning with the program of Jan. 28. This new hookup will increase the network for "Hollywood Hotel" to 97 stations. F. Wallis Armstrong is the agency handling the program.

Coca-Cola Renews Series

Coca-Cola has renewed its "Singin' Sam" transcriptions on WHN for another 24 weeks, effective Jan. 17. D'Arcy Advertising Co. is the agency.

Beginning Jan. 31, for 18 weeks, Association of Pacific Fisheries will participate in the Ida Bailey Allen program over WHN. J. Walter Thompson is the agency.

Burns as "Clarence" on Air

Bob Burns will play his first dramatic role on the air Jan. 24 when he plays the title role in "Clarence" on the Lux "Radio Theatre."

Radio Personals

EN SISSON will return to New York this week to celebrate his edding anniversary on Jan. 23 . . . lvia Froos is set for the Palace, hicago, week of Jan. 21; Sid Gary [illegible] Capitol, Washington, week of n. 28; both bookings through Henry ankel of the WOR artists bureau . Georgia Standing will appear in e "Metropolitan Auditions of the ir" competition Sunday. She is the ece of the late Sir Guy Standing.

+

Adolph Opfinger, Mutual program ordinator, is back from his swing ound the network circuit. . . . Mar-aret Speaks will rejoin "Fireside ecitals" Jan. 2 after completing a ncert tour. . . . Ruth Gold, who andles the "Employment Agency of e Air" for the *Journal-American* on INS, is the youngest feminine com-entator in radio, we've been told. he is a former ballet dancer and her reatest booster is her husband.

+

Ray Heatherton has been booked in-the Roxy for the week of Jan. 21, CBS artists service. . . . Mal Eaton a new WHN vocalist and will be esented on Don Albert's programs. . . Steven Rose will leave next week r Hollywood. Irving Fielda, who ppears with Rose over WHN, will in him in Hollywood some time ext month.

British Planning 2 New Radio Stations

LONDON, Jan. 18.—The British roadcasting Co. will construct two ew stations for a news service, in panish and Portuguese, to South merica, in the Government's effort combat anti-British propaganda.

The two transmitters will cost 250,000. The government is already ombating Italian propaganda in the rabic-speaking sections of Africa and sia.

Weber Plans Coast Studio Discussion

MIAMI, Fla., Jan. 18.—Joe Weber, resident of the American Federation f Musicians, will leave for California fter the A.F.M. national board meeting here, to talk with studios on prac-ices considered objectionable to the ederation.

Regarding the successful negotia-ions with radio stations, the board embers said they were jubilant over he conclusion of the pact.

To Broadcast Fight in Canada

Ken Sisson, American arranger and onductor currently conducting "Cana-la, 1938" over a Canadian Broadcast-ng Co. hookup, will relinquish his air ime Jan. 21 for the broadcast of the raddock-Farr fight in New York. isson will bring the program back o the air Jan 28.

Plan College Radio Course

BOSTON, Jan. 18.—John E. Reilly, rogram director at WMEX, will give course in radio training at the State niversity Extension. The studios of MEX will be used to provide prac-ical knowledge of broadcasting.

Allied Turns Down Plan for MPTOA Talks

(*Continued from page 1*)

burgh, Atlantic City and Indianapolis for the 1939 board meeting were resolved in favor of the Pennsylvania city. The date for the meeting will be set following the return of the Western Pennsylvania directors to their homes.

Officers for the coming year are to be nominated by a committee appointed today, consisting of Nathan Yamins, Sidney E. Samuelson, H. A. Cole, Fred J. Herrington, Ray Branch, I. R. Holycross, P. J. Wood and F. J. McWilliams. Attending members of the board had a number of candidates for the presidency, the Ohio delegation boosting Martin J. Smith of Toledo, long president of the Ohio I. T. O., while the New Jersey contingent was behind its former president, Sidney E. Samuelson.

Four Under Consideration

In addition to Nathan B. Yamins, suggested for a third term, others who were being discussed for the position included Col. H. A. Cole of Dallas, Maurice Rubin of Michigan City, Ind., Aaron Saperstein of Chicago, and M. A. Rosenberg of Pittsburgh.

Other committees appointed today were finance and radio, the latter to deal with the problem arising through the broadcasting activities of producers, which the exhibitors complain competes with peak night business.

Heading the Finance Committee was Herman A. Blum, other members being H. M. Richey, Aaron Saperstein, M. A. Rosenberg, Irving Dollinger, Max L. Levenson, Maurice Rubin, M. B. Horwitz and J. B. Fishman.

The Radio Committee will be headed by Irving Dollinger, with Charles H. Olive, Ray Tesch, Arthur Howard and Frank Horning as members.

Sees No Law Enactment

Ed Kuykendall, president of the M.P.T.O.A., in an affable mood when questioned by MOTION PICTURE DAILY, stated that his report of the Allied meet was that "the minutes will look no different from those of meetings held during the last six years." Asked what he thought of legislation to be introduced at "the propitious time" by Rep. Lyle H. Boren, providing for divorcement of the production distribution and exhibition phases of the industry, the M.P.T.O.A. head gave it "no better chance than any other bills of that kind."

In addition to the election of officers tomorrow's sessions are expected to feature a discussion of the radio competition problem and the presence of members of Congress interested in legislation affecting the industry.

Buy Theatre Building

RICHMOND, Jan. 18.—Loew's Virginia Enterprises, Inc., has bought the Loew Theatre Bldg. here from the Granby Norfolk Corp, for a reported price exceeding $800,000. The theatre seats 2,069.

Not Backing GN-Goldstone

(*Continued from page 1*)

improved in recent weeks as a result of retrenchments and its operations are understood to be in the black. It has a pressing need, however, for finances with which to continue production. The players under contract to G. N. are Tex Ritter, Evelyn Daw and Jimmy Newell.

While E. W. Hammons refused to comment on reports placing him in the picture, it is learned on excellent authority that he fails to take any overtures made on behalf of G. N. seriously. He is negotiating with two major companies for a release of Educational's shorts at the expiration of its contract with 20th Century-Fox next August and is not inclined to discuss any outside deals until Educational's distribution is assured, it is learned.

Master Contract for "Back Rooms" Asked

I. A. T. S. E. officials in Washington are considering proposals for a master contract covering "back room" employes at 31 exchanges which were made by representatives of the distributors after the union had submitted its own recommendations.

The next move is up to the union, either to ask for a revision in the distributors' proposals or for a joint meeting at which the matter will be discussed.

The master contract will cover general conditions for inspectors, shippers and poster clerks throughout the country. Specific conditions and wage scales are to be inserted for each locality as determined in the negotiations which were concluded last August. The local conditions vary. No period has been set for the duration of the agreements, it having been agreed that the time limit will be left open, according to Frank Phelps of Warners, who is representing the distributors.

Casey Talks N. Y. Wages

Representatives of Local 52, eastern studio workers' union, met yesterday with Pat Casey, studio labor representative for major companies, continuing negotiation of a new wage schedule and contract. The negotiations may be concluded at the next meeting, to be held early next week.

Cartoonist Hearing Near

HOLLYWOOD, Jan. 18.—A hearing by the National Labor Relations Board on the plea of the Screen Cartoon Guild for certification as the collective bargaining agency for cartoon workers will be dated by Dr. Towne Nylander, regional director, upon his return from Yuma, Ariz., it was stated today at a conference between Leo Sackin, representing Warner cartoon interests, and Carey McWilliams, attorney for the Guild board.

Tone Goes to Hospital

BALTIMORE, Jan. 18. — Franchot Tone is in the Johns Hopkins Hospital for "a general physical examination."

Selznick and Whitney Make Offer for U.A.

(*Continued from page 1*)

elementary stage. There is, therefore, nothing to indicate that the current offer is final or that new and different terms will not be projected as the negotiations progress.

Informed quarters here are of the opinion that Fairbanks is more than willing to dispose of his interest and probably would prefer to withdraw from all stock ownership, although this is not viewed as a bar to his consideration of part payment in a new preferred stock. Miss Pickford is believed to desire a continuing link with the company, as is Chaplin, who probably would insist upon a continuing releasing agreement with the company.

Canada to Consider Film Bill Protests

VANCOUVER, Jan. 18.—The Provincial Government has agreed to throw its weight behind efforts of producers in Victoria, B. C., to retain their place in the British film market.

Executives of Central Films, Ltd., have informed W. J. Asselstine, Minister of Trade and Commerce, that new British film legislation would remove Canadian films from the existing quotas and confine them to films made in the British Isles or British colonies. Asselstine has agreed to make immediate representations to the Canadian Government, asking the Federal cabinet to bring the matter to the attention of the British Government.

Internat'l Cinema Withdraws Listing

WASHINGTON, Jan. 18.—Withdrawal of its registration statement, filed in November and effective Dec. 8 last, was today requested of the Securities and Exchange Commission by International Cinema.

The statement covered an issue of 50,000 shares of $5 par value seven per cent cumulative convertible Class A common stock and 100,000 shares of common stock reserved for conversion for Class A stock at a ratio of two shares of common for one of Class A. The company expected to raise $250,000 from the operation, of which $50,000 was to be used for new equipment, $50,000 for working capital and $100,000 for reduction of indebtedness.

Pathe Adds Sport Series

Pathe News is adding a new series of 13 "Sportscopes" to its production schedule for RKO release. Frederick Ullman, general manager of the reel, will be in charge of their production. The first subject, "White Magic," has been completed.

Transfer Denver Men

DENVER, Jan. 18.—Chet Miller, city manager at Missouli, Mont., for Fox Intermountain, has been moved to Sterling, Col., as city manager. He succeeds William Fowers, moved to Ogden, Utah, to be city manager there.

Newsreel Parade

Movietone News
Vol. 20, No. 37

(20th Century-Fox)

This issue is an average assemblage of news events. The items are all national. However, there is a lot of pictorial appeal in the material.

The reel opens with spectacular shots of an oil well in Texas going up in flames. The burning liquid is an excellent subject for the camera and the compositions are excellent. There are shorts of two Indian chiefs who visited New York to get a number of relics which, custom has it, will bring water to the "dust bowl." The sailfishing fleet under way at Miami and prize winners at a dog show conclude the News of the Nation department.

Names in the News shows Stanley Reed, the White House parleys on the business recession, Herbert Hoover talking on preparedness and Sonja Henie receiving the cross of St. Olaf. Lew Lehr has a time with The Big Apple done by youngsters on ice skates in Atlantic City. The industry sequence shows a model city made by a native of Racine, Wis. Sport offers the opening of Hialeah, Joe Stripp's baseball school and thrilling ski-jumping at Cary, Ill.

Running time, 10 mins. P.

News of the Day
Vol. 9, No. 235

(M-G-M)

There is the usual assortment of news and novelties of national and international appeal in this issue. It is generally satisfactory.

The material includes the return of the honor convicts to the Kirby, Ala., prison. They were given liberty over the holidays. The inspection of prisoners' mattresses in Joliet prison for hidden implements, the political crisis in France, marines and regular army troops leaving for maneuvers in Puerto Rico, Supreme Court appointee Stanley Reed posing with Mrs. Reed, John L. Lewis speaking in front of the White House after a conference with the President and industry leaders and the air crash near Bozeman, Mont. The Woman's Page has some clever material in a female blacksmith and the strange hats conceived by co-eds at the University of Alabama. Sport offers scenes of a mass wrestling match in the south and skiing activities of the Norge Club in Cary, Ill. The last has a number of exciting shots.

Running time, 9 mins. P.

Paramount News
No. 48

(Paramount)

Lacking outstanding news breaks, the week's newsreel grist is routine. Turf interest switches to Miami and the inaugural handicap at Hialeah Park, with shots of War Admiral in training for the feature race and Clocks, a 30-to-1 shot, winning the opener. Another sports event is the international ski championships held in the U. S. for the first time. There are plenty of spills.

Interesting is the slash pine plant shown being dedicated by the Governors of Florida and Georgia, heralding a new paper manufacturing industry. Herbert Hoover speaks on peace while, in contrast, U. S. Marines leave for secret maneuvers in the Caribbean. There are flashes of Solicitor General Stanley F. Reed, nominated for the Supreme Court; sail fishing in a $10,000 anglers' tourney at Miami; the razing of a million dollar dirigible mooring mast at St. Hubert, Quebec.

Running time, 9 mins. F.

RKO Pathe News
Vol. 9, No. 50

(RKO)

Skiing is a favorite topic of the newsreels at this time of the year, and for those that like the sport the coverage in this issue will fill the bill Birger Ruud, world champion ski jumper, and his brother, Sigmund, are caught in an exhibition in New Hampshire that has generous action.

Two other Pathe "'exclusives" are the harvesting of ice on the Penobscot River in Maine for next summer's consumption and some fancy pin whacking at the N. Y. bowling tournament. There's also "America's only woman horseshoer" and clips of Solicitor General Stanley F. Reed, who will soon be on the U. S. Supreme Court Bench, Herbert Hoover pleading for peace, troops embarking for naval maneuvers, representatives of capital and labor who conferred with President Roosevelt, and the annual fishing tourney off the Florida coast Pathe gives the routine stuff some distinctive touches.

Running time, 8½ mins. F.

Universal Newsreel
Vol. 10, No. 633

(Universal)

Winter's handiwork in freezing Niagara Falls and the return of a "sacred rain bundle" to the Indians are picturesque clips highlighting this release. The Indian tribes blamed the Museum of the American Indian's custody of the talisman for the drought and Uncle Sam decided to give it back to the aborigines after 30 years. The grateful redskins presented a 200-year-old buffalo horn in return.

There are also: Solicitor General Reed, who is to be the next Supreme Court justice; the Hialeah Park inaugural handicap at Miami; N. Y. Kennel Club awards to canine champs; U. S. Marines leaving for war maneuvers; Joe DiMaggio's smiling phiz in recognition of his being chosen "player of the year"; six beef heavers in a free-for-all wrestling bout; Miss Palm Beach of 1938 (very shapely); the international ski meet at Cary, Ill.

Running time, 9 mins. F.

Wall Street

"U" Lone Board Gain

	Open	High	Low	Close	Net Change
Col.	14½	14½	14	14	— ½
Cons. pfd...	6⅜	6⅜	6⅜	6⅜	.....
E. K.	165¾	165¾	165	165	— ½
E. K. pfd...	160	160	160	160	.....
G. T. E....	13½	13½	13½	13½	— ⅛
Loew	51½	51½	50½	50½	— ½
Para.	11¾	11¾	11⅛	11⅛	— ¼
Para. 1.....	93¾	93¾	93	93	—2
Para. 2.....	11	11	11	11	— ⅛
Pathe	5⅞	5⅞	5¾	5¾	— ¼
RKO	5⅛	5⅛	4⅞	5	— ⅛
20th Fox ..	23	23	23	23	— ¼
Univ. pfd...	51	51	51	51	+1
W. B.	7	7	6¾	6¾	— ¼

Small Curb Movement

	Open	High	Low	Close	Net Change
G. N.	¾	¾	¾	¾	+1/16
Monogram	2⅜	2½	2⅜	2½	+ ⅛
Sonotone ..	1⅞	1⅞	1¾	1¾	— ⅛
Tech.	19⅞	20⅜	19¾	20⅛	— ⅛
Trans-Lux ..	3	3	3	3	...

Bonds Generally Increase

	High	Low	Close	Net Change
Loew 3½s '46....	99¾	99¾	99¾	+ ⅝
Para. B'way 3s '55	61⅛	61⅛	61⅛	+1⅝
RKO 6s '41........	76½	76½	76½	—3
W. B. 6s '39......	78½	78¼	78¼	+ ¼

(Quotations at close of Jan. 18)

Hollywood Preview

"Happy Landing"

(20th Century-Fox)

Hollywood, Jan. 18.—If a producer made a picture just as an excuse for Sonja Henie to don a pair of skates and display her skill, it probably would be sufficient for any showman's purpose. But when, as in "Happy Landing," the producer throws behind Miss Henie an elaborate production with spectacular dancing scenes on skates, a competent "name" supporting cast, catchy melodies and an entertaining yarn of a double romance, with plenty of accent on comedy, the theatre man has something really worth selling.

"Happy Landing" is loaded with popular appeal, its weakness—if such it be—lying in the fact of too great length. The film might have been tightened a bit in spots to considerable advantage, but no audience will complain, if it affords additional opportunity to see Miss Henie on skates. Her superlative grace and speed on the ice is amazing, and is without question the film's and the showman's greatest asset.

Don Ameche, Cesar Romero, Ethel Merman, Wally Vernon and Jean Hersholt are of considerable assistance, with Romero, Vernon and Miss Merman pressing the comedy factor, and under the guidance of Roy Del Ruth, director, extracting a large measure of humor out of it. Romero is slightly awkard as a band leader, but makes up for it in expended energy. Jack Yellen and Sam Pokrass contributed lively and melodic tunes. The highlights are the moments when Sonja touches the ice, with spectacular dance routines on skates behind her.

Ameche pilots the flighty, romantic band leader on a trans-Atlantic flight as his manager, they land in Norway by accident, and meet Miss Henie. She falls for the Romero "line" and follows to New York, where she realizes it is only part of his technique. Ameche befriends her, suddenly discovers her skating ability and she attains skating stardom under his management. Meanwhile Miss Merman conducts an active campaign to capture Romero, Ameche is led to believe Sonja still loves the band leader, and a series of romantic complications, laugh-studded, result in a double marriage.

Running time, 101 minutes. "G."

Mass Entertainment First, Says Steffe

Minneapolis, Jan. 18.—Entertainment that may be distasteful to a smal minority may be exactly what the masses of the people want, W. A Steffes, chief barker of Variety Club told members of the district and municipal benches and members of the City Council at a dinner given in honor of the judges and councilme[illegible]y local theatre men.

Steffes also told the guests that Minneapolis is greatly overseated and that theatre owners objected to the issuance of more theatre licenses until the city had reached a population of at least 600,000. "Grant more licenses and the standards of entertainment will necessarily be lowered," he said. "With additional theatres, many managers will be forced to play pictures of dubious moral value. If anyone really wants to get into the theatre business, there are plenty of theatres that can be bought at a reasonable figure," he insisted.

Demand Brings Cancellation

Only a few days ago, the council, after a spirited session, by a vote of 13 to 12 voted to revoke a license previously granted to H. L. Griffith. Independent exhibitors circuit owners and churches joined in persuading the council to revoke action.

Henry Bank and John Swanson, representing the council, Municipal Judge Fred Wright, Edmund Montgomery and Theodore Hays of the Minnesota Amusement Co., were among the speakers. Former Chief Justice of Minnesota John P. Devaney was toastmaster. Approximately 150 attended the dinner at the Hotel Nicollet.

On Bail for Bango

Lyndhurst, N. J., Jan. 18.—Following the edict of Prosecutor John J. Breslin of Bergen County that theatre games are lotteries, Maurice T. Katz, local theatre manager, was arrested and subsequently released in $500 bail for holding a Bango game.

Arrested for Bank Night

Tawas City, Mich., Jan. 18. — Alfred Hewitt, manager, and Richard J. and Reginald Ashmun, owners of the Family, face examination in Justice Court on Jan. 20 on a charge of conducting a lottery by operating Bank Night in their theatre.

Enlarge Astoria Studio

Enlargement of facilities at the Eastern Service Studios, Astoria, has been started. A full time writing corps will be added.

The optical department is to be moved from its present quarters on West 56th St. For four years this department, headed by Alex Gansell, has been preparing optical effects for News of the Day, March of Time and other eastern producers.

E COPY
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 16 NEW YORK, THURSDAY, JANUARY 20, 1938 TEN CENTS

ime Appeals Chicago's Ban On Nazi Film

ircuits Delay Booking Pending Reactions

Aarch of Time yesterday, through RKO exchange in Chicago, took appeal from the Chicago censor ard's decision to ban the reel, "Ine Nazi Germany—1938," and in the antime major circuits were adopt; a waiting game before deciding booking the reel, because of the ntroversial nature of the subject.

At the same time, Louis De Rocheont, producer of the reel, yesterday ered proof that the German conar officials here had asked for elimitions in the issue, answering the arge of "deliberate misrepresentan" leveled by the consul's office ien March of Time disclosed that minations had been requested.

Realizing that the reel's revelation conditions in Germany under the azi Government makes a "touchy"

(Continued on page 9)

ongressman Claims Radio Time Refused

WASHINGTON, Jan. 19.—The alged refusal of WBZ and WEEI, oston, to permit him to make a dio broadcast, even though he had fered to pay for the time, was laid fore the Federal Communications ommission today by Representative seph E. Casey (Dem., Mass.) with request for an investigation.

Casey explained that one of the oston papers had attacked his conessional record and he desired to ake an answer defending himself. e asked both stations if they could

(Continued on page 9)

BS Gathers Stars For Birthday Show

CBS has collected a group of star ayers for the special program the etwork will present Jan. 22, from :45 to 11:30 P. M., in cooperation ith the Committee for Celebration of e President's Birthday.

Those enlisted thus far include obert Ripley, Lucy Monroe, Gabriel eatter, Milton Berle, Frank Parker. red Waring and Freddie Rich's Orestra. A brief address will be made y Keith Morgan, chairman of the ommittee for the celebration.

More Radio—Pp. 8-9

Nathan Yamins Is Renamed as Allied's Head

Arthur K. Howard Picked As Richey Successor

WASHINGTON, Jan. 19. — Nathan Yamins was reelected president of Allied at today's session of its board of directors here today. The choice came as a surprise, the pre-meeting consensus being that Yamins would decline to serve and would not be drafted again. Abram F. Myers was retained as general counsel and Herman A. Blum remains in the secretary-treasurer post.

Selection of Arthur K. Howard as recording secretary was the only change in the slate of officers. He replaced H. M. Richey.

Approval of the efforts of P. J. Wood to gain an increase in the Federal admissions tax exemption to include 50 cents also was voted by the board.

The only other announced action

(Continued on page 5)

Para's Partners Will Convene on Coast in Spring

Paramount's entire roster of theatre partners and operators will convene in Hollywood in the late spring, with home office and studio executives participating in a week of discussions on theatre operations and product requirements, Y. Frank Freeman, vice-president and theatre head of the company, said yesterday.

A date for the meeting has not been set, but it will not be held before May 15, and probably as late as the first week in June, Freeman said. A similar conference of the Paramount theatre partners was held in Miami last spring and proved to be of sufficient value to the men to warrant a repetition. The Hollywood meeting is expected to attract about 50 theatre

(Continued on page 5)

Federal Film Bureau Sought in New Bill

WASHINGTON, Jan. 19.—Legislation establishing an office of motion pictures under the Government Printing Office to handle preparation, production and distribution of films for all Government agencies, and prohibiting any agency from spending money for

(Continued on page 5)

Leo Spitz Will Stay On Coast Indefinitely

Korda Denies He Will Start Suit On His U.A. Pact

By AUBREY FLANAGAN

LONDON, Jan. 19.—Alexander Korda, head of London Films, denied that he has any plans to sue United Artists for alleged misrepresentation in the signing of the original U.A. contract, on his arrival today on the *Aquitania* from New York.

The producer declared that his relations with United Artists are exactly as they were when he left England to further the deal, since collapsed, whereby he and Samuel Goldwyn were to have acquired control of United Artists.

He indicated that he might produce for other American distributors, and admitted that conversations had been held with Paramount, but declared that nothing has been settled as yet.

Korda stated that London Films production will start in March and that he plans to make 15 films in 1938, three of them in Technicolor. He refused to divulge the source of new financing for production, but indicated that it would be of diverse

(Continued on page 5)

Quinn Martin Quits As Para. Story Head

HOLLYWOOD, Jan. 19.—Quinn Martin, head of the Paramount studio editorial board, resigned today and Manny Wolfe was appointed by Adolph Zukor as temporary head of the combined story and editorial departments.

Martin succeeded Jeff Lazarus, appointed Dec. 1 as William LeBaron's assistant. Ken Whitmore, who with Terry De Lapp, headed the Paramount studio publicity department, resigned yesterday. He was succeeded by Bob Hussey, who takes the status of De Lapp's assistant.

Pettingill Asks for Peace with Business

BOSTON, Jan. 19. — Congressman Samuel B. Pettingill, father of much film legislation, spoke before a manufacturers' group here today, saying that business "reform is a necessity . . . but there comes a time when the patient must be given a rest." He

(Continued on page 5)

New Plant Head May Not Be Named Until Court Reorganization

Leo Spitz, RKO president, will continue in charge of the company's studio as head of its production for an indefinite period, it was learned on excellent authority yesterday.

Three weeks of conferences participated in by heads of the principal financial interests identified with the company decided that, insofar as the studio is concerned, no new production head will be designated at this time and that Spitz would remain in Hollywood in direct charge of the studio indefinitely. Under the plan the company's producer lineup remains as is.

Indications are that Spitz will continue in Hollywood until the company's reorganization is on the verge of completion. At the moment, this appears to be months away. A first general hearing of objections to the RKO reorganization plan by the U. S. District Court here is scheduled for Monday, but a postponement will be sought by reorganization principals at that time. The postponement date has not been decided, but indications are that it will be at least two weeks and, possibly, a month away. A one-month postponement of the first scheduled hearing on the plan was taken late in December.

Moreover, due to the postponements of the reorganization hearing, the coast conferences resulted in no definite

(Continued on page 5)

Atlas-Lehman Take Further RKO Stock

Atlas Corp. and Lehman Bros. yesterday acquired one-twelfth of RCA's holdings of RKO stock and debentures for $500,000 cash. The purchase automatically extends to June 30 next, the Atlas-Lehman option to acquire the balance of RCA's holdings in RKO.

Yesterday's acquisition brings the Atlas-Lehman group's holdings to 656,108 shares of RKO common and $5,301,104 face amount of RKO debentures, representing a cash investment of $5,500,000. The RCA holdings are reduced now to 555,254 shares of common and $4,485,550 face amount of debentures. These holdings are under option to the Atlas-Lehman group and, if not acquired prior to June 30, the option may be extended to Dec. 31, next, by the purchase of an additional $500,000 of the securities during July.

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Hays Sees Roosevelt On Educational Film

The industry's efforts to develop an educational library for school use from the huge store of material in the vaults of film companies were detailed to President Roosevelt by Will H. Hays during a White House visit on Tuesday, Hays reported on his return from Washington yesterday.

The President was described as having a personal interest in the educational possibilities of films. Hays said that he was unable to comment on other topics discussed during his one-hour visit with the Chief Executive. The M.P.P.D.A. head plans to leave this week end or early next week for Hollywood, where he will remain for several weeks.

Loew's Votes Dividend

The board of directors of Loew's, Inc., yesterday voted the regular quarterly dividend of $1.52 on the preferred stock of the company, payable Feb. 15 to holders of record on Jan. 29.

DeMille at Harvard

Boston, Jan. 19.—Cecil B. DeMille today addressed the Harvard Film Society here.

Purely Personal

Richard Green, British actor signed by 20th Century-Fox for the leading role in "Four Men and a Prayer," is due next Tuesday on the *Aquitania*.

•

Ynez Drew, daughter of Mabel Drew, 20th Century-Fox radio contact, will be married in June to Julian D. Shear, son of S. Alexander Shear of the Board of Education.

•

Joseph Hummel, general foreign sales manager for Warners, arrived in Sydney, Australia, according to word which has just been at the home office.

•

Edward G. Robinson, who has been here since last Saturday, will leave this week for the coast, accompanied by Mrs. Robinson and their son.

•

Archie Mayo, who was expected today on the *Lafayette*, has changed his plans and will arrive next Monday on the *Manhattan*.

•

Thornton Freeland, director for Alexander Korda, will leave tomorrow on the *Bremen* bound for the Denham studios.

•

Harry I. Wasserman, district manager for M.&P. theatres, is in town from Boston.

•

Bert Sanford of Altec Service Corp. is on a business trip to nearby cities.

•

. . . Cincinnati

Joe Goetz, assistant division manager for RKO Midwest, is making his temporary headquarters at the RKO Paramount, deluxe suburban, while building up business at that house.

William Dodds, former manager of the RKO Family, is now managing the State, recently acquired by George Turlukis.

A. W. Plues, associated with Erpi for many years, has been placed in charge of the National Theatre Supply Co. sound department here.

•

. . . Oklahoma City

Paul Ketchum, recently resigned as manager of the Tower, Plaza and Victoria here, has joined the Oklahoma Theatre Supply Co. as assistant to Eldon Peek, president.

T. N. Noble, Jr., State Theatres, Inc., head, and Louis L. Dent of Westland Theatres, Dallas, spent a week fishing in Mexico.

Robert Busch, manager of the Tower, has transferred Jack Tunstil, assistant at the Werner, to the Victoria as assistant, replacing Bruce Williams, who becomes assistant at the Tower.

Earl Wingart of 20th Century-Fox will return from Cleveland tomorrow with Sonja Henie, who will start a week of exhibition skating at Madison Square Garden on Monday.

•

Edward Shanberg, president of Globe Prod., which made "Spirit of Youth," expects to remain here several weeks. He is making his office at Grand National.

•

Genevieve Tobin arrived yesterday on the *Berengaria* from a European vacation.

•

Constance Bennett arrived in town yesterday on the Century.

•

. . . Cleveland

Eddie Miller, manager of Warners' Hippodrome, and Charles Albert, booker, have left for a two-week vacation in Mexico.

Jack Shulman and Abe Schwartz, who jointly own theatres in Cleveland, Painesville and Fairport Harbor, are in Florida.

Le Motto Smith of Cleveland, with theatres in Coshocton, O., and Huntington, West Va., has varied his usual program by going to California instead of Florida.

Dick Wright, northern Ohio district manager for Warners, has left for California and his first visit to the Warner studios.

Don Gilinsky has been appointed to the local Warner booking department, having been transferred from Minneapolis. He succeeds "Red" Geddes, resigned.

•

. . . Wilmington

Boyd Sparrow, former student manager of Loew's Capitol in Washington, is the new assistant to Frank M. Murphy at Loew's here, succeeding George R. Shepp, resigned.

Stephen S. Exar, for many years manager of the Savoy before it was acquired by Warners, was elected president of the Ahepa, the American-Hellenis Educational Protective Association.

Sidney Hunter, former manager of the Union, Union City, N. J., is the new manager of the S-W Arcadia, succeeding Harry Orlow, who has been transferred to a larger house at Millville, N. J.

Park A. Weaver is acting manager of the independent Act during the absence of Manager Benjamin Shindler, who is away on a southern vacation.

Mrs. Helen M. Barrett and Joseph E. McLaughlin are the new film editors of the *Journal-Every Evening* and *Wilmington Morning News*, respectively, succeeding Mrs. Frances Merchant, who handled both sheets.

Telephone for Combination

Bradenton, Fla., Jan. 19.—Local thieves reached the height of something or other this week when they telephoned to Manager Harry Botto of the Palace demanding the combination of a safe which they had stolen two nights earlier.

Botto reported to the police that he had found a note on his front porch threatening death and the destruction of his home unless he furnished the combination when a telephone call should come through. The call came and he refused the information.

The safe contained about $1,000, Botto told Sheriff C. J. Hutches.

"Hollywood Hotel" Gets $31,000 Take

"Hollywood Hotel" drew $31,000 at the Strand in its first week which ended Tuesday night and the second stanza opened strong on Wednesday. It will be followed by "Swing Your Lady" on Jan. 28.

"Wells Fargo" with Fred Waring and his band on the stage grossed $34,200 in its third week at the P[illegible]a-mount and will wind up a four-[illegible]k run next Tuesday.

Weather conditions since last week-end are blamed for reducing grosses to some extent, but have not hurt the stronger attractions appreciably.

McWade Dies Suddenly

Hollywood, Jan. 19.—Robert McWade, 56, veteran character actor, went through his final scenes today in M-G-M's "Benefits Forgot." As he left the set Director Clarence Brown told him, "Well, Bob, you played your last scene. You might as well go home." McWade nodded assent and sat in a chair. A few moments later he crumpled over and died. Death was diagnosed as heart failure.

T. R. Thompson, Sr., Dead

Kansas City, Jan. 19.—T. R. Thompson, Sr., father of the RKO exchange manager here, died Jan. 17 at the age of 68. Thompson had been in ill health for some time.

Thompson, Jr., of RKO has been ill for a week or two with influenza, and is still in bed.

J. W. Cotter Passes

Kansas City, Jan. 19.—J. W. Cotter, exhibitor, died Monday at Hugo, Okla., of a heart attack. Cotter operated the Bijou here five years before selling out in 1937 to go to Hugo where he formed the Silica Rock Asphalt Co. Prior to his connection with the Bijou, he operated theatres in Moberly and St. Louis, Mo.

Maurice Black Passes Away

Hollywood, Jan. 19. — Maurice Black, who has appeared in films for the past seven years, died yesterday following a short illness from pneumonia. He was 46. He began his career on the vaudeville stage. A brother, Harry Black, theatre manager at Troy, N. Y., survives.

Charles Burnham Is Dead

Winter Park, Fla., Jan. 19.—Charles Burnham, 85, for many years manager of theatres in New York and Boston, died in his home here today of a heart attack. His widow survives.

Services Held for Boas

Boston, Jan. 19.—Services for L. S. Boas were held this afternoon at the meeting house of the Temple Israel. Rabbi Beryl Cohon officiated.

Nat Furst's Mother Dies

Boston, Jan. 19.—Mrs. Furst, mother of Nat Furst, Boston branch manager for Warners, died yesterday morning.

No Bellman Successor

Herman Gluckman, Republic's New York and Philadelphia franchise holder, will handle the local office himself and plans no successor to Jack Bellman, recently promoted from branch head to sales supervisor for Republic.

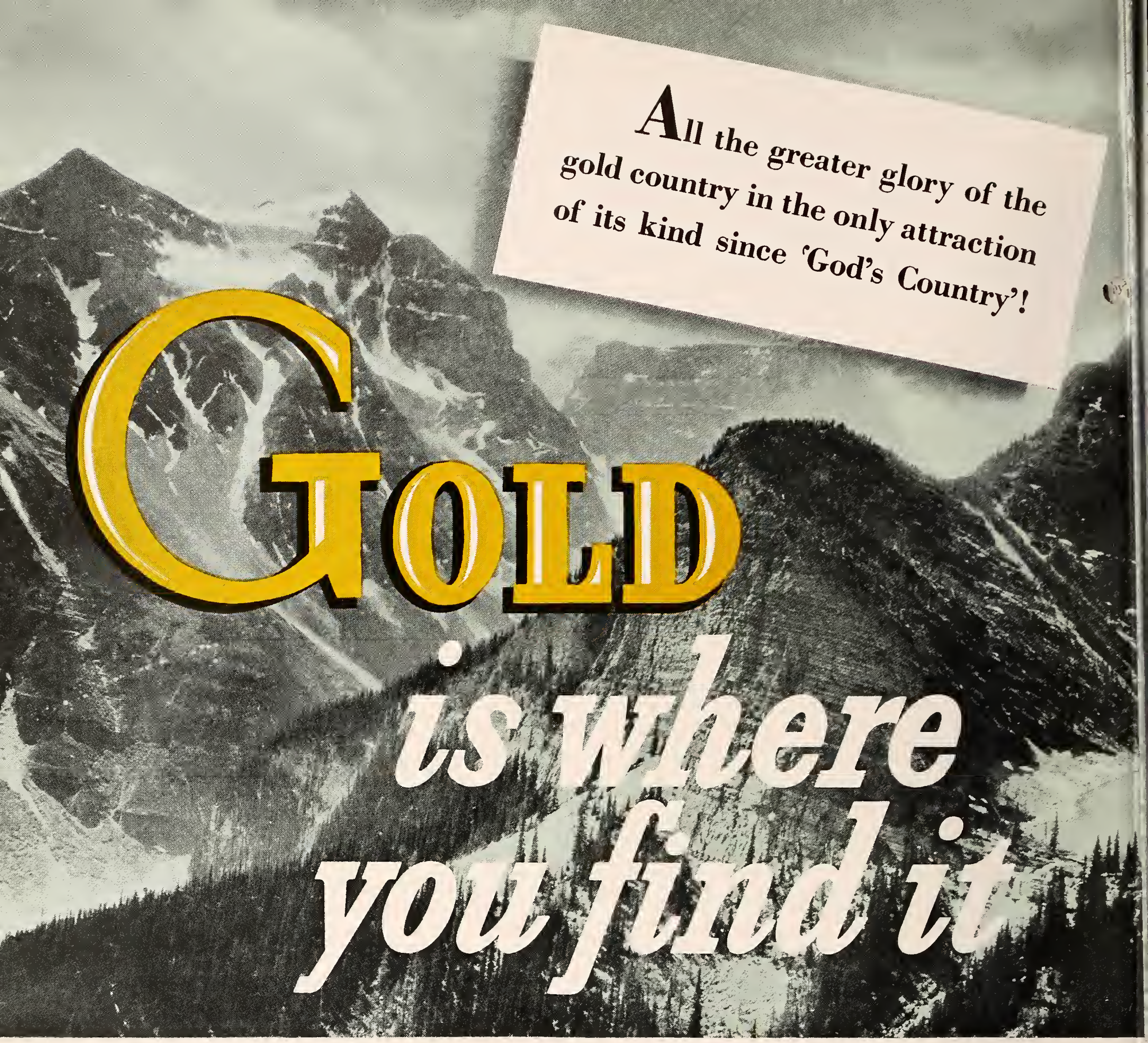
The *NEW* TECHNICOLOR in GOLD

Is Color as You've Never Seen It Before!

WARNER BROS.

Accomplished It!

. . .


All the greater glory of the gold country in the only attraction of its kind since 'God's Country'!
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Screen Play by Warren Duff and Robert Buckner • From a Cosmopolitan Serial Story by Clements Ripley • Music by Max Steiner

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"GOLD IS WHERE YOU FIND IT"
THRILLING ROMANCE OF AMERICAN HISTORY
Journal American

Ready For Release On WASHINGTON'S BIRTHDAY

With Cosmopolitan's Biggest and Broadest Promotion Behind It!

Nathan Yamins Is Renamed as Allied's Head

(*Continued from page 1*)

was the appointment of Col. H. A. [illegible] to the chairmanship of a legislative committee with Max Levenson, Maurice Rubin and Sidney Samuelson the other members. The statement released declared that Allied's plan of action on Capitol Hill would not be revealed until after further conferences with legislators, but the admission of close cooperation on the part of Myers in preparation of his "divorcement" bill made by Representative Lyle H. Boren made it appear evident that the measure would be concentrated on, with possible revisions before the bill is introduced. Boren conferred with the board this afternoon.

It was learned from the Capitol that Representative Sam Hobbs of Alabama visited the directors this morning and was questioned at length on the chances of passage of his proposal to investigate the film industry.

Several informal conferences were held this evening.

The annual convention will be held at the William Penn Hotel, Pittsburgh, May 17, 18 and 19.

Joint Meeting Idea Dropped–Kuykendall

The refusal of Allied to participate in the joint exhibitor organization conference projected by Harry Brandt, I.T.O.A. president, for the purpose of agreeing upon a trade practice program frustrates the move and brings the proposal to an end, Ed Kuykendall, M.P.T.O.A. president, said yesterday on his arrival here from Washington.

"A meeting between the I.T.O.A. and the M.P.T.O.A. would be pointless," Kuykendall said. "The M.P.-T.O.A. has its own trade practice program which it developed at great cost of time and effort and has never ceased working for its acceptance by distributors. We are still working for that acceptance and hope eventually to obtain it. There is no point in our abandoning it at this stage without national exhibitor support for an alternative program."

Allied's rejection of the invitation to meet with the other distributor organizations was decided upon at its national directors' meeting in Washington on Tuesday in order to concentrate on "legislative relief" for its members.

Kuykendall will be in New York for about a week.

I.T.O.A. Men Are Surprised

Considerable surprise was expressed by I.T.O.A. officials yesterday that Allied's national board, meeting in Washington, had turned down the projected joint practice conference sponsored by Harry Brandt, I.T.O.A. president.

The local organization's officers fail to understand the rejection in view of the fact that Nathan Yamins, Allied president, had declared himself ready to attend a meeting with Ed Kuykendall, M.P.T.O.A. head.

Para's Partners Will Convene on Coast in Spring

(*Continued from page 1*)

men from the field, 15 or more home office executives and studio officials. It is expected that the conferences will afford the theatre men an opportunity of getting the exhibitor viewpoint written into Paramount's 1938-'39 production schedule, which will be in process of planning at that time.

Federal Film Bureau Sought in New Bill

(*Continued from page 1*)

pictures other than through the public printer, has been introduced in the Senate by Senator Thomas (Dem., Okla.). A similar bill was introduced in the House last year by Representative Schulte (Dem., Ind.).

The central agency would be manned by practical film experts, and would not only save the Government money by concentrating all motion picture work at one point, but would give Congress a check on the film publicity activities of the various agencies which it now lacks, it is claimed.

Pettingill Asks for Peace with Business

(*Continued from page 1*)

added that "the time has come when the Government's war on business must end and rules for the future safety of business made."

Pettingill's talk indicated that his opinions concerning Federal control of business may have undergone a slight change.

Souland to Produce 6

Hollywood, Jan. 19.—J. M. Souland, formerly with Aschland Productions, Inc., an eastern organization, has formed Cosmograph Pictures Corp. He says he will produce six features. The first will be "The Singing Warrior," written by George Rosener, with the screenplay by Charles P. Higgins and Zelma Carroll. Harry Revier will direct. Other titles include "Daughter of India" and "Maids of the South Seas."

Republic Meet Routine

Hollywood, Jan. 19. — Herbert Yates conferred today with Floyd St. John, Grover Parsons of San Francisco, and Francis Bateman of the Los Angeles exchange, in a Republic conference described as routine. St. John, western franchise holder, and Parsons left tonight for Frisco. Yates will be here two more weeks on studio matters.

Delay F. H. A. Film Bids

Washington, Jan. 19.—Opening of bids for the production of films on the Government's housing activities, originally set for Jan. 18, was postponed by the Federal Housing Administration today until Jan. 27. The postponement, it was explained, was at the request of film companies which wanted more time to figure costs under the F. H. A. specifications.

Will Rogers Drive To Start April 29

The week beginning Friday, April 29, has been selected by Major L. E. Thompson for the annual Will Rogers National Theatre Week. Arrangements are being completed for the fund-raising campaign in which all theatres in the country will be asked to participate.

Exhibitors will be asked to run a one-reel subject featuring stars from various studios making appeals for the fund, which will be provided without charge, or make a contribution based on seating capacity.

The United States will be grouped into eight zones, with the general sales managers of the eight major companies in command. Zone heads will have as their 100 per cent quota the enrollment of every theatre in the respective territories. A branch manager in each distribution center will be chosen to head the local drive, and he in turn will be responsible to the zone director.

Major Thompson's staff in the campaign will consist of the following general sales managers: W. F. Rodgers, M-G-M; Gradwell L. Sears, Warners; Jules Levy, RKO; A. W. Smith, Jr., U.A.; John D. Clark, 20th Century-Fox; William A. Scully, Universal; Abe Montague, Columbia, and Neil F. Agnew, Paramount.

Harold Rodner of Warners and A. P. Waxman will act as liaison officers.

Pledges of cooperation have been received from the major circuits, including those operated by or affiliated with Paramount, Warners, 20th Century-Fox (Skouras), Loew and RKO.

Suggests Rogers Museum

Oklahoma City, Jan. 19.—The Will Rogers Memorial Commission on Saturday will receive a proposal for the construction of a Will Rogers Museum on a hill at Claremore, the structure to occupy land once owned by the humorist and deeded to the state by his widow.

New Board to Probe Capital's Operation

London, Jan. 19.—The stockholders of Capital and Provincial News Theatres, Ltd., circuit of newsreel houses in England, agreed that the new board of directors should conduct an investigation into the affairs of the company.

The meeting was featured by a stormy discussion of the proposal that a committee of shareholders be appointed to inquire thoroughly into the activities of the company, which was finally resolved with the decision to permit the new directorate to act.

Jack Chertok Entertains

Representatives of the trade press were guests of Jack Chertok, head of M-G-M's short subject department, at a cocktail party at the Sherry Netherlands Hotel yesterday. Chertok will remain here several weeks for production.

"Buccaneer" Is Held

The Paramount home office reports that "The Buccaneer" has been held for a third week at the Saenger in New Orleans, the first film to be held that length of time at the house. The home office claims $22,000 for the first week.

Spitz to Stay On the Coast Indefinitely

(*Continued from page 1*)

progress having been made on the preliminary designation of a board of directors and management for the reorganized company. Members of the initial board of nine are subject to approval by the court and, with no definite reorganization date in view, the necessity for nominating an initial directorate at this time was dissipated.

With the continuing studio arrangement decided upon, Floyd B. Odlum, head of Atlas Corp., and Peter Rathvon, his financial associate, will leave the coast at once and are expected in New York late tomorrow or on Saturday. Andrew Christiansen, RKO trustee's representative, and O. C. Doering, Jr., of trustee's counsel, who have participated in the studio conferences, are remaining in Hollywood for several additional days.

Ned E. Depinet, vice-president and distribution head of RKO, will leave for the coast Friday for conferences with Spitz.

Korda Denies He Will Start Suit On His U.A. Pact

(*Continued from page 1*)

origin. He admitted that additional financing is necessary, and said that he has financing arrangements in mind, but declared that adequate money is available to launch his new production program. The pictures will cost approximately £120,000 each, he said.

He declared that he has invitations to make British films for practically all American distributors. He has no intention of reducing costs, he said, expressing the belief that the only way to reach the American market is to make films for the world market. He said there is no feeling among American audiences against British films, and that the real enemies of successful penetration of the American market are the British producers who send bad British films to the United States.

The first film he plans on his new program will be "Four Feathers," to be followed by a Russian ballet story in color. Others will be an R. C. Sheriff story, titled, "The King's Messenger"; a Robert Sherwood musical, probably with a musical score by Irving Berlin, and "A Bicycle Made for Two."

U. A. Drive May Set Record

The returns on the first two weeks of the United Artists Better Business Drive indicate that sales and rentals are headed for a new all-time high, it was stated yesterday by A. W. Smith, Jr., general sales manager. The drive was launched on Jan. 2 to run for 13 weeks, ending April 2.

Foremost among the reasons for the success of the drive, said Smith, is the wide public acceptance accorded "The Hurricane," which is receiving more playing time than any film previously released by the company.

Mae West, Para. Sued by M. Linder

Los Angeles, Jan. 19.—Suit for $1,000,000 was filed today in Superior Court against Mae West and Paramount by Mark Linder, writer, who alleged breach of asserted contract under which he was to have split profits of "She Done Him Wrong," which was made in 1933.

Linder alleged the film "She Done Him Wrong" was taken from his play, "Diamond Lil," which in 1928 was written from his original play, "Chatham Square," produced in 1915. Linder claims that under the alleged agreement Linder and Mae West were to split profits from the picture evenly and that he has information Miss West derived $2,000,000 from the picture.

Darmour Sues 20th-Fox

Larry Darmour, an independent producer, filed suit in the N. Y. Supreme Court yesterday against 20th Century-Fox to prevent use of the title "The Second Honeymoon" in the recent picture of that name.

The defendant was ordered to show cause today before Justice Peter A. Schmuck why a temporary injunction, pending trial, should not be granted.

Darmour alleged that he obtained the film rights to the novel of that name by Ruby M. Ayres and that his company, Continental Talking Pictures Corp., produced it in 1930. He stated in his affidavit that he protested to 20th Century-Fox in September, when he learned that the title was to be used.

George Seeks Testimony

An examination before trial of Joseph C. Shea, former story editor of 20th Century-Fox, or William C. Michel, executive vice-president, will be sought before Justice Richard P. Lydon in N. Y. Supreme Court today by Crosby George, author, in connection with his $50,000 suit.

George claims that the title of his story, "Little Miss Nobody," which was printed in the Feb., 1931, issue of *Modern Romances,* was infringed by 20th Century-Fox.

Dolan Wins Court Order

U. S. District Judge Henry W. Goddard yesterday ordered that the testimony of Frank Dolan, author of the screenplay for the M-G-M picture "Man of the People"; Lucien Hubbard, producer, and Edwin Marin, director, be taken by deposition before trial in the plagiarism suit brought by Henry Rose, author, against M-G-M.

Orders Depositions for Clancy

An order to take the deposition before trial of Robert Pirosh, George Seaton and George Oppenheimer, authors of the screenplay for "A Day at the Races," Sam Wood, Max Siegal and Groucho, Chico and Harpo Marx, was granted by Federal Judge Henry W. Goddard in the U. S. District Court here yesterday.

Philip T. Clancy, a playwright, is suing M-G-M and Pirosh for alleged infringement of his play "Nuts to You" in "A Day at the Races."

"Follies" to the Rivoli

"The Goldwyn Follies" will be dated into the Rivoli following the completion of the current run of "The Hurricane." Preparations are being made for a gala opening night celebration.

Hollywood Preview

"Gold Is Where You Find It"

(Warners)

Hollywood, Jan. 19.—This Samuel Bischoff production directed by Michael Curtiz with the throttle wide open for plenty of elbow room jibes nicely with the current upswing in popularity of pictures in the historical manner. Although plentifully supplied with front-line box-office names the film is primarily documentary American. It is done in full color and mostly outdoors, always on a grand scale, and save in Florida, where the chambers of commerce no doubt will charge California propaganda, it ought to do itself proud at the box-office.

The screenplay by Warren Duff and Robert Buckner from the *Cosmopolitan* serial story by Clements Ripley paints in sweeping strokes on an immense canvas the situation which gripped California in the '70s when agrarian plainsmen rose up against hydraulic miners whose washings swept down the mountain sides to destroy their fertile acres. Claude Rains plays the farmer leader who restrains his comrades from violent action pending a Federal Court decision and George Brent is the honest engineer in love with his daughter but employed by the miners. Violence breaks out and after a deal of shooting Brent saves the situation by blowing up a dam, winning the girl of course. She is Olivia DeHavilland. Others of note in the big cast are John Litel, Tim Holt, Barton MacLane, Sidney Toler, Robert McWade and Russell Simpson.

A novel technical departure is made at the start of the film when an unidentified offscreen narrator sketches the period and the historical background while the camera clicks off accompanying montage. A similar enterprise at the close of the picture is less effective. The material between these is admirably contrived and often spectacular. It includes a number of sweeping exteriors and certain indoor shots in the 'Frisco of the day eliciting audience acclaim on sight.

Running time, 90 minutes. "G."

"Everybody Sing"

(M-G-M)

Hollywood, Jan. 19.—The hilarious adventures of a scatter-brained theatrical family and entourage are detailed in this artful blending of madcap comedy and melodious music. The picture has appeal for all audiences. The elements of entertainment flow easily. Allan Jones, Judy Garland, Fanny Brice, Billie Burke, Reginald Owen, Lynne Carver, Henry Armetta and Reginald Gardiner give finely etched characterizations.

The story, with musical interludes intelligently spotted, tells the plight of Miss Garland, the black sheep of the family, against the background of her dizzy, theatrically-inclined parents, Miss Burke and Owen. Miss Carver as her sister is not quite able to understand what it is all about. She even misunderstands Jones' romantic attentions. He is a cook-singer. Miss Garland joins Jones' troupe preparing a stage show in order to escape a trip to Europe. Her parents at this time are driving each other daffy trying to prepare a play of their own. Preceded by a fake kidnap scare, Miss Burke and Owen are the first to take bows for their child as Jones' glamorous musical which stars Miss Garland proves to be a hit. Miss Brice's consistent comedy during the family squabbles and a specialty in the show is outstanding in the film's many amusing highlights.

Producer Harry Rapf assembled a capable corps of assistants to create and handle the show. The original screenplay is by Florence Ryerson and Edgar Allen Woolf. Leo Arnaud, Murry Cutler and Bert Kalmar and Harry Ruby contributed the song numbers. Dave Gould concocted the ensemble dances. Edwin L. Marin directed. The efforts of all proved highly satisfactory to the preview crowd and the showmanship quality which the company put into the film should make the exhibitor's job marketing "Everybody Sing" an easy one.

Running time, 90 minutes. "G."

Tax Change in Louisiana

New Orleans, Jan. 19.—With the abolition of the luxury taxes announced today by Lieutenant Governor Long, it is believed here that the legislature may substitute a straight one per cent levy on film rentals and admissions, untaxed at present. Such a move would make a total of three per cent in this city where a two per cent municipal tax is now in effect.

It is further predicted that the state censor board will charge fees for inspection.

No Ampa Meeting

There will be no Ampa meeting tomorrow, a schedule of open meetings every other Thursday having been inaugurated. A closed membership meeting will be held at intervals on alternate Thursdays, according to present plans, the first one probably to be held on Feb. 3. With the return this week of Ralph Rolan, Ampa president, who has been out of town in connection with RKO business, Ampa officers expect to get together to plan future programs.

Theatre Unions Ask W.P.A. Employment

An effort to have theatrical workers included in the increases in W.P.A. rolls recently authorized by the Administration will be made in Washington today by representatives of more than 20 theatrical workers' unions who are scheduled to meet with Aubrey Williams, assistant to Harry Hopkins, W.P.A. Administrator.

In the group are Burgess Mered[illegible] Actors' Equity president; Frank Gillmore, Four A's president; Fred Marshall, United Scenic Artists; David Freed, Local 802, A. F. M.; Martin Popper, Federal Arts Committee; Kenneth Evergood, Artists' Union, Irving Mendell, Federal Theatre Supervisors; Rita Hassam, Arts Union Conference, and Willis Morgan, City Projects Council. The groups represented are now excluded from the authorized increase in the W.P.A. rolls.

Union Talks Go Over Until Next Tuesday

A meeting between major distributor representatives and spokesmen for the I.A.T.S.E. produced no results yesterday on an agreement for a master contract covering employes in 31 exchange cities. Another conference has been scheduled for next Tuesday. Lou Krouse, assistant president of the union, was detained in Washington and in his stead Richard Walsh, local union official, represented the union with John Gatelee, of New England.

The conferences seek to reconcile the conditions requested by the union and counter-proposals made by the distributors. The master contract will embody general principles for "back room" workers.

Columbia Sets Titles

Hollywood, Jan. 19.—Columbia has set titles for four pictures now in work. "Extortion" is the new title for "Campus Mystery"; "When G-Men Step In" is the latest name for the film called "You Can't Win" and "G-Men Under Cover," and "Rolling Caravans" will be the release title for "Land Rush."

Wall Street

Board Closings Off

	Open	High	Low	Close	Net Change
Col.	14	14	13⅜	13⅜	— ⅝
E. K.	164½	165	163	163	—2
Loew	51⅛	51⅛	49⅛	49¾	— ¾
Para.	11⅛	11¼	10¾	11⅛	.....
Para. 2.....	11	11	10½	10¾	— ¼
Pathe	6	6	6	6	+ ¼
RKO	4¾	4⅞	4½	4¾	— ¼
20th Fox...	23	23	22½	22½	— ½
20th pfd....	30½	30½	30½	30½	— ½
W. B.	6⅞	6⅞	6¾	6⅞	+ ⅛
W. B. pfd..	36½	36½	36½	36½	— ½

Curb Declines Fractionally

	Open	High	Low	Close	Net Change
G. N.	¾	¾	11/16	11/16	—1/16
Monogram	2⅜	2⅜	2⅜	2⅜	— ⅛
Sonotone ..	1¾	1¾	1¾	1¾	— ⅛
Tech.	20¼	20¼	19½	19¾	— ⅜
Trans-Lux	3	3	3	3	.....
Univ. Corp.	3⅛	3⅛	3⅛	3⅛	— ⅜

Bonds Generally Off

	High	Low	Close	Net Change
Loew 3½s '46	99¼	99¼	99¼	+ ⅛
Para. B'way 3s '55	61½	61⅜	61⅜	+ ⅛
Para. Pict. 6s '55	96⅜	95½	95½	— ⅞
Para. Pict. '47...	73⅜	73¼	73¼	.....
W. B. 6s '39......	78	77	77	—1¼

(Quotations at close of Jan. 19)

RADIO CITY
Music Hall
RADIO CITY
DISNEY'S MASTERPIECE SNOW WHITE
W. 50 ST.
5TH AVE
ONE - WAY
QUEENS & 8 AV SUB STA 3 BLOCKS
Italian Line

...AND THE BOX-OFFICE THREE BLOCKS AWAY!

Walter Winchell
On Broadway
(Trade Mark Registered) Copyright, 1938, Daily Mirror, Inc.

. . Ticket specs are getting $5 the ticket for "Snow White" at the Music Hall! . .

WALT DISNEY'S
FIRST FULL-LENGTH

SNOW WHITE
AND THE SEVEN DWARFS . .
NOW PLAYING MUSIC HALL

RKO RADIO PICTURES

◂ Radio Personals ▸

AL PEARCE is ill with an eye infection.....Jean Paul King has signed to again direct the Provincetown Playhouse this summer. . . . Neil Skinner, King's partner in the venture, left for Hollywood yesterday to arrange for the appearances of screen players at the Playhouse. . . Ernie FioRito, Mutual bandleader, has written a tone poem, "The Last Mile," a suite in six movements, which he will introduce on the air shortly. . . . Phil Cook's "Morning Almanacs" on WABC at 7 A. M., will have studio audiences after Jan. 24—and CBS says it will pack the studios, even at that early morning hour. . . . Freddie Rich, CBS staff conductor, has been signed to a renewal contract by the artist's bureau of that network. This season will mark Freddie's 10th year with the one network, a record.

+

Irving Strouse and Josephine Walker have written a new play which is being submitted through Artists Management . . . Following their next broadcast, Benny Goodman and his boys will depart for Miami on their first vacation in more than two years . . . Phil Spitalny's orchestra will open at the Chicago Theatre Jan. 21 . . . Connie Boswell will make a return guest appearance on the Paul Whiteman show Jan. 28 . . . Peter Lorre and Lila Lee will head Rudy Vallee's cast tonight.

Otis A. Kenyon, Kenyon & Eckhart, Inc., has sailed for Rio de Janeiro on a combined business and pleasure trip and will be gone a month.

Saxton Arrives in Hollywood

HOLLYWOOD, Jan. 19.—A. H. Saxton, chief engineer of NBC's western division, has arrived in Hollywood, where he will make his permanent headquarters. Saxton will continue to supervise engineering and technical operations in San Francisco, Hollywood and the other key points of the network's western division, with Donald De Wolf, engineer in charge of the Hollywood studios, and Curtis Peck, engineer in charge of the San Francisco studios.

To Air Symposium on Nazis

A symposium titled "Five Years of Hitler Terror," sponsored by the Non-Sectarian Anti-Nazi League and to be held at Carnegie Hall, will be broadcast exclusively by WMCA Jan. 30, at 11 P.M. The speakers will include former Ambassador to Germany William E. Dodd, Congressman Hamilton Fish, Oswald Garrison Villard, Judge Jeremiah Mahoney and others.

Hector Heads WEEI Orchestra

BOSTON, Jan. 19.—Charles R. Hector has been selected as musical director for WEEI. He will begin with the studio's new orchestra Jan. 24.

THE PERFECT SALES COMBINATION!
(*Now in its third year*)
THE MORNING BULLETIN BOARD
AND
GOOD MORNING NEIGHBOR
Write for your Sales Brochures
STAR RADIO PROGRAMS, INC.
250 Park Avenue New York City

N. L. R. B. Hears CBS Controversy With Radio Union

By CLARENCE LINZ

WASHINGTON, Jan. 19.—Counsel for CBS and the American Radio Telegraphers' Association, a C.I.O. affiliate, today presented to the National Labor Relations Board the controversy between the network and the union as to the appropriate bargaining agency for technicians of WABC, New York.

The controversy originated last year, when Columbia, which heretofore had made its union agreements for its stations individually, entered into an agreement for all stations with the Association of Columbia Broadcasting Technicians, alleged to be a company union. In the negotiation of that agreement, the WABC technicians broke away and joined the A.R.T.A.

It was argued by Sidney Cohen, counsel for the A.R.T.A., that Columbia should bargain locally, characterizing the blanket agreement of last year as a "remarkable document" in that it gave a closed shop to a company union, and charging that Columbia had adopted it to strengthen the position of its own union organization.

Rosenblatt Defends Network

On behalf of the network, Sol Rosenblatt declared Columbia had always been willing to negotiate with its employes and had consistently maintained a fair attitude. He explained that prior to last year all of the stations which it owned were separate subsidiary corporations and the unions had insisted that individual contracts be signed so that there might be no technical difficulties, but when they were taken into the parent company the need for separate contracts was eliminated. He charged that the A.R.T.A. deliberately broke off negotiations that were going on under the CBS union auspices.

Daily Mirror Starts Series

The *Daily Mirror* will present a new series, "Mirror of Thoughts," over WOV each Wednesday, effective immediately. Giuseppe Loffredo, Italian writer-director, will be featured.

Broadcasting in Australia Will Undergo Changes

By CLIFF HOLT

SYDNEY, Dec. 29. (*By Air Mail via London*)—Changes in the control of the national broadcasting service are expected as the outcome of an early review of the present system by the Federal Ministry.

Particular attention is expected to be given by the Ministry to the future of the Australian Broadcasting Commission, which now comprises a chairman and four other members. The term of office of the present members will expire in June.

There is a feeling among Ministers that the present system of a commission of five members giving part-time service and receiving a small remuneration is not satisfactory. They are aware that there is at times a difficulty in defining the responsibilities of the commission and of the general manager of the commission, who is a full-time officer.

Suggest Size Reduction

One of the proposals which will be considered is that the size of the commission should be reduced, probably to three members. The remuneration of the three members would then be increased above the present level so that they would be expected to devote more time to broadcasting affairs.

The Ministry is likely to insist that the commission should appoint honorary advisory committees in each state so that it can be kept in touch with public opinion.

Where there are two class A stations in capital cities, the Ministry may ask the commission to consider reserving one station for programs of more popular appeal and the other for programs which might cater to listeners who seek high-class music and drama.

Rees Starts Own Program

CINCINNATI, Jan. 19.—Barton Rees Pogue, Hoosier poet, featured on the Saturday night program, "Truly American," from WLW, is inaugurating his own program under title of "Baryon Rees Pogue's Scrapbook," from WLW.

New Shows on the Air

"Alias Jimmy Valentine"

"Alias Jimmy Valentine," the redoubtable gentleman thief whose checkered career has provided absorbing relaxation to book readers, film and theatre goers, and more recently to radio listeners via the transcription route, is now a network feature and may be heard Tuesdays from 9:30 to 10 P. M. on the NBC-Blue.

The first installment of the new series proved that Valentine, after all these seasons of popularity, still is an entertaining figure, especiallv as portrayed by Bert Lytell. The latter has played Valentine often and well on the stage, screen and before the mike, so that it is almost second nature with him to make the character not only believable but realistic.

Compactly told, Tuesday's episode showed Valentine as reformed and working in a bank, with marriage in prospect to the bank president's daughter. Following a series of robberies, suspicion fastens on Valentine. To prove his innocence and to bring the thieves to justice, Valentine throws in with the gang, after first warning a pal to call the police at a given hour. Two of the thieves, however, spoil things when, in planning a double cross on their confederates, they call the police themselves. Valentine is thus nabbed with the mob at the scene of a robbery and is unable to convince the police that his presence there is due to a trap laid by him to capture the thieves. Jail again stared Valentine in the face as the episode closed.

Able production and direction kept the story going fluently. Edgeworth Tobacco sponsors.

BANNER

Coast to Coas

Albany

Sherb Herrick, WOKO announc is pressing Gene O'Haire of W for the Albany baseball broadcastin duties. . . . Harold Smith, gener manager of WOKO and WABY, d back Feb. 1. He has been on the sic list for the past month. . . . Mar O'Neil, who does a weekly colum hereabouts, is back on the air Monda nights after a brief interlude. . . Billy Rose, WOKO tenor, gave a concert in Convention Hall, Saratog Springs, last week. . . . Major Joh A. Warner, son-in-law of former Gov Alfred E. Smith and head of the Stat Troopers, was guest pianist for WPA-sponsored Albany Concert Orchestra heard Friday nights over WABY.

Hollywood

Warren Stokes, conducting KEHE film comment programs for a year, has quit the station, with Bob Garrett taking his place. . . . KFWB's John J. Colbert, "The Lamplighter," has gone on the network of the California Radio System. . . . Thomas Conrad Sawyer, another commentator, has started on KFI for Sweetheart Soap.

Oscar and Elmer have been signed by KFWB for another period, lengthening their three 15-minute programs per week to three half hour stretches. . . . Mark W. Allen & Co., makers of "Two Drop Hand Lotion," have signed for a new series of five-minute transcribed programs on KNX.

"The Phantom Pilot" broadcasts, recently switched to KHJ here from KFRC, San Francisco, cannot be witnessed, except by the cast and regular technicians. . . . George McCall, "Hollywood Screenscoops" commentator, has been given a new contract for an added 13 weeks by Lennen & Mitchell.

Berle May Come Back

Milton Berle may return to the air shortly as master of ceremonies of a program to be sponsored by a national baking concern. . . . Hugh Wedlock, Jr., and Howard Snyder, scripters on the Jack Oakie air show, spent several days at Palm Springs, dashing out a script for Jimmy Durante's scheduled appearance Tuesday. After they completed it, they received a phone call telling them that Eric Rhodes would replace Durante. . . . The Sunset Oil Company starts a new series of programs on KFWB from the El Capitan Theatre, "Curtain Call to Broadway." . . . Inability to clear time has forced the scheduled re-broadcast for "Big Town" Tuesdays on CBS to be called off for the coast. . . . Amos 'N' Andy's third consecutive winter hegira to Palm Springs is on. They broadcast from El Mirador Hotel there on a remote. . . . Kellogg has renewed Gene and Glenn on KFI for 13 weeks.

"Deep in the South," Federal Theatre of the Air production on Mutual from KHJ, has dropped the network, but will be heard on KHJ and the Don Lee coastal chain. The new day is Thursdays. . . . Latest singing discovery in town is Martin Burandt, 14-year-old boy who hitchhiked here from Texas.

Radio

New Florida Station Is Sought from FCC

WASHINGTON, Jan. 19.—Application for a new station to operate on 1,500 kilocycles with 100 watts power night, 250 watts day, has been filed with the Federal Communications Commission by Martin Anderson, Orlando, Fla.

Two other applicants for new stations have filed amendments to their petitions, the Thumb Broadcasting Co., Sandusky, Mich, seeking to change the frequency of its proposed station from 950 to 1,370 kilocycles and power from 500 watts night, 1,000 watts day, to 100 watts night, 250 watts day, and Michael J. Mingto, Tacoma, Wash., asking for change of time from day to unlimited for his proposed station to operate on 1,400 kilocycles with 250 watts power.

Other applications included those of KNEL, Brady, Tex., to change frequency from 1,500 to 1,340 kilocycles; WDGY, Minneapolis, to increase night power from 1,000 to 5,000 watts; KGFX, Pierre, S. D., to increase power from 200 to 250 watts; KOOS, Marshfield, Ore., to change frequency from 1,200 to 1,410 kilocycles and increase night power from 100 to 250 watts, and KOY, Phoenix, Ariz., to change from 1,390 to 550 kilocycles.

Casino Booked for "Charm Hour" Show

Del Casino has been booked by Jimmy Appel of the CBS artists' bureau for regular appearances on the Elizabeth Arden-sponsored "Hour of Charm" program, a Mutual network feature starring Eddie Duchin's orchestra. Casino will travel to the coast with the unit, which will broadcast for eight weeks from the studios of KHJ, Don Lee outlet.

Congressman Claims Radio Time Refused

(*Continued from page 1*)

give him time, and offered to pay for it, but was refused. The newspaper attack, he said, was actuated by his opposition to the power interests and that opposition, he charged, "may have played a part in this matter."

The refusal of the stations to furnish him time, he declared, was an "arbitrary action and an interference with the right of free speech."

"Ballroom" Program Renewed

"Make Believe Ballroom" has been renewed for 13 weeks beginning Feb. 8, through Charles W. Hoyt Co., and will take on a new participating sponsor, Bernard Perfumes, for a quarter-hour weekly, beginning this week and continuing indefinitely, the latter contract through the Sel Johnson Co. The "Ballroom" is presented over WNEW.

Ruth Stafford on CBS Here

SAN FRANCISCO, Jan. 19.—Ruth Stafford, publisher's secretary at the *Call-Bulletin* here, will appear on the "Johnny Presents" program over CBS from New York Sunday, describing her recent thrill in capturing single handed an injured bandit, for whom police were searching the city.

Ask Station Permit For Everett, Wash.

WASHINGTON, Jan. 19.—Application for a construction permit for a new station at Everett, Wash., to operate on 1,420 kilocycles with 100 watts power at night, 250 watts day, has been filed with the Federal Communications Commission by the Cascade Broadcasting Co., Inc.

Also submitted was an application by WEAN, Providence, for increase of night power from 1,000 to 5,000 watts.

The F.C.C. announced that it had ordered examiners' hearings on the applications of Orrin A. Henzel for a new 1,500-kilocycle station at Rochester, with 100 watts night, 250 watts day; Peter J. Caldarone for a 1,270-kilocycle, 250-watt daytime station at Providence, and Jonas Weiland for a 1,500-kilocycle, 100-watt daytime station at Goldsboro, N. C.

List Examiners' Reports

Examiners' reports have been received recommending the granting of applications of the Petersburg Newspaper Corp. for a 1,210-kilocycle station at Petersburg, Va., with 100 watts night, 250 watts day; Burl Vance Hedrick for a 1,340-kilocycle, 1,000-watt daytime station at Salisbury, N. C.; KSLM, Salem, Ore., for change of frequency from 1,370 to 1,360 kilocycles and increase of power from 100 to 500 watts; WELI, New Haven, for change of frequency from 900 to 930 kilocycles and increase of time from day to unlimited with 250 watts night, 500 watts day; WRVA, Richmond, for increase of power from 5,000 to 50,000 watts; KVEC, San Luis Obispo, Cal., for increase of time from day to unlimited with 100 watts night, 250 watts day; WGAR, Cleveland, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, and WGRC, New Albany, Ind., for change of frequency from 1,370 to 880 kilocycles and increase of time from day to unlimited.

Other reports recommended denial of applications of Havens & Martin, Inc., and John Stewart Bryan for new stations at Petersburg, Va.; Lawrence K. Miller for a new station at Pittsfield, and WMFJ, Daytona Beach, for change of frequency from 1,420 to 1,240 kilocycles and increase of power from 100 to 1,000 watts.

Pool Orchestra Booking Work

HOLLYWOOD, Jan. 19.—A deal whereby Consolidated Radio Artists and Rockwell-O'Keefe will pool their orchestra booking interests on the Pacific coast has been consummated. Under the agreement, Rockwell-O'Keefe has taken over the Consolidated office in Hollywood, and C.R.A. becomes exclusive sales representative for Rockwell-O'Keefe attractions through the Consolidated offices in San Francisco for the northern California territory.

Radiophone Increases Capital

ENID, Okla., Jan. 19.—The Enid Radiophone Co., operators of KCRC here, have increased their capital stock from $25,000 to $50,000.

Time Appeals Chicago's Ban On Nazi Film

(*Continued from page 1*)

subject, RKO is in no case forcing the subject, it was indicated at the distributor's office yesterday. No official word with respect to a decision not to book the subject had been received, it was said, and none was expected until audience reactions to the reel had been ascertained by circuit officials. The film opened yesterday at the Carthay Circle in Los Angeles, will open today at the Embassy on Broadway and tomorrow at the Golden Gate in San Francisco.

The Music Hall, which usually runs the reel the first week of release, is continuing with the previous issue as long as "Snow White and the Seven Dwarfs" will run, in the belief that the German subject would not fit on the program with the feature. RKO, anxious to get the reel on screens, booked it into the Embassy instead, and the Music Hall probably will not play it.

Osserman Handling Case

De Rochemont said yesterday that action with respect to the ban by the Chicago censor was being left in the hands of Jack Osserman, RKO exchange manager there, cooperating with Balaban & Katz officials. An appeal has been taken from the Chicago board's ban. If that fails, March of Time will step in, De Rochemont said, and probably institute legal action seeking a reversal of the board's decision.

Lieut. Joseph Healy, acting head of the police censor board in Chicago, said yesterday, "I expected protests might result from the ban on the picture, so I called in an expert on that sort of film. I called in Lieut. Mike Mills of the bomb squad. He said he thought the showing of such a picture would have an ill effect."

Since the board was unanimous in its decision, a permit now must come from Police Commissioner James Allman.

Ban Illegality Claimed

The Chicago Civil Liberties Committee has taken action to have the film released, and is seeking permission to ask for an injunction to force showing of the film, which had been scheduled for showing in the Loop on Friday. The organization claims the ban is illegal.

The Chicago *Times* is leading a protest against the banning of the film. It is understood a protest meeting of civic groups, led by the newspaper, has been called for today, at which a screening will be held, such a screening being permissible as a "private" showing.

De Rochemont's statement of yesterday, answering that of Dr. Hans Borchers, German Consul General here, declared that Dr. Draeger of the political department of the consulate was invited to see the issue. In his place appeared Dr. Georg F. Krause-Wichmann, German Vice-Consul, who, after seeing the reel, said that it was in error in saying that Nazi propaganda extended outside Germany, and that the presentation should be changed in several other particulars, especially in reference to the Nazi anti-church campaign.

Later, according to De Rochemont's statement, Dr. Borchers called, stated that he had seen Krause-Wichmann's report, and that "there were changes to make." After March of Time declared it would make no changes, having established the alleged "errors" to be authenticated news facts, Dr. Borchers advised that the vice-consul's visit was "in an unofficial capacity" and later issued a statement charging the producers with "deliberate misrepresentation," in saying changes had been asked.

De Rochemont said yesterday he had received no word of any kind from the German consulate officials yesterday, and nothing was forthcoming from the German embassy in Washington with regard to the production.

Seamen Would Extend Picketing

WASHINGTON, Jan. 19.—The National Maritime Union of America today sought the support of the C.I.O. in a proposed national picketing of March of Time's film showing pictures of the Merchant Marine, and officials of the Lewis organization said they would aid the union in its effort, but did not disclose what steps they would take to signify their objection to the picture.

Maritime union officials said the picture was "unfair" and did not show conditions as they actually exist.

Earle Asks Advice Upon Foreign Films

HARRISBURG, Jan. 19.—Gov. George H. Earle is studying the problem of adopting an official attitude toward exhibition of foreign films in Pennsylvania, but has reached no decisions, he told 40 newspaper executives at the annual banquet of the Pennsylvania Newspaper Publishers' Association here. He asked publishers to advise him what to do about it.

"When I make a decision on any important policy," he said, "I usually adhere to it, but I frankly admit that I have been unable to reach a decision on foreign-made films which may be reeking with harmful Fascisti or Communist propaganda. It is very difficult to detect, because censorship of a free press and free speech in such countries as Germany and Russia makes it impossible for us in America to know the truth about their affairs."

Garbo's Next to Be Comedy, Says Hyman

Garbo's next for M-G-M will be a comedy, much lighter in vein than her recent vehicles, Bernard H. Hyman, who will produce the film, said yesterday on arrival from a European vacation on the *Berengaria*.

Hyman, who made "Conquest," Garbo's latest, worked on the script with Charles MacArthur, while en route to Europe. MacArthur returned Christmas, while Hyman, with Mrs. Hyman, continued on a three-month tour, visiting London, Paris, Italy, Budapest, Greece and Palestine.

The Hymans will remain here a day or two before returning to the coast. Their arrival was delayed 24 hours or more when the ship ran into stormy weather.

"Hurricane" Seattle Hit In 2nd Week

SEATTLE, Jan. 19.—"The Hurricane" stayed out front in its second week at the Liberty by rolling up a gross of $8,500, over a first week par by $3,500. The run was continued.

A combination of "Bad Man of Brimstone" and "Breakfast for Two" garnered $7,850 at the Orpheum. This passed the normal mark by $1,850 and the bill was held. "Wells Fargo," on a dual with "Borrowing Trouble," held up to $6,800 in a second week and was moved to the Music Box for a third week.

Total first run business was $41,400. Average is $36,500.

Estimated takings for the week ending Jan. 14:

"THE GREAT GARRICK" (W. B.)
"ON SUCH A NIGHT" (Para.)
BLUE MOUSE—(950), 25c, 7 days. **Gross:** $3,450. (Average, $4,000)

"ROSALIE" (M-G-M)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days, 2nd week. **Gross:** $6,800. (Average, $7,000)

"THE HURRICANE" (U. A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 2nd week. **Gross:** $8,500. (Average, $5,000)

"LOVE AND HISSES" (20th-Fox)
"DAUGHTER OF SHANGHAI" (Para.)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $3,900. (Average, $4,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
"BREAKFAST FOR TWO" (RKO)
ORPHEUM — (2,450), 30c-40c, 7 days. **Gross:** $7,850. (Average, $6,000)

"LOVE ON TOAST" (Para.)
"COUNSEL FOR CRIME" (Col.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Les Gillies Trio. **Gross:** $4,100. (Average, $4,500)

"WELLS FARGO" (Para.)
"BORROWING TROUBLE" (20th-Fox)
PARAMOUNT—(3,050), 30c-40c, 7 days. 2nd week. **Gross:** $6,800. (Average, $6,000)

"Awful Truth" 2nd Week Oklahoma Hit

OKLAHOMA CITY, Jan. 19.—"The Awful Truth," in its second week at the State, stepped out front in a big way among the first runs by grossing $5,500. This was $2,000 over par.

"You're a Sweetheart" pulled $5,000 at the Midwest, up by $500. "Rosalie," in a second week at the Tower, grossed a par $2,500.

Total first run business was $20,400. Average is $18,200.

Estimated takings for the week ending Jan. 15:

"TRUE CONFESSION," (Para.)
CRITERION—(1,500), 10c-35c-40c, 7 days. **Gross:** $4,600. (Average, $5,000)

"THE BARRIER" (Para.)
"THERE GOES THE GROOM" (RKO)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $2,200. (Average, 7 days, $2,700)

"MY DEAR MISS ALDRICH" (M-G-M)
"PARTNERS IN CRIME" (Para.)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $600. (Average, 7 days, $2,700)

"YOU'RE A SWEETHEART" (Univ.)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $5,000. (Average, $4,500)

"THE AWFUL TRUTH" (Col.)
STATE—(1,100), 10c-25c-40c, 7 days, 2nd week. **Gross:** $5,500. (Average, $3,500)

"ROSALIE" (M-G-M)
TOWER—(1,000), 10c-25c-35c, 7 days, 2nd week. **Gross:** $2,500. (Average, $2,500)

Hayner Back on Job

TORONTO, Jan. 19.—Walter F. Hayner, general sales manager of Regal Films, Ltd., has returned to his duties after a long absence due to an operation.

"Man-Proof," Bowes Unit Buffalo Smash

BUFFALO, Jan. 19.—A combination of "Man-Proof" and a Major Bowes troupe, "Collegiate Revue," did smash business at the Buffalo. The $23,000 gross was $9,000 over par.

"Tovarich" drew a neat $10,600 to the Great Lakes, where $8,000 is normal and "You're a Sweetheart," on a double bill with "Dangerous Adventure" in its second week at the Lafayette, was $1,800 over the line at $8,300.

The Century's dual, "Alcatraz Island" and "40 Naughty Girls," had another better than average stand at $8,300, which was $2,000 over par.

Total first run business was $55,800. Average is $32,300.

Estimated takings for the week ending Jan. 15:

"MAN-PROOF" (M-G-M)
BUFFALO—(3,000), 35c-60c, 7 days. Stage: Major Bowes' "Collegiate Revue." **Gross:** $23,000. (Average, $14,000)

"TOVARICH" (W. B.)
GREAT LAKES—(3,000), 30c-50c, 7 days. **Gross:** $10,600. (Average, $8,000)

"WELLS FARGO" (Para.)
(2nd Run)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $5,600. (Average, $7,500)

"ALCATRAZ ISLANDS" (W. B.)
"40 NAUGHTY GIRLS" (RKO)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $8,300. Average, $6,300)

"YOU'RE A SWEETHEART" (Univ.)
"DANGEROUS ADVENTURE" (Col.)
LAFAYETTE—(3,300), 25c-35c, 7 days, 2nd week. **Gross:** $8,300. (Average, $6,500)

"Gangster" $10,000 Leader at Montreal

MONTREAL, Jan. 19.—"The Last Gangster," on a dual bill, shot into first place with a take of $10,000, at the Princess, up by $3,000. It was held for a second week, this being the first holdover at this house in some months.

The second week of "The Hurricane" at the Orpheum as a single attraction brought a gross of $6,000 and it was held over for a third week. At the Capitol, "The Perfect Specimen" secured $10,000 as first feature of a double bill, $500 above average.

Total first run business was $41,000. Average is $40,500.

Estimated takings for the week ending Jan. 15:

"THE PERFECT SPECIMEN" (W. B.)
"FIRST LADY" (W. B.)
CAPITOL — (2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,000. (Average, $9,500)

"YOU'RE A SWEETHEART" (Univ.)
"THE WESTLAND CASE" (Univ.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $7,500. (Average, $8,000)

"THE HURRICANE" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000). Held for third week.

"ROSALIE" (M-G-M)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days. 2nd week. **Gross:** $7,500. (Average, $11,000)

"THE LAST GANGSTER" (M-G-M)
"BORROWING TROUBLE" (20th-Fox)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $10,000. (Average, $7,000). Held for second week.

"Stand In" Is $20,500 Lead In Pittsburgh

PITTSBURGH, Jan. 19.—The Stanley maintained its brisk pace with "Stand-In" and a stage show, getting $20,500.

"Wells Fargo" took $14,750 at the Penn, this being $3,750 over normal.

The Fulton pulled "Boy of the Streets" reluctantly after it had done $3,200 in four days of its third week, and the Warner, playing "Rosalie" after its sensational business the week before at the Penn, had no kicks coming at $6,600.

Total first run business was $51,800. Average is $45,000.

Estimated takings for the week ending Jan. 13:

"I'LL TAKE ROMANCE" (Col.)
ALVIN—(2,000), 25c-50c, 7 days. **Gross:** $6,750. (Average, $6,500)

"BOY OF THE STREETS" (Monogram)
FULTON—(1,750), 25c-40c, 3rd week, 4 days. **Gross:** $3,200. (Average, 7 days, $4,500)

"WELLS FARGO" (Para.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $14,750. (Average, $11,000)

"STAND-IN" (U. A.)
STANLEY — (3,600), 25c-60c, 7 days. Stage: Mary Brian, Diamond Brothers, Arena and Fisher, Bert Frohman, Helen Reynolds and her champion skaters, 3 Orchids. **Gross:** $20,500. (Average, $18,000)

"ROSALIE" (M-G-M)
WARNER—(2,000), 25c-50c, 2nd week, 7 days. **Gross:** $6,600. (Average, $5,000)

Lease House in Winsted

WINSTED, Conn., Jan. 19.—Arthur Lockwood of Middletown and Sam Rosen of New Haven have taken a long lease on the Strand here. The 922-seat theatre has been operated by Harry Gale and William Brennan for the past 15 years.

"Hurricane" $16,400 Tops, Kansas City

KANSAS CITY, Jan. 19.—"The Hurricane" was the big wind of the week at first runs and, with "All American Sweetheart," took $16,400, or $4,900 over the line, at Loew's Midland. The weather was mild, and outside competition was nil.

"Wells Fargo," in its third stanza at the Newman, went $1,500 over the $7,000 average. Other bills were not strong.

Total first run business was $40,200. Average is $36,700.

Estimated takings:

Week Ending Jan. 12:

"TRUE CONFESSION" (Para.)
MAINSTREET—(3,100), 25c-40c, 6 days, 2nd week. **Gross:** $5,100. (Average, 6 days, $7,200)

Week Ending Jan. 13:

"THE HURRICANE" (U.A.)
"ALL AMERICAN SWEETHEART" (Col.)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $16,400. (Average, $11,500)

"WELLS FARGO" (Para.)
NEWMAN—(1,900), 25c-40c, 7 days, 3rd week. **Gross:** $8,500. (Average, $7,000)

"TARZAN'S REVENGE" (20th-Fox)
FOX TOWER—(2,200), 25c-40c, 7 days. Stage: Allan & Hoover, Powell & Nedra, Eugene Jacques, and Ray Conlin. **Gross:** $6,700. (Average, $7,000)

"THE FIREFLY" (M-G-M)
UPTOWN—(2,000), 25c-40c, 7 days, 2nd week. **Gross:** $3,500. (Average, $4,000)

Al Wheeler to Boston

Al Wheeler, booker at the New York M-G-M exchange, has been transferred to Boston, effective Feb. 1. He will be succeeded in his present position by Harry Margolis of the Charlotte branch.

"Rosalie" Is Twin Cities' Best Grosser

MINNEAPOLIS, Jan. 19.—"Rosalie" drew $12,500 at the Minnesota, where $10,000 is normal, and in St. Paul it drew $8,500 at the Paramount, where $5,500 is the average.

"Wells Fargo" was strong at the State here with a take of $6,900, over normal by $1,400. Business was generally good.

Total first run business in Minneapolis was $34,250. Average is $27,500. Total first run business in St. Paul was $18,850. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Jan. 13:

"ROSALIE" (M-G-M)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $12,500. (Average, $10,000)

"SUBMARINE D-1" (F. N.)
ORPHEUM — (2,900), 25c-40c, 7 days. **Gross:** $6,250. (Average, $6,000)

"WELLS FARGO" (Para.)
STATE—(2,400), 25c-55c, 7 days. **Gross:** $6,900. (Average, $5,500)

"TRUE CONFESSION" (Para.)
CENTURY — (1,600), 25c-40c, 7 days. **Gross:** $5,600. (Average, $5,000)

"VICTORIA THE GREAT" (RKO)
WORLD—(400), 25c-75c, 7 days, 2nd week. **Gross:** $3,000. (Average, $2,000)

St. Paul:

Week Ending Jan. 13:

"ROSALIE" (M-G-M)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $8,500. (Average, $5,500)

"YOU'RE A SWEETHEART" (20th-Fox)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $3,800. (Average, $4,000)

"LAST GANGSTER"
"NIGHT CLUB SCANDAL"
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $3,700. (Average, $3,300)

"HIGH FLYERS" (RKO)
"MISSING WITNESS" (F. N.)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $2,850. (Average, $2,000)

Houston's Grosses Are Just Average

HOUSTON, Jan. 19.—"Rosalie" in the second week at Loew's State, "Merry-Go-Round of 1938" at the Majestic and "Tovarich" at the Metropolitan had average takes of $7,000 in a week of average business.

"Lives of a Bengal Lancer," at the Kirby grossed $3,200 in four days.

Total first run business was $26,000. Average is $26,000.

Estimated takings for the week ending Jan. 13:

"LIVES OF A BENGAL LANCER" (Para.)
KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $3,200. (Average, 7 days, $5,000)

"BIG TIME GIRL" (20th-Fox)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,800. (Average, 7 days, $5,000)

"ROSALIE" (20th-Fox)
LOEW'S STATE—(2,700), 25c-50c, 7 days, 2nd week. **Gross:** $7,000. (Average, $7,000)

"MERRY-GO-ROUND OF 1938" (Univ.)
MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"TOVARICH" (W. B.)
METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

Bob Huffman Promoted

LINCOLN, Neb., Jan. 19.—Bob Huffman, formerly assistant city manager for the Lincoln Theatres Corp. under Walter B. Shuttee, has been made acting city manager by L. J. Finske, division manager for J. H. Cooper Enterprises. Shuttee is representing the Cooper interests in the Oklahoma City reorganization.

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43. NO. 17 NEW YORK, FRIDAY, JANUARY 21, 1938 TEN CENTS

Distributors Join Fight on Tax in France

Will Support Exhibitor Threat to Close

By PIERRE AUTRE

PARIS, Jan. 20.—The distribution ranch of the French film industry de- ded yesterday to join with the exhib- ors in their determination to close ll the film houses in the country if ne Government does not relax the roposed new theatre tax law, which ne industry considers will force the osing of many theatres.

The new law, which was passed by he Chamber of Deputies recently and scheduled to become effective on eb. 2, reduces the state tax by 25 er cent on film houses which play audeville and have orchestras, but ncreases the same tax by 25 per cent n film houses not using vaudeville nd orchestras, whose monthly re- eipts exceed $6,700.

The distributor decision, which was

(*Continued on page 8*)

Studio Lull Holds; 28 Before Cameras

HOLLYWOOD, Jan. 20.—With five ictures finished and six started, one aving been suspended, however, after everal days of shooting, production emained this week at 28 in work. A otal of 17 is being prepared, and 69 re being edited.

Twentieth Century-Fox started "Charlie Chan at the Ringside," but alled it off upon the suspension of Warner Oland. Other starts were: "You and Me," Paramount; "Condemned Women," RKO; "Desert Trail Riders," Republic; "The Dude

(*Continued on page 8*)

Mutual Plans Show For Birthday Ball

As its contribution to the President's Birthday Ball campaign, Mutual will air a special program Jan. 24, from 8 to 8:30 P. M. The program will emanate from the studios of WGN in Chicago and will feature Helen Hayes, Joan Bennett, Mischa Auer, Ella Logan and Milton Douglas.

More Radio—Pp. 16-17

Chicago Lifts Ban on Time's Reel on Nazis

Warners Not Booking It; Other Circuits Wait

The Chicago board of censors yesterday reversed its decision to ban the latest issue of March of Time, "Inside Nazi Germany—1938."

The decision to permit the reel to be shown in Chicago theatres was taken at a special meeting of the Chicago censor board, after a storm of public protest, led by the *Chicago Times*, had followed immediately upon the decision of the board, which is under police jurisdiction, to ban the reel.

Meanwhile, March of Time had dispatched an attorney connected with the law firm of Cravath, de Gersdorff, Swaine and Wood to Chicago

(*Continued on page 12*)

Fish New Division Head for G. Natl.

Bradley Fish, San Francisco exchange manager for Grand National, has been appointed division manager on the coast with headquarters in the same city, and for the time being will continue also to handle that branch, the company's home office said yesterday.

Fish succeeds Mel Hulling, who resigned to take a part interest in the Monogram franchise held on the coast by Howard Stubbins and Ray Olmstead. Hulling will make San Francisco his headquarters, while Stubbins and Olmstead will continue in the Los Angeles office.

Freeman, Jr., Starts

Y. Frank Freeman, Jr., husky 22-year-old son of the Paramount theatre chieftain, has begun a four-months course of instruction in all phases of theatre work under the tutelage of the New York office.

Payless, he is working only to acquaint himself with theatre routine before deciding whether to make a career of it. This was insisted upon by Freeman, Sr., who also recommended starting at the bottom. The neophyte's first assignment is doorman at the New York Paramount.

Trans-Lux Has Plans for 25 New Theatres

Trans-Lux plans to open about 25 theatres in the next 12 months, authorization having been made recently by the board of directors.

The company is planning a unit in downtown Manhattan and is seriously considering a theatre in Newark as well as Chicago and San Francisco, it is learned. The Trans-Lux in Boston which is being converted from the Hub, recently taken over from Loew's, and another to be built in Cleveland, are scheduled for opening around March 1.

The company decided to proceed with expansion because its present houses, all showing newsreels and shorts, are doing well. The only bad experience Trans-Lux has had has been in Brooklyn, according to a company spokesman, and there the house

(*Continued on page 8*)

Service of Moskowitz Guests With Loew Totals 435 Years

Four hundred and thirty-five years of service with Loew's, Inc., and predecessor companies were represented by 22 executives at a luncheon to C. C. Moskowitz, vice-president, at the Hotel Astor yesterday in observance of his 25 years with the company.

The gathering was informal, made gay by the ribbing that went back and forth across the table, in which the chief participants were David Bernstein and Si Seadler. Bernstein also took occasion to remark on the company's stability through the years and that "Loew's never lost an executive," the exception being, of course, Joseph M. Schenck, who left Loew Theatrical Enterprises years ago to organize his own business.

The guests wore white carnations, which grace Moskowitz's buttonhole every day, in respect to the guest of honor. The length of service of the men present ranged from 12 to 33 years, in addition to two "youngsters," Oscar A. Doob, who has been with the company eight years, and Herbert Pettey of WHN, whose tenure has been two years.

The "old timers" present have av-

(*Continued on page 12*)

Para. to Ask Injunction in North Dakota

"Divorce" Hearing Will Be Asked by Feb. 15

An application for a temporary injunction to restrain the state of North Dakota from enforcing its circuit theatre "divorce" law, which is scheduled to become effective on March 15 will be made by Paramount at Fargo on or about Feb. 1, it was learned yesterday. A hearing on the application is expected to be had about Feb. 15.

A court decision on the temporary injunction, which is to be sought in order to stay the enforcement of the law pending the outcome of the suit to test the constitutionality of the "divorce" measure, is expected within one week following the mid-February hearing.

Legal papers petitioning the interlocutory injunction may be completed today or tomorrow by Paramount's New York attorneys and will be taken to St. Paul by Joseph W. Finley, resident attorney there for the company, who is in New York conferring on the application papers. Finley will leave on Sunday or Monday.

Due to the illness of Federal Judge

(*Continued on page 7*)

Warners Studying Move to the Coast

Harry M. Warner intends to present to the company's directors and executive management a plan for moving some of the company's home office functions to the coast, he said yesterday upon arrival from the coast. Action will be taken within the next two weeks. He intends to spend six months of each year on the coast.

The changes will not affect the major home office departments, such

(*Continued on page 7*)

Depinet, Levy Leave For Studio Tonight

Ned E. Depinet, vice-president and distribution head of RKO; Jules Levy, general sales manager, and S. Barret McCormick, advertising and publicity director, will leave for the coast tonight for a series of conferences on product and sales matters with Leo Spitz, RKO president, who is remaining on the coast in personal charge of the studio.

The New York group will be in

(*Continued on page 7*)

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"Snow White" Gets $108,000 1st Week

"Snow White and the Seven Dwarfs" grossed $108,000 in its first week at the Music Hall. On the basis of current business, the picture may go three weeks, according to Gus Eyssell of the theatre's executive management.

Eyssell said the report that ticket speculators had secured large blocks of reserved seats and were asking as high as $5 for them was not true, but the advance sale is heavy.

"In Old Chicago," in its second week of the two-a-day run at the Astor, netted $17,546. 20th Century-Fox considers this very good considering the bad weather of the last few days.

"Man-Proof" grossed $26,000 at the Capitol, while the Rialto did $7,000, an average business, with "Spy Ring."

DeMille in Chicago

CHICAGO, Jan. 20.—Cecil B. DeMille arrived here today for a luncheon at the Blackstone Hotel and made a personal appearance at the Chicago tonight at the opening of "The Buccaneer." William Pine, Akim Tamiroff and Margot Grahame accompanied him.

Insiders' Outlook

By A-MIKE VOGEL

A PROBLEM that confronts the Music Hall on "Snow White" is that patrons refuse to leave after they have sat through one showing. That goes for the grownups as well as the juveniles. Children obviously are fascinated by the entertainment and see no reason why they should not be allowed to view it again. The youngsters refuse to leave. Their elders stand by, it appears, not unwillingly. The situation is one to consider, as those with an eye to the boxoffice will tell you.

Thus exhibitors who have booked the attraction are now studying what to do about it. A number of plans are presented.

Among these is an increase in children's prices, a cause of deep debate on the part of those disinclined to disturb their boxoffice scale for one engagement. Another plan would raise children's admissions to the adult minimum prices. Further suggestion is to hold special shows at usual prices for the youngsters during certain morning hours. RKO has wisely kept out of it, preferring that exhibitors make their own decisions.

Considering the strength and importance of "Snow White," this reporter sees no reason why theatremen should hesitate to protect themselves against "attendance jams" on further dates the picture will bring about.

▼ ▼

Twice in a row is too much. The banning of "March of Time" from public showings by the Chicago forces of law and order was a call for action, and action was immediately forthcoming. The ban was lifted last night.

Some months back, the Chicago police department ordered elimination of certain strike pictures from a Paramount newsreel. Within a week the action was rescinded but not before indignation lifted from many quarters. Whether or not theatres will play the subject is a matter of individual policy. At this writing, there is no general agreement. But there should be agreement that all industry forces combine to bring to a quick stop the over-reaching Chicago police attempt to dictate what newsreel material shall be shown on Chicago screens.

▼ ▼

With the return here of Harry M. Warner and S. Charles Einfeld, it is established that the Great Trek to Hollywood by the industry's New York offices, is not immediate. There will be some balancing of the Warner publicity forces by a personnel move to the coast, but Mr. Einfeld will continue to divide his time between the business and production headquarters.

Executives of major companies in New York see no reason for any such resettlement of the industry. There might have been more reason for the change before New York became the financial center of the world, the sales center of the business; before Hollywood and New York were a plane sleeper-jump apart and the journey between the two points an accepted routine.

For the best interests of the industry, it can be accepted that the distance between production and other branches is not too far.

▼ ▼

While not always in accord with the editor of *Motion Picture Herald,* Terry Ramsaye's approval of the move to send C. B. DeMille to the United States Senate is hereby seconded.

Mr. DeMille is a long time and well thought of citizen of California. His concern with civic projects indicates an ability to deal adequately with Federal problems. His knowledge of motion pictures fully qualifies the Paramount producer to stand by in the industry's behalf on Capitol Hill.

Review Board Hears Of "Film Equation"

With the general topic, "The Film Equation in People's Lives," the 14th annual conference of the National Board of Review opened yesterday morning with sessions at the Pennsylvania Hotel. The conference will continue today and conclude with the 23rd annual luncheon tomorrow.

Yesterday's speakers were William P. Montague, Jr., Paramount News; Sidney K. Wolf, president, Society of Motion Picture Engineers; Herbert S. Walsh of the Board of Education, and M. D. Kann. Wilton A. Barrett, the board's executive secretary, presided.

The conference delegates last night visited the exhibit on "The Making of a Contemporary Film" at the Museum of Modern Art. Today's sessions will be devoted to reports from delegates from a number of cities, with Dr. Frederic M. Thrasher of N. Y. U. as panel leader. Talks will be given by Mark Van Doren, film critic of the *Nation*; Mortimer J. Adler of the University of Chicago; Gilbert Seldes, Alistair Cook and W. Ward Marsh, film critic of the Cleveland *Plain Dealer*. The presiding officer will be Dr. Russell Potter, associate director of the Columbia University Extension.

Documentary films will be discussed and shown tonight at the New School for Social Research. Junior activity of the Four-Star Clubs will be demonstrated tomorrow morning.

◂ Purely Personal ▸

LOUISE FAZENDA will arriv from the coast Monday and o Wednesday will attend the premier of "Swing Your Lady," in which sh has a featured role.

●

PERCY M. FURBER, SR., chairman o Trans-Lux Movies Corp., is taking a extended rest to recuperate from a recent illness and is now in Honolulu.

●

EDDIE MANNIX, M-G-M producer and **HOWARD STRICKLING,** head o studio publicity. plan to leave tomorrow for the coast.

●

FRANK V. KENNEBECK, manager o the Bombay office of Paramount, wil arrive on the *Roma* today.

●

ETHEL MERMAN will make a personal appearance with "Happy Landing" at the Roxy tonight.

●

E. B. DERR has arrived from th coast. He was among the lunchers a the Tavern yesterday.

●

JACK CHARTOK will leave for Washington today.

Sirovich's Art Bill To Receive Hearing

WASHINGTON, Jan. 20.—Legislatio providing for the establishment of a Federal Department of Science, Art and Literature today was set by its author, Representative Sirovich (Dem N. Y.) for hearings before the Patents Committee, of which he is chairman, beginning Feb. 7.

The proposed department would have jurisdiction over all Federal agencies dealing with motion pictures, radio, play writing and other arts. It would be headed by a secretary who would be a member of the President's Cabinet, with three under-secretaries for art, literature and science, respectively.

The measure provides that the new department shall have a suitable building, "preferably on Capitol Hill, to balance the new building of the Supreme Court."

ABP Issue Consists Of 1,500,000 Shares

By AUBREY FLANAGAN

LONDON, Jan. 20.—The new security issue of Associated British Pictures, the John Maxwell company, will consist of 1,500,000 shares of ordinary stock, of five shillings value, to be offered to the holders of ordinary and preference shares and debentures at 14 shillings per share.

It is estimated that the proceeds of the sale of the securities will increase the company's reserve to £2,425,000. It is expected that the final dividend which the company will pay for 1937 will exceed the interim dividend of 10 per cent.

Terry Ramsaye Speaks

Terry Ramsaye, editor of *Motion Picture Herald*, spoke yesterday afternoon at the Museum of the City of New York on "The History of the Movies in New York."

A challenge to every showman in the country!

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SONJA HENIE

...more completely amazing than ever—revealing new, more thrilling ice spectacles—making love!

DON AMECHE

...singing, romantic headliner of radio and screen!

ETHEL MERMAN

...top-flight songstress of stage and screen...singing as she's never sung before!

CESAR ROMERO

...that handsome Latin...in a screwball role that will make crowds roar!

JEAN HERSHOLT

...lovable and warmly human as Sonja's father!

BILLY GILBERT...the dialectician who rolls 'em in the aisles!

RAYMOND SCOTT QUINTET...kings of swing rhythm!

WALLY VERNON...the Sloppy Joe of comics, dead-panning till the rafters ring!

LEAH RAY...that beautiful brunette who can sing them from way down there!

THE GREATEST M

N "HAPPY LANDING"!

REVOLUTIONIZING MUSICAL ENTERTAINMENT!

Utterly different! Of unsurpassed magnitude . . . faster-than-lightning speed. A triumph of triumphs from the masters of the unusual . . . *and successful* . . . in picture-making!

SONGS . . . a flock of the tunefullest you've ever heard . . . from tunesmiths Pokrass & Yellen, Bullock & Spina!

LAUGHS . . . riotous, uproarious . . . by the hundred!

SPECTACLE! BEAUTY! . . . unapproached on the screen . . . sheer, breath-taking gorgeousness . . . rhythmic with dance tempos on crystal ice!

SHOWMANSHIP . . . Darryl F. Zanuck now caps his brilliant career as the maker of your greatest musicals!

ICAL EVER MADE!

SEE IT!

Instructions have been sent to all 20th's branch managers to arrange screenings for you!

20th Century-Fox is carrying heavy assistant advertising in all key cities . . .

NOW WHAT ARE YOU GOING TO DO FOR THE GREATEST MUSICAL EVER MADE . . . "HAPPY LANDING"

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Para. to Ask Injunction in North Dakota

(Continued from page 1)

Andrew Miller of Fargo, who is con[illegible]escing in Florida, Finley will be obliged to obtain a Federal judge from the St. Paul district to accompany him to Fargo to hear the application.

Paramount is the only company having theatre affiliations in North Dakota, and with its operating subsidiaries, Minnesota and American Amusement companies of Minneapolis, it is the only company affected by the law. Its suit to test the constitutionality of the statute was filed in Fargo recently and will be heard by a special statutory court of three Federal judges probably in the late spring. Paramount's immediate move is designed to prevent enforcement of the law until its constitutionality has been determined.

Michel's Testimony Sought Before Trial

Bruce Gould, scenario writer, will ask N. Y. Supreme Court Justice Richard P. Lydon today for an examination before trial of W. C. Michel, executive vice-president of 20th Century - Fox Film Corp., in connection with his $30,000 infringement suit against 20th Century - Fox, Adela Rogers St. John, NEA Service, Inc., and the New York *World-Telegram*.

Gould alleges that he sold the film rights to his unpublished story, "Reunion," and that the contract provided for novelization for fan magazines and publicity purposes. However, according to the complaint, 20th Century - Fox engaged Miss St. John to novelize the story and it subsequently appeared as a syndicated article in the *World-Telegram*.

Gould contends that the contract did not provide for such publication. 20th Century - Fox filed an answer in which it set forth that the story was published as part of a publicity campaign.

Kaplan-Fox Trial Starts

Trial of the copyright infringement suit brought by F. Kay Kaplan, assignee of Andre Durenceau, artist, against Fox Film Corp., started before Federal Judge Vincent L. Leidell in U. S. District Court yesterday.

The plaintiff alleges infringement of a cover design by Durenceau on the August 1929 issue of *Theatre Magazine*, in a set design allegedly used in "George White's Scandals."

Holds "Honeymoon" Decision

Justice Peter A. Schmuck reserved decision yesterday in the suit filed by Larry Darmour, independent producer, against 20th Century - Fox to restrain the latter in the use of the title "The Second Honeymoon."

Garrison Wins Suit

Justice Isidore Wasservogel in N. Y. Supreme Court yesterday dismissed the action of Leslie Bain against Garrison Film Distributors, Inc. Bain claimed money due him on the distribution of a two-reel subject, "Harlem Sketches."

Warner Returns to Home Office

Harry M. and Mrs. Warner caught by the camera as they alighted yesterday morning at Grand Central. The Warner president, accompanied by S. Charles Einfeld, director of advertising and publicity, was returning to the home office after a visit at the studio.

Quittner Son Heard In Anti-Trust Case

The deposition of Joseph Quittner, attorney and son of the late Edward Quittner, former Middletown, N. Y., theatre operator, was taken here yesterday for the anti-trust action brought by Morse & Rothenberg, Boston independent circuit, against major distributors, the Maine & New Hampshire and M. A. Shea circuits. The suit charges inability to obtain product for the plaintiff's houses.

Quittner recounted details of his father's product buying difficulties of the late 1920's, which ended in an anti-trust action being filed against Paramount. The case was ultimately decided in Paramount's favor. Quittner was the only witness to appear before the attorneys in the Morse & Rothenberg case who have been here all week on legal work preliminary to actual trial of the case in Federal court at Boston at some later date.

The local sessions were adjourned yesterday until some time in February, a definite date not having been set.

Move Columbia Office

Washington, Jan. 20.—Columbia's headquarters here have been moved into the Warner quarters. The two companies will share them until the new Warner building is completed Feb. 15.

S. A. Galanty has just returned from a 10-day trip to Cincinnati, Pittsburgh and Cleveland.

Hayward Joins Hoyts

Sydney, Jan. 20.—Herb Hayward, who has controlled the advertising and publicity activities of Union Theatres for the past seven years, has joined Hoyts in an executive capacity.

Kuykendall Attends Capitol Tax Hearing

Ed Kuykendall, M.P.T.O.A. president, returned to Washington yesterday to attend the hearing before the House tax committee which is scheduled to hear arguments for revision of the Federal admission tax today.

P. J. Wood, secretary of the Ohio I.T.O., and Walter Vincent of the Wilmer & Vincent circuit, are slated to argue for a ticket tax exemption up to 51 cents. Kuykendall is not scheduled to speak before the committee and is attending the hearings primarily as an observer. He is expected back in New York the first of next week.

Eddie Dowling, stage producer, will argue against an increase in the tax exemption level on behalf of the legitimate theatre. The committee's schedule may delay hearing of the theatre men until tomorrow or Monday, it was learned.

Seek Fake "Guardian" Ban

Albany, Jan. 20.—A bill intended to eliminate the practice of children under 16 obtaining the aid of strangers to purchase theatre tickets in order to gain admission was introduced in the legislature today by Assemblyman Harold B. Ebrlich, Buffalo Republican. A similar bill died in the Codes Committee last year.

Matron, Seat Bills Back

Albany, Jan. 20.—Assemblyman Rossi will again introduce bills calling for a matron to each 35 children in a theatre and for fines to prevent the sale of tickets when no seats are available. Rossi says companion measures will be introduced in the Senate.

Warners Studying Move to the Coast

(Continued from page 1)

as distribution, advertising, foreign operations, short subject production, theatre department, financial, legal and clerical staffs.

Management of the publicity department will be transferred immediately and S. Charles Einfeld, publicity and advertising head, who returned with Warner and acted as his spokesman at Grand Central Station, said that he, too, would spend half of each year in the west.

The national news distribution functions of the publicity department will be transferred to the coast with two members of the New York staff. There will be no cuts in the department, Einfeld said.

Warner said he would be in New York five weeks. He was accompanied by Mrs. Warner and Sam Schneider, his assistant.

Albert Warner is due to return from Florida on Monday for home office conferences.

Steffes Replies to Sears on Giveaways

Minneapolis, Jan. 20.—Gradwell Sears' recent criticisms of giveaways and prize games and his call for a return to showmanship drew a sharp retort from Al Steffes today. If it had not been for certain bad pictures, he said, giveaways, country store and turkey nights would not be necessary to draw business to theatres.

"The double feature menace is ten times as bad as giveaways and I will certainly recommend at our coming convention that no theatre in this territory play any Warner pictures giveaway nights, especially if they have bought them on percentage."

Depinet, Levy Leave For Studio Tonight

(Continued from page 1)

Hollywood for about two weeks. Their visit follows extended conferences of representatives of the principal RKO financial interests at the studio, which terminated recently with the decision to continue Spitz in charge of production pending definite advancement of the RKO reorganization. The financial group included Floyd Odlum of Atlas Corp. and Peter N. Rathvon, a financial associate, who are expected back in New York this weekend.

Warner Show Tonight

A performance of "Three-Cornered Moon" will be given tonight by the Warner Club players at the home office clubrooms. The cast will include Sol Reiner, Etty Phillips, Eli Oestreich, Sam Wolowitz, Terry Ginsberg, Frieda Katz, Irene Filiak, Jack Goldsmith and Jonas Rosenfield. Glenn Sherman directed.

Sound Truck Is Stolen

Chicago, Jan. 20.—Thieves today stole an RKO sound truck from Tony Caputo, head cameraman here. They posed as his assistants in taking the car from the garage, then tried to make a deal for its return, after sending his camera back to him by express.

Distributors Join Fight on Tax in France

(Continued from page 1)

taken at a general meeting, is contingent upon the producers, laboratories and studios joining the exhibitor move. It was indicated at the time of the exhibitor decision that there was every likelihood that these three groups would join the lockout movement.

The distributors have registered vigorous protest against the exorbitant taxes levied on the film industry, which they term "unbearable," by the new Parliament in its new budget.

The technical phases of the industry, as well as the producers, are generally expected in the trade to join in a common front on the part of the industry, which appears determined to obtain more satisfactory conditions from the Government.

Trans-Lux Has Plans for 25 New Theatres

(Continued from page 1)

was taken over by an operator showing foreign films. The average cost of a Trans-Lux type of theatre is $100,000.

Opening of the theatre at 52nd St. and Lexington Ave. tonight will make the fourth for the circuit in New York City and the sixth all told, the other two being in Washington and Philadelphia.

Major L. E. Thompson, president of Trans-Lux Movies, will be master of ceremonies at the opening which an invited society audience and company officials will attend. A dedication program will include a recital by Erna Rubinstein, violinist, and Joseph Cristea, lyric tenor. Jules Lande and his St. Regis Orchestra also will entertain.

Cleveland Drive-In Theatre Lease Set

CLEVELAND, Jan. 20.—Contracts for a Drive-In Theatre have been signed. A 15-year lease for land on Northfield Road, across the street from the North Randall racetrack has been agreed upon by the Drive-In Theatre Corp. of Boston and the Forest City Live Stock and Fair Co. Rental is reported at $1,650 a year.

Construction of ramps is to start within two weeks, with completion scheduled for May 1. The cost of construction and equipment is estimated to be about $30,000. The Boston company was represented locally in the deal by A. J. Halle, attorney.

Donate "Dybbuk" Take

Irving Geist, philanthropist, is sponsoring the Yiddish film of the play "The Dybbuk," which will open at the Continental on Tuesday. The proceeds of the Tuesday performance will be donated for the relief of Jews in Poland. Proceeds of succeeding performances will be used for other charitable purposes.

Hollywood Preview

"Girls on Probation"

(Warners)

HOLLYWOOD, Jan. 20.—A story of a child who appears incorrigible, but whose apparent fault really is the result of complete neglect by her wealthy and "too busy" parents, "Girls on Probation" is unpretentious screen fare, but produced with care and actually is effective. It is not too obvious in the pointing of its lesson that children require parental understanding and continual help.

Despite top billing to Dolores Costello, the leading role is taken by young Bonita Granville, who plays an ill-tempered child with skill. In support are Natalie Moorehead as the mother; Donald Crisp as the father, and Donald Briggs as the family secretary, who alone realizes that the fault lies with the parents and not the child, and who finds romance with Miss Costello, superintendent of the girls' school to which the child is sent.

Arthur Lubin, who directed, permitted the child to carry the burden of the work, and she handles it quite capably. Left entirely alone, the child rebels, and when she causes the family butler to crash into another car, when he is carrying her back from one of her frequent attempts at escape, a man is killed. She is sent to the school, where her rebellious nature and feeling that the world is against her is gradually broken down under the skillful tactics of Miss Costello. Eventually, when her mother is ill, she is reunited with her parents.

Running time, 60 minutes. "G."

New York Preview

"Generals Without Buttons"

(Mayer-Burstyn)

The little cinema and houses where French film enthusiasts are to be found will probably do well with "Generals Without Buttons." It is one of those French importations that are agreeably different in narrative and generally good entertainment.

The action is set in two provincial French towns. A prologue in English sets the stage and the ensuing story is a satirical treatment of the foibles and petty hatreds of simple country folk. The English subtitling makes the Gallic wit understandable.

The villages of Longeverne and Valrans have been carrying on a minor and rather harmless feud through the centuries. The film takes up its thread in the present day strife which is kept alive by young school children. They engage in battle and strip the buttons from the clothes of the conquered. This goes on with various twists. The problem comes to a head when the leader of one faction is stripped of his pants. The mayors of both towns and also the faculties of the schools decide to do something. They arrange a big dinner for the combined populations. The affair is carried off well until the peasants discuss the weather. The old feud starts again, with the elders brawling in the square.

The photography is excellent. Jacques Daroy directed.

No production code seal. Running time, 80 minutes. "A."

"Saleslady"

(Monogram)

Falling into the B classification by reason of story development, cast and performances, "Saleslady" probably will prove reasonably satisfactory to the lesser spot on the theatre program.

Anne Nagel plays the lead as the wealthy girl who leaves her grandfather's home, he being the head of a mattress factory, to seek a job and a husband who will "love her for herself alone," and not for her money. Weldon Heyburn, who bears a physical resemblance—but no other—to Clark Gable, is the young man she meets in her job.

They fall in love and are married, but she does not reveal her real identity or the extent of her pocketbook. They are happy, but Heyburn buys a great deal of furniture on the installment plan, leaves his job for a venture which proves unsuccessful, and as a last resort, she insists that they go to her grandfather' home. He rebels at a ready-made executive job and returns to town alone.

All too accidentally—and that is the basic fault with most of the situations—he meets a manufacturer of mattresses, and with him builds real competition for his wife's grandfather. She returns to town to find him successful and the two factories are merged for general happiness.

Running time, 65 minutes. "G."

(Additional Reviews on page 11)

Studio Lull Holds; 28 Before Cameras

(Continued from page 1)

Rancher" and "Golddiggers in Paris," Warners.

The tally by studios:

Columbia finished one, shooting one, preparing zero, editing nine; Goldwyn, zero, zero, zero, two; Grand National, zero, zero, zero, zero; M-G-M, zero, four, two, four; Monogram, zero, one, one, two; Paramount, one, four, two, 12; Principal, zero, zero, one, zero; RKO, zero, four, one, four; Republic, zero, two, one, three; Roach one, one, zero, one; Selznick, zero, zero, zero, one; 20th Century-Fox, one, five, four, seven; Universal, zero, two, one, four; Wanger, zero, zero, zero, zero; Warners, one, five, four, 20.

RKO and Roach each started one short subject, M-G-M finished one. A total of four is being prepared, and 12 are being edited.

Stuart F. Doyle Ill

Stuart F. Doyle, who has been in New York for the past three weeks discussing plans for theatre building in South Africa with United Artists officials, was stricken with influenza yesterday. If his condition permits, however, he will leave for the coast tomorrow for further conferences there with Dr. A. H. Giannini, United Artists president, before sailing for Australia.

Judy Garland to Attend

MIAMI BEACH, Jan. 20.—Judy Garland will attend the opening of "Everybody Sing" at the Sheridan next Monday night. Harry Rapf, producer, will be present, as will Nicholas M. Schenck and William F. Rodgers.

A. H. Blanks to Sail

DES MOINES, Jan. 20.—A. H. Blank and Mrs. Blank will sail from San Francisco on Jan. 23 on the *Lurline* for Honolulu to enjoy the trip given them by the Tri-State employes at his silver anniversary dinner on Dec. 9.

Wall Street

Light Gains on Board

	Open	High	Low	Close	Net Change
Col.	13	13¾	13	13¾	+ ⅜
E. K.	164¼	164¾	164	164¾	+1¾
G. T. E.....	12	12⅝	12	12⅝	− ⅞
Loew	50¼	50⅝	50¼	50⅝	+ ⅞
Para.	11¼	11¾	11⅛	11⅜	+ ¼
Para. 1.....	90¼	91	90¼	91	−2
Para. 2.....	11	11	10¼	10¾	.....
Pathe	6⅛	6½	6⅛	6½	+ ½
RKO	4¾	4⅞	4¾	4¾	.....
20th Fox ..	22½	23¼	22¼	23¼	+ ¾
20th pfd....	30¾	31¼	30½	30½	.....
W. B.	7	7⅛	6⅞	7⅛	+ ¼
W. B. pfd.	37½	37½	37½	37½	+1

Curb Rises Fractionally

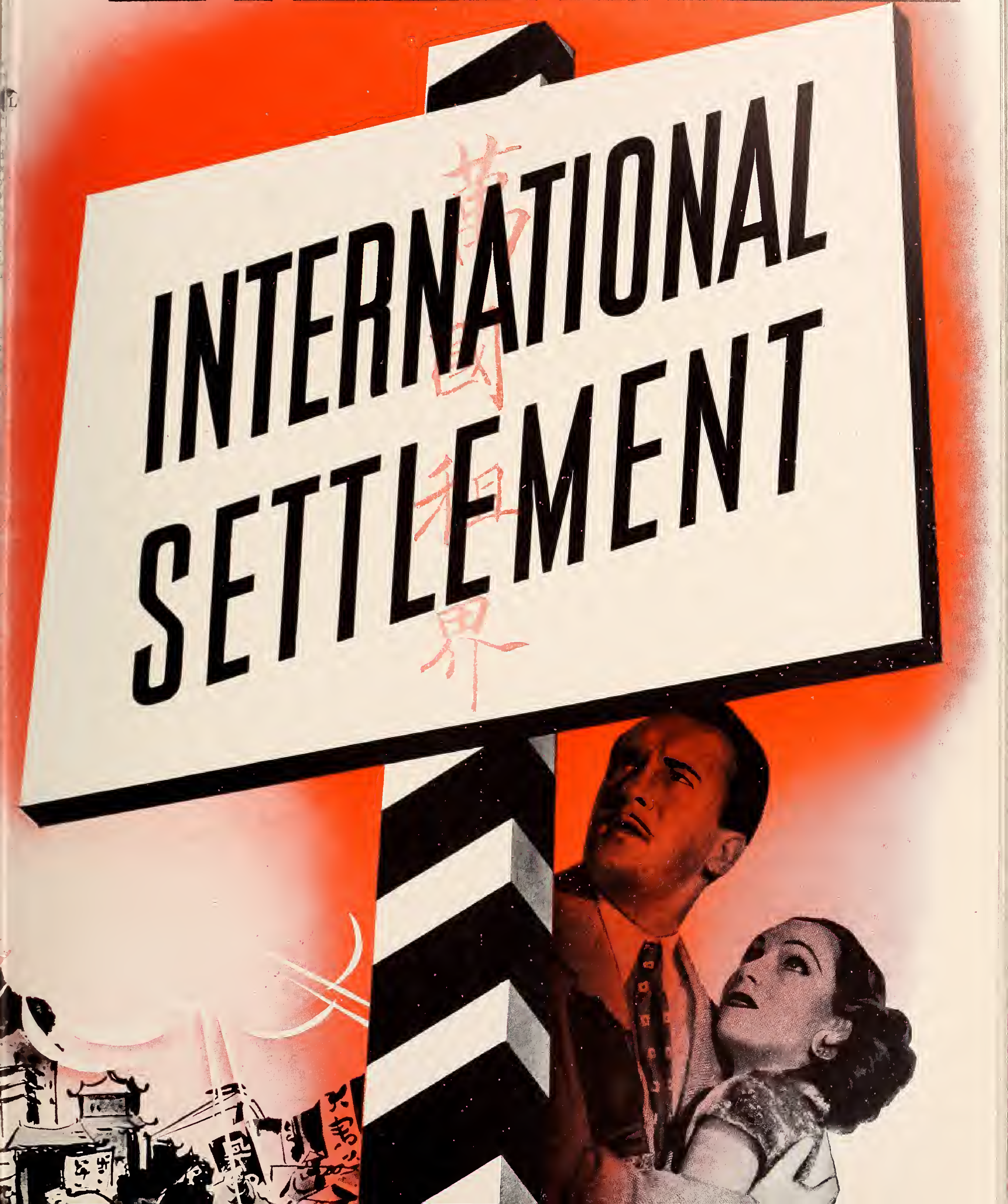
	Open	High	Low	Close	Net Change
G. N.	11/16	¾	11/16	¾	+1/16
Monogram	2⅜	2½	2⅜	2½	+ ⅛
Sonotone ..	1⅞	1⅞	1⅞	1⅞	.....
Tech.	20	20¼	20	20¼	+ ¼
Trans-Lux	3⅛	3⅛	3	3	.....

Bonds in Decline

	High	Low	Close	Net Change
Loew 3½s '46....	99½	99½	99½	.....
Para. Pict. 6s '55	60½	60½	60½	− ⅞
Para. Pict. '47...	72¾	72¾	72¾	− ½
RKO 6s '41.......	75	75	75	.....
W. B. 6s '39......	76¾	76½	76½	− ½

(Quotations at close of Jan. 20)

THE PICTURE OF THE HOUR . . .
AND A HUNDRED BIG MOMENTS!


INTERNATIONAL
SETTLEMENT
萬國租界

20th's Split-Second Timeliness Wins You A Great Boxoffice Opportunity!

The seething, strife-torn International Settlement of Shanghai ... most publicized and exciting spot in the world ... haven of an American soldier of fortune and the Orient's most dangerous woman ... scene of their strange romance and stranger adventures. Drama that takes audiences *beyond* today's thrilling headlines!

INTERNATIONAL SETTLEMENT

with

DOLORES DEL RIO · GEORGE SANDERS

JUNE LANG · DICK BALDWIN

RUTH TERRY · JOHN CARRADINE

KEYE LUKE · HAROLD HUBER

LEON AMES · PEDRO DE CORDOBA

Executive Producer Sol M. Wurtzel

Directed by Eugene Forde. Screen play by Lou Breslow and John Patrick. Original story by Lynn Root and Frank Fenton

Songs by Sidney Clare and Harry Akst

20th Century Fox

THE KEYSTONE
OF YOUR FUTURE

Short Subjects

"Twenty Girls and a Band"

(RKO)

Nick Stuart and his band, Betty Jane Rhodes, and a bevy of charmers give this musical fresh and youthful entertainment values. It is simple musical comedy stuff, but the audience could find it diverting. Stuart and his orchestra make a date to play at a dance in a girls' school. A house rule forbids men around the place. They dress as girls and carry on tunefully. The dean attempts to make it hard by dismissing the bus that would take them back to a night club in time to broadcast. They circumvent this by hitch hiking. Miss Rhodes sings delightfully. Running time, 18 mins. "G."

"Paramount Pictorial P 7-6"

(Paramount)

A tastefully arranged and presented trio of interesting subjects is offered here. There are scenes of new buildings in Washington, a cave in Arizona where the atmosphere turns various objects to stone and a vividly filmed bit on greyhound racing. The last easily outshines the others. Running time, 10 mins. "G."

Schlesinger Quitting Brings Capra Rebuke

HOLLYWOOD, Jan. 20.—Leon Schlesinger, cartoon producer, who resigned from the Academy of M. P. Arts and Sciences because of his dissatisfaction with the method of permitting entries in the cartoon awards divisions, today drew a sharp rebuke from Frank Capra, president of the Academy, who discloses that Schlesinger took part in the setting of the awards rules by a vote of 17 for and two against the set procedure.

Schlesinger objected to the rules which permit producers to enter one short for each series they made. Schlesinger produces two series of Looney Tunes and Merrie Melodies. Walt Disney under the rules is permitted four entrants when Donald Ducks and Pluto shorts are designated as individual series in addition to Mickey Mouse and Silly Symphonies. Schlesinger's Looney Tunes are in black and white and he declared no black-white product could fairly compete with color product in competition and his request to submit two Merrie Melodies was turned down.

Letter Details Procedure

Capra, in a letter to the producer, said, "Problems of defining the production series involved not only cartoons but also one and two-reel subjects. It was discussed for nearly two hours before a vote was taken. You took part in both discussion and vote. The vote by secret ballot of short subject producers was decided seventeen to two against your interpretation of the rules. It was assumed that this settled the matter and the meeting went on to other business in which you also took part. The Academy has done everything possible in this case to maintain good feeling and if, under these circumstances, you wish to resign there is no alternative but accept your resignation."

New York Preview

"En Saga"

(Gustave Schwab)

There are many moments of stirring drama among primitive peoples and a fresh treatment of a rather standard theme in this Swedish production. It was produced by Nordisk Films in Lapland and is said to be the first picture to be made in that country. The dialogue is in Swedish and there are English titles. The direction and editing along with the performances are in good European style. It is a suitable film for the art cinemas and where there is a Swedish patronage.

The story is played against beautiful outdoor scenery. A baby girl of Swedish parents is lost when her parents are attacked by wolves. She is found and brought up by a wealthy Lap family as their child. Eventually she is lovelessly betrothed to a young Lap and their marriage date is set. But she meets and falls in love with the son of a minister who is of her race. The night before her marriage she attempts to run off with her lover, but he is attacked by wolves and injured. Thinking he has failed her, the girl, Laila, resigns herself to a Lap husband. But her guardian, Jampo, finds the minister's son and brings him in. The tangled state of affairs is soon settled, Laila's identity is revealed and she marries the man of her choice.

The role of Laila is played by Aino Taube, who has Hollywood possibilities. It is based on a novel by Jon Friis. George Schneevoight directed.

Running time, 90 minutes. "G."

Future Unpromising For Austrian Trade

By HANS LORANT

VIENNA, Jan. 8.—With no change in the situation with respect to the German market, and small hope of establishing a substantial domestic production industry, the Austrian film situation in 1937 showed little more promise than a year ago.

Under the German regulation—and the German market is the only outlet for Austrian-produced films—only 14 features may be imported into Germany each season, they must conform to German Aryan regulations, and the Austrian producer receives only 50 per cent of his money, the rest having to be spent in Germany.

The 14 films yearly are not enough to keep the three Austrian studios, Selenophon and two Tobis Sascha plants, busy throughout the year. The studios have been closed for several months. Ten of the 14 for 1938 are already completed and the others are in work now. Attempts during the past year to clarify the German situation were fruitless.

Austrian producers are willing to produce without the German market only if the Government will guarantee financing, but there seems little likelihood of that development. There has been little change with respect to foreign product. A total of 160 American, 130 German and about 15 French films were imported last year, but the American product did not yield particularly satisfactory results. The audience for American product is limited largely to patrons of the de luxe Vienna houses. There has been a decided increase in the number of French films imported.

Start Big Mexico Film

MEXICO CITY, Jan. 18.—The first film of international appeal to be made in Mexico is being produced by a new company, Films de Artistica Mexicanas Asociados, of which Francisco de P. Cabrera is president. The film will be released in March with titles in English. Distribution in the United States is being arranged.

American Releases 61% of Danish Total

By KRIS WINTHER

COPENHAGEN, Jan. 8.—A total of 193 American pictures were released in Denmark during the past season, accounting for 61 per cent of the total number of features released, which amounted to 316, as compared to 336 during the previous season..

More competition from Danish producers is anticipated this season, as is indicated by the fact that eight domestic films have been released thus far this season, comparing with nine in the entire 1936-'37 season. At least 10 more are scheduled for the rest of the current season.

There are at present six Danish producing companies in operation. A total of 13 new houses are in the course of construction or are planned for the near future. Four will be first run theatres. During the past season there has been a marked decline in public interest in both French and German product, which for a time enjoyed considerable popularity here.

Return of Ontario Tax Is Discounted

TORONTO, Jan. 20.—The menace of a reintroduction in the amusements tax for theatres in Ontario has been removed, in the opinion of the trade, by the abolishment by Premier M. F. Hepburn of the post of director of the amusements revenue branch of the Provincial Treasurer's Department. With the elimination of this position and the transfer of the incumbent, R. C. Buckley, to the Attorney General's Department as associate accountant, the reason given was that the abolishment of the amusements tax in Ontario last summer had made the office no longer necessary.

The duties of chief inspector of theatres have been assigned to O. J. Silverthorne, chairman of the Ontario censor board, and various officials of the inspecting staff are being placed under the jurisdiction of the chief censor.

Variety Club

Cleveland

CLEVELAND, Jan. 20.—The Cleveland Variety Club will hold a supper dance in the club rooms at the Allerton Saturday for the double purpose of installing the newly elected officers and to honor the outgoing chief barker, M. B. HORWITZ.

New officers are DAVE MILLER, chief barker; NAT WOLF, first vice-president; J. S. JOSSEY, second vice-president; I. J. SCHMERTZ, treasurer, and FRANK BOYD, secretary.

MRS. GEORGIA MOFFETT, former secretary of the Cleveland Film Board of Trade, has been named secretary and business manager for the club.

Kansas City

KANSAS CITY, Jan. 20.—FINTON JONES has been appointed general chairman of the "Days of '49" fair Variety Club will hold Feb. 4 and 5 at Variety Clubrooms.

EARL JAMESON is in charge of games, SENN LAWLER of publicity, FRANK BOWEN of attendance, NORRIS CRESSWELL of prizes and games, CHARLES SHAFER of tickets, BOB WITHERS of the booth, Chief Barker R. R. BIECHELE of the house committee, SAM ABEND of finances, and ARTHUR COLE and W. P. BERNFIELD of arrangements.

Washington

WASHINGTON, Jan. 20.—The first luncheon under the administration of Chief Barker A. JULIAN BRYLAWSKI will be held on Jan. 24.

ARCHIE D. ENGEL is on a Caribbean cruise.

Heading Denver Club

DENVER, Jan. 20.—The Rocky Mountain Screen Club has elected Emmett Thurmon president for the coming year. Other new officers are Mickey Gross, first vice-president; E. M. Loy, second vice-president; Henry Friedel, treasurer; Ross Bluck, secretary; Jack McGee, recording secretary; Duke Dunbar, counsellor; Al Smullen, auditor. Besides Thurmon and Gross on the board of directors are: Robert Cain, Jack Langen, Frank Culp, A. P. Archer, Jap Morgan, J. H. Ashby, Buzz Briggs, C. J. Bell, William Agren, Al Hoffman, and R. J. Morrison.

Mexican Club Formed

MEXICO CITY, Jan. 18.—A social and economic organization for film and radio artists and technicians has been organized here under the name of Cine Radio Club, by Roberto Cantu Roberts and Alfonso Sanchez Tello, producers. The president is Juan Garcia.

Legendre Acquires Two

KANNAPOLIS, N. C., Jan. 20.—Morris Legendre, owner of the Colonial here, has acquired two more theatres, one at Yadkinsville, N. C., and the other at Newport-Richey, Fla.

Paul Ballard, head operator at the Colonial, will manage the Newport-Richey house in the winter and another Legendre theatre in Osboro, Me., in the summer.

The Dixie in Yadkinsville will be under the management of Crip Shue.

Chicago Lifts Ban on Time's Reel on Nazis

(Continued from page 1)

to take such action as he deemed advisable to bring about the lifting of the ban. The Pennsylvania state board of censors had already approved the film.

Warners definitely decided yesterday that they would not book the release in any of their theatres over the country.

It was said at the theatre department that the reel, which reveals the operations of the Nazi propaganda machine and the regimentation of German citizens, is "too controversial" to be played in the circuit's theatres. Approximately 275 Warner theatres, which normally play March of Time releases, will be without this issue of the reel as a result.

Warners was the only circuit to take a definite stand. The others remained non-committal. At RKO it was said the reel will not be available to the circuit for several weeks, in any case, and that no decision has been made as yet. The Skouras office pointed out that in the metropolitan area the circuit plays subsequent to Loew's and RKO in all situations, and therefore the lead of those two major circuits probably will be followed in deciding whether or not to play the reel.

Loew's Undecided

Loew's declared the matter has not been decided, but may be today, and at Paramount it was said that such decisions are entirely up to individual Paramount theatre partners in the various territories.

The German consulate in San Francisco yesterday registered official protest against the March of Time reel, which is showing at the Golden Gate there.

Fritz Kuhn, head of the German American Bund, whose activities in this country are portrayed in the reel, has declared that he is conferring with attorneys with a possible view to filing actions for an injunction against the showing of the film and to seek damages.

Reel Banned in N. O.

New Orleans, Jan. 20.—Acting under orders from the Chicago owners, Vic Meyers, manager of the Orpheum here, pulled the March of Time news reel, "Inside Nazi Germany," before showing. Baron Edgar Von Speigel, German consul, at a general private preview, commented, "It makes me homesick for Germany."

Merring Transferred

Philadelphia, Jan. 20.—George E. Merring, first assistant to Manager Harry T. Jordan, Jr., at the Trans-Lux, has been assigned to the new Trans-Lux house in New York. Merring's place here will be taken by Basil S. Nichols. Gerard Becker has been named assistant manager.

New Ohio House Started

Hillsboro, O., Jan. 20.—Actual construction has started on the new Chakeres here. It is estimated that the house will cost $75,000.

The Newsreel Parade

Movietone News

Vol. 20, No. 38

(20th Century - Fox)

There is a high note of tragedy and timely news interest in the most effective clip in this issue of the reel, the stark ruins of the Quebec boys' school, in which approximately 50 lost their lives. The camera work is highly effective, indicating the complete ruin of the building and picturing the rescue workers digging in the wreckage.

For the rest the reel is little out of the routine, leading with the enrollment of President Roosevelt in the drive on infantile paralysis, and the promise of stars of the entertainment world to help, as voiced by Eddie Cantor. "Royalty in the News" pictures the wedding of Prince Paul of Greece and a granddaughter of the ex-Kaiser, young Peter II of Yugoslavia engaged in an annual Christmas ceremony, and Nicholas of Rumania.

The fashion department is cleverly handled in conversational style between Lowell Thomas and a feminine commentator in a discussion of men's styles, engagingly handled. Lew Lehr, viewing the usual bathing girls at a southern grapefruit fiesta, is amusing as always. The sporting division moves from fast ice-boat racing on a lake in Maine, to youngsters in the Alps having their skiing lessons at school, and ending with an Australian adaptation of the surf board, with exhilarating results, to judge by the participants.

Running time, 10 mins. A.

Paramount News

Number 49

(Paramount)

Acceptable but otherwise average screen journalism is furnished in this issue. It's the usual assemblage of fires, the President's activities, sport, invention, a news-personality and a bit on the Navy's recent flight to Hawaii.

The nine items in the makeup include iceboating in Maine, the fire at a school in St. Hyacinthe, Que.; a baseball school in Orlando, Fla.; the President and Mrs. Roosevelt opening the infantile paralysis drive, the testing of a life-saving device in Miami, winter scenes at the Detroit Zoo, the flight to Hawaii and a burlesqued golf match in Del Mar, Cal., in which Bob Burns, Bing Crosby, Lawson Little, Guy Kibbee and an unnamed Scotchman play. The personality mentioned before is the youth who was adopted by a Chinese and brought up in Canton. He does not speak English and after being photographed at the railroad terminal and in his foster-father's shop he says a brief piece in Chinese. It is novel but it seems artificial and stagy.

Running time, 9 mins. P.

News of the Day

Vol. 9, No. 236

(M-G-M)

In no wise extraordinary, this reel manages to maintain a reasonable degree of general interest, by reason of diversification of material. Good camera reporting has gone into the clip on the Quebec fire which gutted a boys' school and cost nearly 50 lives, showing clearly the complete destruction of the building and the search for bodies in sub-zero weather.

President Roosevelt's enrollment in the infantile paralysis campaign is pictured, and Mrs. Roosevelt is seen on a visit to the children in a paralysis ward of a Washington hospital. The overseas news shows the arrival of a new Italian viceroy in Ethiopia, amid expected pageantry, and the tribute of French war veterans to their hero, the one-armed General Gouraud.

The "Woman's Page" is devoted to the activities of the feminine director of the San Diego zoo. The usual winter touch of Miami is concerned with college art students working from living models in classical dance poses on the edge of the inevitable swimming pool. The sporting clips picture a lively Hollywood girls' basketball team defeating a men's team, iceboating on a Maine lake, a champion diver hitting bullseyes in diving off the tower into a floating paper target, and a boxing match between two members of the fleet at Long Beach, Cal.

Running time, 10 mins. A.

Pathe News

Vol. 9, No. 53

(RKO)

Shots of the Sacred Heart College fire at St. Hyacinthe, Que., which took the lives of many pupils and instructors occupies the feature spot in this release.

Other material consists of the award of the Poor Richard Club's gold medal of achievement to Will H. Hays at Philadelphia; the War Department's new type dredge in operation in New York harbor; machine instruction in reading demonstrated at N. Y. U.; a gift day for traffic cops in Rome; a visit by Mrs. Roosevelt to the Langdon School for Infantile Paralysis victims: the marriage of a midget to an Amazon, probably with the intention of publicizing Miami Beach; the return of an American-born youth to his Chinese foster-father in New York, and Benny Goodman's swing band in a concert at Carnegie Hall.

The subjects, although numerous, are not of much moment, but with each cut to a minimum footage none is on the screen long enough to weary a paying customer. The net impression, in fact, is one of variety, however inconsequential.

Running time, 8 minutes. K.

Universal Newsreel

Vol. 10, No. 634

(Universal)

Average material is lucidly presented, interesting and diversified. The subjects range from the tragic to the mildly amusing.

The recent fire in St. Hyacinthe opens the reel. The shots made by Associated Screen News give glimpses of ruined buildings, smoking ruins and the recovery of bodies. The President signs with an organization that combats infantile paralysis and Mrs. Roosevelt is seen visiting disease-crippled children. Cameraman Smith filmed a number of excellent iceboating shots at Damariscotte, Me. Will Hays is seen at the Poor Richard Club, the occasion being the presentation of a gold medal for his work in the film industry. A rail-testing machine is shown in work. The capture of the Ross kidnapper is documented with stills and shots of the Santa Anita racetrack and J. Edgar Hoover. In Miami an Olympic diving champion shows his stuff by diving at a target. This clip has a number of interesting angle shots. Also at the winter resort a new life-saving belt is demonstrated by a number of attractive girls. The reel concludes with scenes of the opening of a new ski-bowl at Hyak, Wash.

Running time, 9 mins. P.

Moskowitz Guests Served 435 Years

(Continued from page 1)

eraged 21 years with Loew's. With their length of service, they are, in addition to Moskowitz: David Bernstein, 33 years; Fred Mitchell, 32; Samuel Meinhold, 33; Joseph R. Vogel, 29; Eddie Mannix, 26 (14 years on the coast); J. T. Mills, 25; Marvin Schenck, 26; Charles S[illegible] 24; Harry Moskowitz, 21; D[illegible] Blum, 19; H. J. Cleary, 18; Harry Bernstein, 17; Judge Isador Frey, 18; J. Robert Rubin, 14; Si Seadler, 13; Howard Strickling, 14; Dolph Schadler, 12; Eddie Saunders, 18; Ernest Emerling, 18.

Edward J. Churchill of Donahue & Coe was a guest.

Oklahoma December Sales Tax $900,189

Oklahoma City, Jan. 20.—December sales tax collections which include the two per cent tax on admissions, totalled $900,189, an increase of $12,003 or 1.35 per cent over Dec., 1936. The report showed $186,957 was collected in Oklahoma County, in which Oklahoma City is located, and $157,574 in Tulsa County where Tulsa is located.

For the first six months of the fiscal year beginning July 1, 1937, collections increased $911,321.28 or 19.46 per cent. Figures for the two periods were $5,593,654.38 for the six months as compared with $4,682,333.10 for the same six-month period a year ago.

Oklahoma Protests Rogers Fund Action

Oklahoma City, Jan. 20.—A protest against including $23,379 raised in Oklahoma for the Will Rogers memorial in grants to the University of Oklahoma and Bacone College at Muskogee, Okla., has been wired to the national commission by the Oklahoma Will Rogers memorial commission.

Gov. E. W. Marland and Gen. Roy Hoffman, chairman of the state commission, wired the protest to Owen D. Young, New York, chairman of the national commission. Copies were sent to other members.

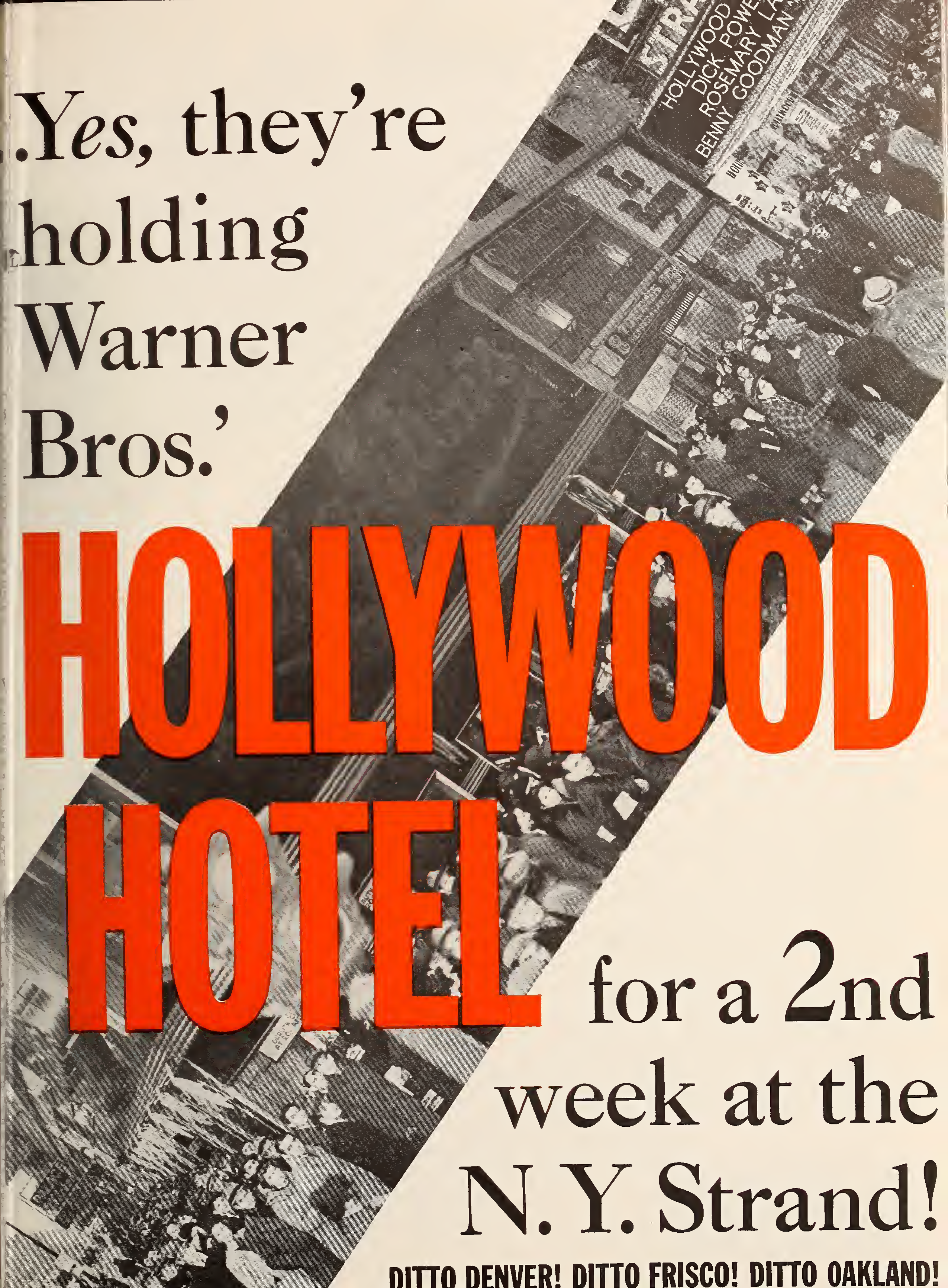
Arthur Hornblow Gains

Los Angeles, Jan. 20.—Arthur Hornblow, producer, is recovering from an emergency operation for appendicitis performed yesterday.

SMPE Meetings Are Set

The Society of Motion Picture Engineers will hold its spring meeting in Washington April 25-28. The fall meeting will be held in Detroit.

Y*es*, they're holding Warner Bros.'


STRA
'HOLLYWOOD
DICK POWE
ROSEMARY LA
BENNY GOODMAN

HOLLYWOOD HOTEL

for a 2nd week at the N. Y. Strand!

DITTO DENVER! DITTO FRISCO! DITTO OAKLAND!

"Hurricane" Double Smash On the Coast

Los Angeles, Jan. 20.—"The Hurricane" proved a double smash at Warners' Hollywood and Downtown. It skimmed the cream off the first run business by pulling $22,500, over normal by $8,500, at the Hollywood, and $23,400, up by $11,400, at the Downtown.

"In Old Chicago," with a premiere to help, pulled $12,700 at the 900-seat 4-Star. This was $4,700 above average. "Wells Fargo" held up to $15,600 in its second week.

Total first run business was $132,341. Average is $115,200.

Estimated takings for the week ending Jan. 19:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 4th week. **Gross:** $13,214. (Average, $17,000)

"MAN-PROOF" (M-G-M)
"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $11,617. (Average, $12,500)

"THE SKI CHASE"
ESQUIRE—(900), 40c-75c, 5 days. **Gross:** $1,400. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 6 days. (Including premiere $5.50. **Gross:** $12,700. (Average, $8,000)

"THE KING SMILES; PARIS LAUGHS"
GRAND—(750), 35c-40c, 6 days. **Gross:** $1,500. (Average, $1,200)

"YOU'RE A SWEETHEART" (Univ.)
"PRESCRIPTION FOR ROMANCE" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $8,800. (Average, $8,000)

"MAN-PROOF" (M-G-M)
"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $13,110. (Average, $14,000)

"YOU'RE A SWEETHEART" (Univ.)
"PRESCRIPTION FOR ROMANCE" (Univ.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $8,500. (Average, $8,000)

"WELLS FARGO" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days, 2nd week. Stage: F. & M. revue, Jack Law and his orchestra. **Gross:** $15,600. (Average, $18,000)

"THE HURRICANE" (U. A.)
"EXPENSIVE HUSBANDS" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $22,500. (Average, $14,000)

"THE HURRICANE" (U. A.)
"EXPENSIVE HUSBANDS" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $23,400. (Average, $12,000)

Warners Try Quizz Bee

Mansfield, O., Jan. 20.—Warners' Ohio has inaugurated a "Quizz Bee" to be held weekly. Free tickets are awarded to persons submitting questions and correct answers, and these, in turn, are submitted to five persons on the stage on the designated night. Three cash awards are given the persons answering the greatest number of questions correctly. The name "Quizz Bee" was selected through a name contest.

Shift Raleigh Managers

Raleigh, N. C., Jan. 20.—Cecil B. Rosson, formerly of Durham, is the new manager of the Palace here, succeeding R. D. Stallings, who is now supervisor of the Palace and Capitol. J. H. Stelling, former Capitol manager, has been transferred to Bluefield, W. Va. Ed Hough of Charlotte is the new manager of the Wake here, succeeding C. R. Glenn, who resigned to manage two Paramount houses in Bristol, Tenn.

"Damsel" and Show $25,000 Detroit Best

Detroit, Jan. 20.—"Damsel in Distress," helped by a stage show headed by Dorothy Stone and Charles Collins' band, turned in a strong $25,000 at the Michigan. This was $5,000 over par.

"You're a Sweetheart," with Vincent Lopez and his band on the stage at the Fox, were good for $23,500. "Love and Hisses," in its second week, with "The Westland Case" as the other half of a dual bill, was strong at $7,500 in the Adams. "The Hurricane" held up to a par $10,000 in its third week at the Madison.

Total first run business was $79,200. Average is $70,000.

Estimated takings for the week ending Jan. 13:

"LOVE AND HISSES" (20th-Fox) (2nd week)
"WESTLAND CASE" (Univ.)
ADAMS—(1,770), 15c-50c, 7 days. **Gross:** $7,500. (Average, $5,000)

"YOU'RE A SWEETHEART" (Univ.)
FOX—(5,100), 15c-75c, 7 days. Stage: Vincent Lopez orchestra, Jimmy Hadreas, George Prentice, Helen & Tommy Nip, Jr., Chester Dolphin. **Gross:** $23,500. (Average, $20,000)

"DAMSEL IN DISTRESS" (RKO)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Dorothy Stone and Charles Collins' band, Three X Sisters, Schictl's Marionettes, Miles-Kirk & Howard, Three Reddingtons. **Gross:** $25,000. (Average, $20,000)

"WELLS FARGO" (Para.) (2nd week)
"NIGHT CLUB SCANDAL" (Para.)
STATE—(3,000), 15c-50c, 7 days. **Gross:** $6,000. (Average, $5,000)

"MAN-PROOF" (M-G-M)
UNITED ARTISTS—(2,070), 15c-75c, 7 days. **Gross:** $7,200. (Average, $10,000)

"HURRICANE" (U.A.)
MADISON—(2,000), 15c-75c, 7 days, 3rd week. **Gross:** $10,000. (Average, $10,000)

Duane Boston Club Head

Boston, Jan. 20.—Thomas Duane of Paramount has succeeded Herman Konnis of Universal as head of the Boston Motion Picture Salesmen's Club. Thomas Donaldson and Henry Rosenblatt of M-G-M are respectively vice-president and treasurer, as the result of the recent annual election. Samuel Seletsky of Republic is secretary, while Nathan Ross, resigned from Grand National, is sergeant-at-arms. James Kennedy, also resigned from Grand National, Henry Worden of M-G-M, Herman Konnis of Universal, John Gubbins of Paramount, Henry Goldman of Warner, John Davis of Republic, and Maynard Sickles of Capitol Theatre Supply fill out the new executive board.

Tampa Scales Raised

Tampa, Jan. 20.—The first tilt in theatre prices here since the tax was placed upon tickets selling in excess of 40 cents came this week when the Park raised rates five cents for four days each week, Fridays through Mondays.

The Park, one of the Sparks houses in the Hyde Park district, has been playing double features at 30-35 cents.

Kniffen Now Exhibitor

Toronto, Jan. 20.—L. B. Kniffen, formerly service engineer for Dominion Sound Equipments, Ltd., in Western Ontario, has taken over the Bluewater at Kincardine, Ont.

"Sweetheart" and Show Hub's Leader

Boston, Jan. 20.—"You're a Sweetheart" proved to be the best draw of the week coupled with a stage show featuring Ethel Waters at the RKO Memorial. The gross reached $26,000, above average by $4,000.

"Rosalie" in a second week, was strong at Loew's Orpheum with a take of $16,000, over the line by $4,000. At Loew's State the same program, also in a second week, grossed, $13,000, which was $2,000 above average.

Total first run business was: $93,000. Average is $90,500.

Estimated takings for the week ending Jan. 14:

"MISSING WITNESS" (W. B.)
"LOVE ON TOAST" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $3,800. (Average, $4,500)

"ROSALIE (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-40c-55c, 7 days, 2nd week. **Gross:** $16,000. (Average, $12,000)

"ROSALIE" (M-G-M)
LOEW'S STATE—(3,537), 25c-40c-55c, 7 days, 2nd week. **Gross:** $13,000. (Average, $11,000)

"YOU'RE A SWEETHEART" (Univ.)
RKO MEMORIAL—(2,970), 35c-50c-65c, 7 days. Stage: Ethel Waters. **Gross:** $26,000. (Average, $22,000)

"LOVE AND HISSES" (20th-Fox)
METROPOLITAN—(4,332), 25c-40c-65c. 7 days. Stage: Ella Logan. **Gross:** $19,000. (Average, $22,000)

"MISSING WITNESS" (W. B.)
"LOVE ON TOAST" (Para.)
PARAMOUNT — (1,739), 30c-40c-55c, 7 days. **Gross:** $6,000. (Average, $7,000)

"DAMSEL IN DISTRESS" (RKO)
"TARZAN'S REVENGE" (20th-Fox)
RKO BOSTON—(3,246), 36c-40c-65c, 7 days. **Gross:** $10,000. (Average, $12,000)

"Stage Door" Gets $17,000, Cleveland

Cleveland, Jan. 20.—"Stage Door" was way out in front in a week during which business took a general nosedive. "Stage Door" went $5,000 over the Warners' Hippodrome $12,000 average to a take of $17,000. It was moved to the Allen for a continued downtown run.

"Rosalie" at Loew's Stillman where it played a second week after a tremendous opening week at Loew's State went to $7,000. This was $1,000 over par.

Total first run business was $59,500. Average is $61,500.

Estimated takings for the week ending Jan. 14:

"CHARLIE CHAN AT MONTE CARLO" (20th-Fox) (4 days)
"THANK YOU MR. MOTO" (20th-Fox) (3 days)
ALLEN—(3,000), 30c-35c-42c-55c. **Gross:** $4,500. (Average, $6,000)

"STAGE DOOR" (RKO)
WARNERS' HIPPODROME—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $17,000. (Average, $12,000)

"SHE'S GOT EVERYTHING" (RKO)
RKO PALACE—(3,100), 30c-42c-60c-75c, 7 days. Stage: Three Stooges, Monte Blue, Mary Dee and vaudeville. **Gross:** $17,500. (Average, $20,000)

"THE LAST GANGSTER" (M-G-M)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $13,500. (Average, $15,000)

ROSALIE" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $6,000)

Reopen at Indianapolis

Indianapolis, Jan. 20. — B. F. Keith's will reopen Jan. 22 under lease of the Central City Amusement Co., operators of the Cozy, Ambassador and Alamo. Subsequent run double features will be shown.

"Wells Fargo" Washington's Top, $23,800

Washington, Jan. 20. — "Wells Fargo" shot the Earle gross to $[illegible]800, to exceed average by $5,400. The picture will continue at the Metropolitan, starting January 21.

"The Hurricane" also swept Loew's Palace to $17,100, to top average by $1,200. "Man Proof" at Loew's Columbia was good for $4,600, or $1,000 over the first run par. "Dr. Syn" at the Metropolitan did $4,800, to go over average by $500.

Total first run business was $75,300. Average is $73,700.

Estimated takings, exclusive of tax, for the week ending Jan. 13:

"WELLS FARGO" (Para.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Louise Massie & Her Westerners; Stanley Brothers; Monroe & Grant; Nadine Gae; Ballet of 16. **Gross:** $23,800. (Average, $18,400)

"BAD MAN OF BRIMSTONE" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: LePage; Jack LaRue & Vince Barnett; Beauvell & Tova; Sims & Bailey. **Gross:** $18,000. (Average, $20,900)

"MAN-PROOF" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,600. (Average, first run, $3,600)

"THE HURRICANE" (U. A.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $17,100. (Average, $15,900)

"DOCTOR SYN" (G. B.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $4,800. (Average, $4,300)

"A DAMSEL IN DISTRESS" (RKO)
RKO-KEITH'S—(1,836), 25c-55c, 7 days, 2nd week. **Gross:** $7,700. (Average, 1st week, $10,600)

"Thrill," 2 Bands Indianapolis Hit

Indianapolis, Jan. 20.—"Thrill of a Lifetime," with a "battle of swing" presented on the stage by Don Bestor and his orchestra vs. Clyde McCoy and his orchestra brought the Circle record-breaking business of $14,000, $9,500 above the line.

Ted Lewis and his revue, an old favorite here, did a nifty $11,000 at the Lyric, $3,000 upstairs. "Thank You, Mr. Moto" was the film.

Total first run business was $37,500. Average is $30,500.

Estimated takings for the week ending Jan. 14:

"TOVARICH" (W. B.)
APOLLO—(1,100), 25c-40c, 7 days, 2d week. **Gross:** $2,500. (Average, $4,000)

"THRILL OF A LIFETIME" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. Stage: Don Bestor's and Clyde McCoy's orchestras in "Battle of Swing." **Gross:** $14,000. (Average. $4,500)

"YOU'RE A SWEETHEART" (Univ.)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $7,000)

"THE LAST GANGSTER" (M-G-M)
"SHE MARRIED AN ARTIST" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $6,500. (Average, $7,000)

"THANK YOU, MR. MOTO" (20th-Fox)
LYRIC—(2,000). 25c-40c, 7 days. Stage: Ted Lewis and Revue. **Gross:** $11,000. (Average, $8,000)

College Plans Theatre

Oberlin, O., Jan. 20.—Two theatres with a seating capacity of 3,000, to be used for showing educational films and lectures, and a 4,000-seat outdoor "nature theatre" for presentation of classical productions where natural scenery can be employed will be incorporated in the Oberlin College auditorium under construction here.

Get an Eyeful!!

E "FILM DAILY" says....

Smash Comedy

Charles Kemper does an out-
anding job that rates him as one
the real comedians operating in
he short story field. Also in line
or special mention is Danny Kaye,
who is his fi st vi tim as a patient.
The ga las mar
ried ath

ves him
ood before
e w ding. So
Charlie is ou do a real job on
Danny. He does. These two come-
dians put on a show that for or-
iginal and clever comedy has not
been topped in the films. They are
a riot number, and should go far
and clean up.

KEEP BOTH EYES ON THESE TWO COMICS

CHARLES KEMPER
and
DANNY KAYE
in
"Getting an Eyeful"

Educational Pictures
"THE SPICE OF THE PROGRAM"
Reg U S Pat Off

Presented by
W. HAMMONS

DISTRIBUTED IN U.S.A. BY 20TH CENTURY-FOX FILM CORPORATION

NBC Starts Work On New Studios For West Coast

HOLLYWOOD, Jan. 20.—NBC yesterday began construction of a new Hollywood radio center, following by two days the laying of the cornerstone for the new CBS studios here.

The new NBC buildings will be located on Vine St. and Sunset Boulevard, and the cost of the project is estimated to be $2,000,000.

The steam shovel was set in operation by Don Gilman, vice-president in charge of NBC operations on the coast, and among those assisting in the ceremonies were Marion Talley, Irene Rich, Harriet Hilliard, Barbara Jo Allen and others.

The radio plant will consist of four individual sound stages not unlike those of the film studios. Provision also will be made for future television broadcasts.

NBC opened new studios in Hollywood two years ago, but so great has been the program migration to here in this period that the studios were soon outmoded.

Bernie to Preview Programs

Ben Bernie has decided to make a regular practice of previewing his programs before offering the material on the air. The previews will take place in a CBS playhouse each Monday before a studio audience, but the performance, of course, will not be broadcast. Following revisions, if they are necessary, the show willl be broadcast at its regular time, Wednesdays, over CBS. U. S. Tire Co. sponsors, and the agency is Campbell-Ewald.

To Preview "Ports of Call"

Atlas Radio Corp. is completing arrangements for a special preview of their feature, "Ports of Call," to be played before representatives of the Latin American republics. The meeting will be in line with the observance of Pan-American Day, April 14, and will be held in Washington under the sponsorship of the producers and distributors of the feature.

Cook to Address National Board

Alistaire Cook, whose program, "Critic on Broadway," is heard over NBC, will speak before the annual conference of the National Board of Review this afternoon in the Pennsylvania Hotel. He will speak on "Movies and Popular Criticism."

New CBS Series Starts Soon

A new CBS series, "The Jewel Cowboys," will be presented Saturdays from 10:30 to 11 A. M., beginning Feb. 5. The program will come from WREC, Memphis.

Heatter on Manville Series

Gabriel Heatter will begin a transcribed series for the Johns Manville Co. over WOR Feb. 1, and thereafter Tuesdays, Thursdays and Saturdays from 4:55 to 5 P.M.

King Whyte Joins KVOA

SAN DIEGO, Jan. 20.—King Whyte has joined the dramatic staff of KGB, local Mutual-Don Lee affiliate. Whyte was formerly with KVOA, Tucson, as station manager.

Hearings Ordered on Four G.E. Television Stations

WASHINGTON, Jan. 20.—Application of the General Electric Co. for authority to construct four television stations to be located at Albany and Schenectady and Bridgeport, has been placed by the Federal Communications Commission on the examiner's calendar for hearings, date for which will be set later.

Two of the stations would be located at Schenectady, one to operate, video only, in the 156,000-162,000 kilocycle band with a power of 40 watts. the other, also confined to video, to operate in the 44,000-50,000 kilocycle band with 40 watts. The Albany station would operate in the 44,000-50,000 kilocycle band with a power of 10,000 watts for video and 3,000 watts for aural transmission, and the Bridgeport station would operate on 66,000 kilocycles for video, with 10,000 watts, and 72,000 kilocycles for aural, with 3,000 watts.

Several Hearings Dated

A number of other applications were also ordered to be set for hearing, among them requests for new stations filed by the Cuyahoga Valley Broadcasting Co., Cleveland, 1,500 kilocycles, 100 watts, daytime; Fredericksburg, Broadcasting Corp., Fredericksburg, Va., 1,200 kilocycles, 250 watts, daytime; McComb Broadcasting Corp., McComb, Miss., 1,200 kilocycles, 100 watts, daytime; and Chester Howard and Clarence Berger, Wallace, Idaho, 1,420 kilocycles, 100 watts night, 250 watts day.

Station applications set for hearing included those of WBRY, Waterbury, Conn., for increase of power from 1,000 to 5,000 watts; WMBG, Richmond, Va., for increase of power from 500 to 1,000 watts night, 5,000 watts day; WEMP, Milwaukee, for increase of time from day to unlimited; and WBEN, Buffalo, for increase of night power from 1,000 to 5,000 watts.

The commission announced that it had received examiners' reports recommending the granting of applications of the Sims Broadcasting Co., for a new 1,210-kilocycle station at Globe, Ariz., with 100 watts night, 250 watts day; Gila Broadcasting Co. for a new 1,420-kilocycle station at Safford, Ariz., with 100 watts night, 250 watts day; Harwell V. Shepard for a new 1,420-kilocycle, 100-watt daytime station at Denton, Tex., and WSAY, Rochester, for increase of time from day to unlimited with 100 watts night, 250 watts day; WAAB, Boston, for increase of night power from 500 to 1,000 watts; WEED, Rocky Mount. N. C., for change of frequency from 1,420 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts; and the application of Gerald A. Travis for a new 1,420-kilocycle. 250-watt daytime station at LaPorte, Ind.

Four Pleas Denied

Other reports recommended denial of applications of Curtis Radiocasting Co., for a new station at Evansville, Ind.; William C. Smith for a new station at Bogalusa, La.; Fred M. Weil for a new station at Grand Coulee, Wash., and KGAR, Tucson, Ariz., for change of frequency from 1,370 to 1,340 kilocycles and increase of night power from 100 to 250 watts.

Renew Drackett Show On NBC for 13 Weeks

"Hello Peggy," script show sponsored by the Drackett Co. in the interests of Drano and Windex, has been renewed for an additional 13 weeks. The program is heard Wednesdays and Fridays at 11:45 A. M. over the NBC-Red. Not yet affected by the renewal are stations in seven additional areas serviced by electrical transcriptions. The Ralph H. Jones Co. is the account agency.

Rossi to Start on NBC

Tino Rossi, French tenor who was signed for American broadcasting by John Royal, NBC vice-president, while the latter was abroad recently, has arrived here, and, starting Jan. 24, he will be presented Mondays and Fridays from 7:45 to 8 P. M. on the Blue.

McBride Show to Add Stations

Mary Margaret McBride's CBS program for General Foods Corp. will add stations in Fresno and Sacramento, Cal., effective with the next broadcast. The additions will give the show a network of 40 stations. Young & Rubicam is the agency.

Atlas Radio Names McEwan

KANSAS CITY, Jan. 20.—R. W. McEwan has been named representative of the Atlas Radio Distributing Corp. for the southwest central zone, with headquarters here.

Ontario Church Hits Programs on Sundays

TORONTO, Jan. 20.—Following the action of religious groups in Quebec in protesting against commercial radio broadcasts on Sunday, the Toronto Presbytery of the Presbyterian Church has complained to Premier M. F. Hepburn of Ontario against "the continuous breaking of the Lord's Day" by so-called free shows in theatres and commercially sponsored contests and other programs on the radio on Sundays. These include sing-songs and amateur concerts in local theatres for which a silver collection is taken.

It is fully expected that the Ontario Government will take action in the matter at its forthcoming legislative session which will open in Toronto on Feb. 23.

Take Second KJBS Newscast

SAN FRANCISCO, Jan. 20.—The Diamond Palace, jewelers, have contracted for a second daily news broadcast over KJBS. A quarter-hour musical show has been sold to Meyer Bottling Co., once a week for six months. Other new accounts include Casey Car. Co., Liberty Theatre, Hales Mission Store, Shirar-Young.

Kennedy Goes to Coast

CINCINNATI, Jan. 20.—Paul Kennedy, radio editor of the *Cincinnati Post,* has gone to Los Angeles by plane to interview radio personalities, and possibly do some broadcasting.

New Shows On the Air

"Cheer Up, America"

"Cheer Up, America," new comec series sponsored by the Mennen C over a limited NBC-Red networ hews to a hidebound style in pre ing a comedian, band and vocal gr but despite its uninspired formula managed to get off to a breezy star chiefly by virtue of a hard workin cast.

Henry Burbig, who is featured, use a singularly hackneyed comedy scrip but what he had to sell he sold wel Frank Novak's novelty band and "Th Funnyboners" rounded out the 1 minute period with comedy songs.

"Cheer Up, America" is presente Wednesdays from 7:45 to 8 P.M.

BANNE

Dramatic Show Will Start on WLW Lin

CINCINNATI, Jan. 20.—A three time weekly dramatic show, "That's M Story," will make its premiere ove WLW, WFIL and WHN of th WLW Line on Jan. 24. The show will hold the 6:15 to 6:30 P.M. spot Mondays, Wednesdays and Fridays for 52 weeks. The sponsor is Libby McNeill & Libby; the agency is J Walter Thompson.

Other Crosley business: U. S. Advertising Corp. is trying a new program this week over WSAI for Boot Fisheries, with Peter Grant; Molle "Vox Pop" show has been renewe over WSAI for another year beginning Feb. 1; General Foods Corp morning news show over WLW ha been renewed for 52 weeks by Bento & Bowles; the Drackett Chemical Co dramatic serial, "Peggy at the Switchboard," has been renewed for a yea over WLW by the Ralph H. Jones Co

WMCA Will Sign as WLW's Local Outle

While it has not yet been officiall admitted, WMCA has signed to become the New York outlet of the WLW Line, replacing WHN. Confirmation will be issued on Monday

C. R. Bohnsack Is Let Out by WNYC

Christy R. Bohnsack yesterday was dismissed from his job as program director of WNYC, New York's municipal station, by Commissioner of Public Works Edward J. McGrew, Jr.

Bohnsack recently was tried on charges of being absent without leave and failure to cooperate. He has denied the charges and it is believed he will appeal the dismissal.

"Secret Diary" on WKRC Jan. 25

CINCINNATI, Jan. 20. — "Secret Diary," a new script series sponsored by French Bauer, Inc., will begin over WKRC Jan. 25 Frederic W. Ziv, Inc., is the agency.

G. E. Plans Cooperative Air Use

General Electric Co., through the Maxon agency, is organizing local utilities throughout the country for a cooperative campaign of spot broadcasts to promote its home utilities.

Around the Country

Chicago

Olan Soule, Truman Bradley and uddy Rogers are on the radio committee for the annual President's Ball which will be held at the Palmer House, Jan. 29. . . . Barbara Luddy and Charles Carroll of "Margot of Castlewood" are a local item. . . . Muriel Monsell, former M-G-M player, is scheduled for a leading role in Fritz Blocki's "Court of Missing Heirs" show. Margot Napier is another new addition to the show. . . . Clark Dennis is back from New York after auditions for the Coca-Cola show. . . . Les Tremayne accidentally set fire to the bandages on his injured left hand and almost had another casualty. . . . Katherine B. Persons is at NBC temporarily taking Leslie Edgely's place in the continuity department.

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Pittsburgh

Irene McKenna is guest-singing with the Basin Street Band on WWSW . . . Frank Seidel, special writer at WCAE, lost his mother and Harold Goldstein, of the continuity department at the same station, his father, last week . . . Chuck Webster, who once acted with the George Sharp stock company at the Pitt, is now an announcer at KDKA . . . Brian McDonald has had his contract renewed as master of ceremonies on the WJAS-Wilkens amateur hour for the third consecutive year . . . Paul Shannon of WWSW's Wayside Theatre group, will be married Jan. 22 to Jane Elizabeth Best . . . Jean Hoff, Chicago singer, has been added to KDKA's artists staff . . . Dave Rubinoff's son-in-law, Bob Clayman, who used to lead his own band, is now in the booking business.

✚

San Francisco

Curtiss Peck has been named engineer in charge of NBC's local studios, KPO-KGO, following the transfer of A. H. Sexton to Hollywood . . . Ben Harkins and Dorothy Diven are heard in a new twice-weekly KFRC show, "Dramelodies," in which they sing and dramatize the stories of well known tunes . . . Veryl Carew, 14-year-old local singing prodigy, has been signed for 39 weeks on Signal Oil's "Carnival" . . . Eileen Piggott, who plays Ma Smithers in KGO's "Memory Lane," and tenor Graham Dexter eloped to Yuma, Ariz.

Webster to Wisconsin Net

GREEN BAY, Wis., Jan. 20.—W. C. Webster for the past two years connected with WHBY, Inc., and for the past six months director of radio sales for WTAQ and WHBY, both operated by WHBY, Inc., has been appointed to the sales department of the new Wisconsin Radio Network Sales offices.

The Wisconsin network, organized as a mutual network of Wisconsin stations last September, now has six stations in the link, and more will be added later. Stations now affiliated are WHBY, KFIZ, WIBU, WHBL, WOMT and WCLO.

From Mike to Pills

Charles Tramont, NBC announcer, has resigned to enter the practice of medicine in Mount Vernon, O.

Tramont, for many years a night announcer, studied medicine during day hours at the New York Medical College, and recently interned at the Fifth Ave. Hospital.

Examiners' Hearings For March Are Dated

WASHINGTON, Jan. 20.—The Federal Communications Commission today set a number of broadcasting applications for examiners' hearings, as follows:

March 4: Applications of Mollin Investment Co., for an 1,160-kilocycle, 100-watt daytime station at Huntington Park, Cal.; Continental Radio Co. (Scripps-Howard Radio, Inc.) for a 1,310-kilocycle station at Washington, D. C., with 100 watts power night, 250 watts day; and U. S. Broadcasting Co. for a 1,310-kilocycle, 100-watt station at Washington, D. C.

March 7: KRMC, Jamestown, N. D., seeking change of frequency from 1,310 to 900 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day; WHIS, Bluefield, W. Va., seeking increase of night power from 500 to 1,000 watts; WROK, Rockford, Ill., seeking increase of night power from 500 to 1,000 watts, and WBCM, Bay City, Mich., seeking an increase of its night power from 500 to 1,000 watts.

Pawtucket Asks Station

March 8: Applications of Pawtucket Broadcasting Co. for a 1,390-kilocycle, 1,000-watt station at Pawtucket, R. I.; WLAP, Lexington, Ky., for change of frequency from 1,420 to 1,270 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; and WPAX, Thomasville, Ga., for increase of time from day to unlimited with 100 watts power night, 250 watts day.

March 11: Applications of George H. Payne for a new 1,440-kilocycle, 500-watt station at San Jose, Cal., and Dan B. Shields for a new 1,200-kilocycle, 100-watt station at Provo, Utah.

March 15: Applications of WNEW, New York, for increase of day power from 2,500 to 5,000 watts; WAIR, Winston-Salem, N. C., for increase of time from day to unlimited; and WGNY, Newburgh, for change of frequency from 1,210 to 1,220 kilocycles and increase of power from 100 to 250 watts.

Asks Permit for Biloxi

WASHINGTON, Jan. 20.—Application for authority to construct a new broadcasting station at Biloxi, Miss., to operate on 1,210 kilocycles with a power of 100 watts night, 250 watts day, has been filed with the Federal Communications Commission by George Blumentock.

Also filed is an amended application from WOC, Davenport, Ia., for an increase of power from 100 watts night, 250 watts day, to 1,000 watts. The original application of the station sought a change of frequency from 1,370 to 1,390 kilocycles and increase of night power from 100 to 250 watts.

Columbus Stations In Union Contract

COLUMBUS, Jan. 20.—Approximately $23,000 annually for the next two years will be paid union staff musicians by the three local radio stations under contract with Local 103, as part of the nation wide settlement agreement between the A. F. of M. and network affiliated stations.

The scale is $7 per hour of commercial or sustaining broadcasting; $5 per half-hour and $3 per quarter-hour, with double pay for the leader. All musicians required by stations in addition to their staff men will be paid on this scale.

The total annual expenditure of each station for live music is based on a rate of five and one-half per cent of the station's gross business in 1937. WBNS will employ 11 men with a total expenditure of approximately $15,000 a year, WHKC, four musicians at a total of $5,300, and WCOL, three men at $2,700. WCOL is employing staff musicians.

No Comment on Strike Threat

MIAMI, Jan. 20.—Joseph N. Weber, president of the American Federation of Musicians, the executive board of which is currently in session here, refused comment regarding the New Orleans stations which have threatened to strike against the I.R.N.A. pact. He said he would release a statement for the press later this week.

Duplicate Controls Are Built at KDYL

SALT LAKE CITY, Jan. 20.—John M. Baldwin, KDYL chief engineer, has just completed installation of a duplicate control room, with auxiliary 78 and 33⅓ r.p.m turntables, a new system of studio control lights and relays, another Western Electric 23A speech input system and high-fidelity audition equipment.

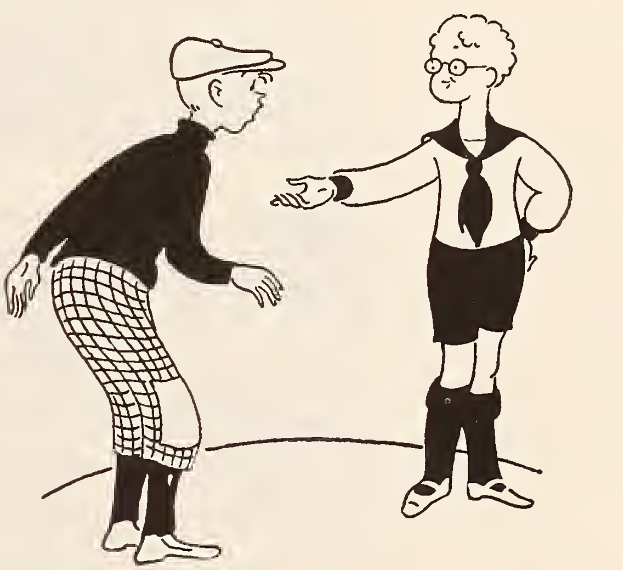
A complete call system throughout KDYL's various departmental offices, with centralization in the general manager's office, has also been completed.

To Cover Normandie Cruise

WOR-Mutual has completed arrangements to cover events aboard the *Normandie* during the vessel's cruise to Rio. Two engineers and Jack Arthur will be aboard when the boat leaves Feb. 5. Thus far two broadcasts have been scheduled, the first when the boat is one day out, the second Feb. 16, while the *Normandie* is in the harbor at Rio.

Mutual Show to KFEL

Mutual's "American Radio Warblers," commercial, will be taken by KFEL, Denver, effective Jan. 23. Sponsored by American Bird Products Co., the series is now heard as a paid show over WGN and WHB, and sustaining to the rest of the network.



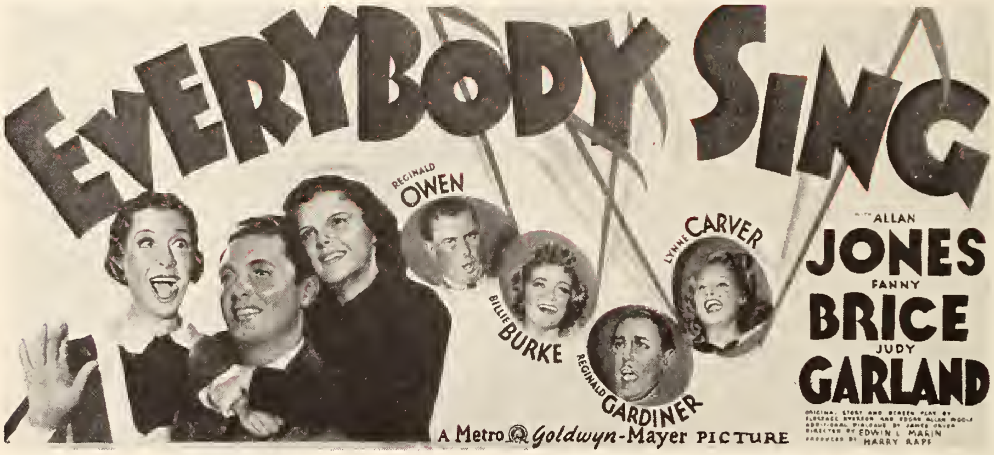
KID STUFF

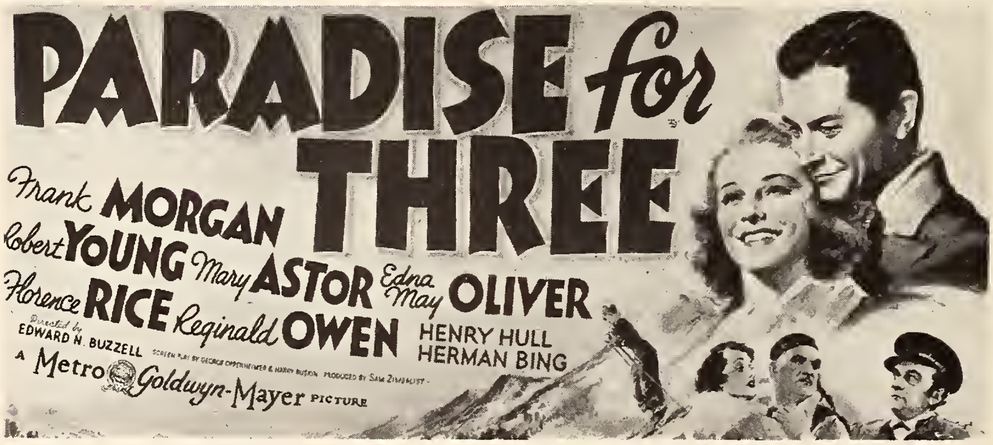
Even a child can detect the sound-difference between a recording made at WOR's modernly equipped studios and one to be had elsewhere. And the cash difference in money spent leaves you something to gloat over when you get the bill. That's why Young & Rubicam, Fanchon & Marco, Lord & Thomas, B B D & O, and more than fifty other *smart radio people keep on buying this extra-for-less.*

WOR ELECTRICAL TRANSCRIPTION and RECORDING SERVICE

TIP-OFF!

2 More M-G-M Hits!


EVERYBODY SING
REGINALD OWEN
BILLIE BURKE
REGINALD GARDINER
LYNNE CARVER
with ALLAN JONES
FANNY BRICE
JUDY GARLAND
A Metro-Goldwyn-Mayer PICTURE


PARADISE for THREE
Frank MORGAN
Robert YOUNG
Mary ASTOR
Edna May OLIVER
Florence RICE
Reginald OWEN
HENRY HULL
HERMAN BING
Directed by EDWARD N. BUZZELL
A Metro-Goldwyn-Mayer PICTURE

Both Previewed in California! Read the Papers!

AND A FISTFUL MORE COMING!

"Yank at Oxford"—*Robert Taylor*

"Girl of the Golden West"—
Jeanette MacDonald, Nelson Eddy

The $5,000 Title Contest Picture
Temporarily called "Benefits Forgot"

"Test Pilot"—*Clark Gable, Myrna Loy*

"Merrily We Live"—*Constance Bennett, Brian Aherne*
(Successor to Hal Roach—M-G-M's "Topper")

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

L. 43. NO. 18 NEW YORK, SATURDAY, JANUARY 22, 1938 TEN CENTS

BS Had Nine '37 Clients in Million Class

ombined Expenditures Were $28,722,118

Nine CBS clients each spent more n $1,000,000 with that network ing 1937, a statistical breakdown the year's business reveals, and ir combined expenditures equaled roximately half the network's total ss billings for 1937, amounting to ,722,118.

he largest individual expenditure by Lever Bros. Co. with a total ss billing of $2,182,123. In 1936, network's leading client was Col-e-Palmolive-Peet.

Colgate was second in 1937, with ss billings of $1,880,870, and the en others in the $1,000,000 or over cket were: Ligget & Myers, $1,-,541; Ford Motor Co., $1,649,309;

(Continued on page 4)

essel to Produce More Shows for Air

HOLLYWOOD, Jan. 21.—In addition to aining his own show on Mutual ndays and working in a production visory capacity on M-G-M Maxwell use Coffee's "Good News of 1938," orge Jessel is starting his own radio duction agency for other programs, sale to sponsors.

ncluded in the shows Jessel is rking on is a variety program, rring Harpo Marx, with Sid Sil-s and an orchestra. The title has n set as "All the World's a oge."

Three script shows are being pre-ed—Dr. Thomas F. McLaughlin's cience vs. Crime," telling of scien- methods of investigating and ving crime; "Hollywood Success ory," which delineates the rise of ious film stars, and "Dogs of Hol-ood Stars," continuity aimed at mal lovers.

usic Situation in New Orleans in Air

NEW ORLEANS, Jan. 21.—The local lio music situation is up in the air the moment, due to the intercession Joseph N. Weber, president of the erican Federation of Musicians, o has requested that no immediate ike action be taken against WDSU l WSMB, local stations which have

(Continued on page 4)

More Radio—P. 4

Warner Calls 'Time' Issue Pro-Nazi; Reel in Denial

Harry M. Warner, president of Warners, characterized the March of Time release, "Inside Nazi Germany—1938," as "pro-Nazi propaganda," in a statement yesterday explaining why the Warner theatres had refused to book the release in the circuit. He declared, "We do not intend to make our screens a medium for the dissemination of propaganda for Germany, no matter how thinly veiled that purpose may be."

Shortly following the issuing of the Warner statement, Time, Inc., through Louis de Rochemont, producer of March of Time, replied with a denial of the Warner charges, pointing out not only that the reel has been recommended by notable personages prominent for their opposition to Nazi doctrines but also that various German consuls have requested that it be withdrawn from exhibition.

Warner in his statement said:

"Considerable confusion among public and press appears to have followed our action in not showing 'Inside Nazi Germany—1938,' the current issue of March of Time. At the time our decision was made it did not seem necessary for us to make any explanation, but since we have been asked for our reasons we feel no hesitancy in making our position clear.

"'Inside Nazi Germany—1938,' in

(Continued on page 3)

Review Board Hits Political Censoring

A resolution condemning political censorship in all its forms was adopted without a dissenting vote at the second day's sessions of the 14th annual conference of the National Board of Review at the Hotel Pennsylvania. In previous years it has happened that such resolutions have met with some opposition. Between 350 and 400 attended yesterday's meetings.

The conference decided to take under advisement a proposal for a "national motion picture week" proposed by Mrs. Richard M. McClure, head of the Better Films Council of Chicago and formerly film chairman of the General Federation of Women's Clubs. It is her thought that this would be sponsored by local film groups, similar to National Book Week.

A discussion of March of Time's

(Continued on page 3)

Allied Legal Group In Talks at Capitol

WASHINGTON, Jan. 21.—Members of the legislative committee appointed yesterday at the board meeting of Allied States today spent most of their time at the Capitol, conferring with friendly members of Congress, among them Majority Leader Rayburn of Texas.

Following the Capitol meetings, the committee went to the Department of Justice where they had an interview of more than an hour's duration with Assistant Attorney General Robert H. Jackson, in charge of the anti-trust division.

Members of the committee are now returning to their homes but are expected to come back to Washington in about two weeks for further consideration of the legislation which the board yesterday determined to frame for introduction in Congress.

RKO Circuit Takes March of Time Reel

The RKO circuit yesterday decided to book the controversial March of Time release, "Inside Nazi Germany—1938," into the entire circuit. It will open in the RKO houses in the metropolitan area probably on Tuesday. Out of town it opened yesterday at the RKO Boston and in the circuit's theatre in Washington.

Other circuits were expected to use the film. It was pointed out at Loew's that the circuit does not generally run the March of Time releases in any but a few situations, and that the circuit's houses are for the most competitive to those of RKO, which takes the reel.

The Embassy on Broadway, where the reel opened Thursday, reported stand-out business at all performances yesterday. There were a few fist fights

(Continued on page 3)

Thomson Is Reticent On Reason for Visit

Kenneth Thomson, executive secretary of the Screen Actors' Guild, declined comment last night on coast reports that he was in the east to answer the claims of the I. A. T. S. E. to jurisdiction over all film workers, including actors.

Admitting that he had been in Washington yesterday, Thomson said "I'd rather not answer that," when asked if he had conferred there with A. F. of L. or I. A. T. S. E. officials on the jurisdictional claims of the latter. The Screen Actors Guild is chartered by the Associated Actors & Artistes of America, the parent A. F. of L. union for the entertainment field. Frank Gillmore, president of the Four A's, accompanied Thomson to Washington and is remaining there for House tax committee hearings on the

(Continued on page 3)

Tax Receipts For 1937 Top Total for '36

Federal Collections Put At $20,974,000

By BERTRAM F. LINZ

WASHINGTON, Jan. 21.—Federal admission tax collections last year ran well ahead of 1936, despite business recession in the final months, it was reported tonight by the Internal Revenue Bureau.

December collections were $2,290,-027, nearly $48,000 above the November receipts of $2,242,573 and almost $100,000 above the December, 1936, total of $2,194,585, it was reported.

For the calendar year, receipts aggregated $20,974,000, more than $2,000,000 above 1936, when $18,-457,000 was collected, it was indicated.

Collections in 1937 ran ahead of those of the same months in 1936 throughout the entire year, the Bureau reported, comparative figures being as follows:

January, $1,505,676, against $1,459,-694 in 1936; February, $1,473,353, against $1,404,837; March, $1,539,408, against $1,255,393; April, $1,489,682, against $1,266,425; May, $1,537,119, against $1,318,765; June, $1,874,775, against $1,532,189; July, $1,633,088, against $1,568,487; August, $1,599,242, against $1,384,108; September, $1,-722,468, against $1,670,045; October, $1,966,617, against $1,797,279; November $2,242,574, against $1,605,674; December $2,290,027, against $2,-194,585.

Hearings on Taxes To Continue Today

WASHINGTON, Jan. 21.—Falling behind in its schedule, the House Ways and Means Committee today was unable to hear all persons who wished to testify regarding tax revision and ordered a session tomorrow at which the plea for an increase in the admission tax exemption will be discussed.

Scheduled to appear to ask for an

(Continued on page 3)

Stuart Doyle Leaves For Coast Tomorrow

Stuart F. Doyle, partially recovered from an attack of influenza, plans to leave for Hollywood tomorrow, where he will engage technical workers for production activities he plans to engage in on his return to Australia.

Doyle's plans for building five the-

(Continued on page 3)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII: Hans Lorant, Representative.

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"Happy Landing" in Fast Start at Roxy

Sonja Henie in "Happy Landing" yesterday gave the Roxy one of its biggest openings in months, and the theatre expects to benefit from Miss Henie's skating exhibition show which opens Monday at Madison Square Garden for a week.

The Garden reported yesterday that the reserved seats, ranging from $1.10 to $3.85, had been sold out for a week, with only 3,000 55-cent seats available at each performance.

"I Met My Love Again" wound up with $28,800 for the week at the Roxy Thursday night. The Criterion did $8,000 with "She's Got Everything."

Columbia Sales Meet Set

Columbia will hold the first of several divisional sales meetings in connection with its Montague sales drive at the Hotel Statler, Cleveland, Feb. 5. A. Montague, general sales manager, will preside, and Rube Jackter, chairman of the drive, Lou Weinberg, Louis Astor and Max Weisfeldt will attend from the home office. Sam Galanty, division manager, will head branch managers and salesmen from Cleveland, Cincinnati, Washington exchanges at the meeting.

◂ Purely Personal ▸

FLOYD B. ODLUM, Atlas Corp. head, returned yesterday from Hollywood, but due to the serious illness of his wife JACQUELINE COCHRANE ODLUM, the noted aviatrix, who is confined to a local hospital, has made no appearance at his office. PETER N. RATHVON, financial associate of ODLUM, is remaining in Hollywood for a few additional days.

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NED E. DEPINET, JULES LEVY and S. BARRET MCCORMICK postponed their scheduled trip to the RKO studio yesterday but may leave within a week or two. DEPINET said the pressure of immediate business forced the postponement.

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CLINTON M. WHITE, assistant general manager of G. B., is expected back Monday from a three-week trip. ARTHUR GREENBLATT, eastern division manager, returned yesterday from Philadelphia, Pittsburgh and Washington.

●

ARTHUR J. HOUGHTON of the Hollywood Production Code Administration staff is at M.P.P.D.A. headquarters for a visit and plans to leave for a European vacation in the near future.

●

JACK SCHULTZ of the coast office of Fanchon & Marco has signed ADRIANA CASELOTTI, ROY ATWELL and PINTO, "voices" in "Snow White and the Seven Dwarfs," for a stage act.

●

JACK COHN, Columbia vice-president, left yesterday for a vacation in Florida. He plans to remain several weeks and will go to the coast shortly after his return to New York.

●

ETHEL WALTERS, secretary to ABE MONTAGUE, Columbia general sales manager, sailed on the *Statendam* last night for a 12-day cruise to Panama and the West Indies.

●

MRS. HARRY MOORE, wife of the Governor of New Jersey, came from Trenton yesterday to see "Snow White and the Seven Dwarfs" at the Music Hall.

●

AL CHRISTIE returned from Los Angeles yesterday and went to work on plans for resuming Educational production at the Astoria Studios.

●

JACK PARTINGTON, head of the New York office of Fanchon & Marco, left yesterday for a two-week business trip to the coast.

●

FRANCIS and MRS. LEDERER have arrived from Hollywood and are at the Waldorf Astoria.

●

BUDD ROGERS of Alliance Films returned yesterday from the west.

●

W. G. VAN SCHMUS is expected back from the coast on Monday or Tuesday.

●

EMANUEL COHEN plans a trip here some time next week.

●

JACK HULBERT is in town from London.

Lincoln Grosses Up

Lincoln, Neb., Jan. 21.—January grosses here have been unusual in the face of recession talk from almost every quarter. Managers report the takes up, varying from five to ten per cent over a year ago for the same period. "Wells Fargo" at the Stuart beat any mark at the house in 1937.

Chertok Discussing Justice Dep't Films

Production of films dealing with the activities of the U. S. Department of Justice is the subject of current conferences in Washington between Jack Chertok, head of M-G-M shorts production, and department officials.

Chertok, who arrived earlier this week from the coast, went to the capital yesterday at the request of the department, which has been in correspondence with him for some time about production possibilities. The department has no film unit, as some other Government departments have, and depends on the industry to dramatize its doings.

Robert Benchley accompanied Chertok to Washington for script conferences on Benchley's next, which will deal with the intricacies of the income tax. Another Benchley subject to be made in New York is "How to Entertain a Blind Date." The scheduled short on "How to Raise a Baby" may not be made.

Chertok is due to return here by Tuesday.

Roxy Work Progressing

Rejuvenation of the Roxy, started some time ago, is progressing, with new seats, an RCA sound system and other new equipment being installed. A decorating job is also being completed. The contract whereby 20th Century-Fox took over the house last fall provided $150,000 for this purpose.

"Wells Fargo" Held Over

"Wells Fargo" is being held over in more than 20 key cities, the Paramount home office reported yesterday. It is in its fourth week in Chicago and is having extended runs in Omaha, Denver, Indianapolis, St. Louis, San Francisco and Seattle, among other situations.

Cecilia DeMille Weds

KANSAS CITY, Jan. 21.—Cecilia DeMille and Joseph W. Harper were married here tonight. The bride's father, Cecil B. DeMille, Mrs. DeMille, William Pine, Akim and Mrs. Tamiroff and Margot Grahame were present at the ceremony.

Rosenthal Quits G.N.

HOLLYWOOD, Jan. 21.—Aaron Rosenthal, comptroller of Grand National, today reisgned his post, effective Feb. 1, and left immediately by train for New York on company and private business.

Rubin on Job 23 Years

In an account of the luncheon given in honor of C. C. Moskowitz MOTION PICTURE DAILY made a mistake in saying that J. Robert Rubin had been with Loew's for 14 years. His term of service covers 23 years.

Futter-Educational Action Is Settled

The $5,907 breach of contract suit brought in 1934 by Walter A. Futter against Educational Films was marked settled after a full day of trial before N. Y. Supreme Court Justice William T. Collins and a jury.

The terms of the settlement were not revealed. Futter alleged t[illegible] had entered into a distribution [illegible] tract with Educational in 1925 and again in 1927, but that he had been overcharged for print costs and advertising.

Sue Over Use of Song

Sholom Secunda, as president of the Society of Jewish Composers, Publishers and Songwriters, and Alexander Olshanetsky and Henry Lefkowitch composers, filed a suit in the U. S District Court here yesterday against Eron Pictures, Inc., and Iselbor Amusement Corp., operator of the Squire.

The plaintiffs allege that two songs composed by Olshanetsky and Lefkowitch, "I Love You Too Much" and "Blitz," were used for sound background of the Eron Yiddish dialogue film, "The Cantor's Son."

A permanent injunction, an accounting of profits and damages are asked

Elect Ellis as Head Of M. P. Associates

Jack Ellis, RKO salesman, was elected president of the Motion Picture Associates yesterday, winning by a vote of 63 over Joseph J. Lee, incumbent, who received 43 votes.

Other officers elected were: Jerry Wilson, Monogram assistant manager, first vice-president; Matthew Cahan second vice-president; Morris Sanders, 20th Century-Fox, treasurer; Charles Penser, Monogram, financial secretary; Moe Fraum, Columbia recording secretary; Louis Kutinsky, RKO, sergeant-at-arms; Seymour Schussell and Sol Trauner, both Columbia, trustees.

Wilson is chairman of the board and will name four additional members. Installation of officers will be held within two weeks.

To Make Efforts to Speed Film Measure

By AUBREY FLANAGAN

LONDON, Jan. 21.—The Government is expected to take steps to accelerate the passage of the Films Bill, now under consideration in the House of Commons, because of the serious consequences to production and theatre grosses resulting from the controversy over the quota provisions of the measure.

It is hoped in Government circles that the Commons standing committee on the Films Bill will conclude its work in the course of three sessions next month, when Parliament will reconvene.

Hays Leaving for Coast

Will H. Hays will leave for the coast by train today. The duration of his Hollywood visit is indefinite, but he will probably be away for two weeks to a month.

Altec Seeks Warehouse

Altec Service Corp. is negotiating a lease for a warehouse here to further its servicing operations.

Australia Outlook Is Bright for '38

By CLIFF HOLT

Sydney, Dec. 30 (*By Air Mail via ndon*).—Distributors, circuits and dependent prospects for 1938 instills thing but the greatest confidence. nployment has returned to pre-desion levels and taxation has been stantially reduced. Building acity is widespread and savings and mmercial banks are reporting recd figures, all of which is clearly dicative of excellent film business.

Theatre owners are looking forard to a big year in 1938, with every dication that the current prosperity end in Australia will be maintained.

The spirit of optimism concerning e prospects for 1938 is uniformly rerated by the managers in Australia the major American distributing mpanies.

The most important development of e year, potentially, for American mpanies was the recent passage in ew South Wales of legislation lowing the quota percentage to three r cent, but tightening the law with e elimination of all loopholes. The ssibility exists that similar legislaon may be enacted by other states in e Commonwealth. Likewise the imnding break between Hoyts and reater Union Theatres, the two leadg circuits in the country, throws e theatre situation wide open in ustralia.

Threaten Closing on Planned Polish Tax

Warsaw, Jan. 21.—American disibution interests here have threatied to close their offices and disconnue the importation of pictures if a roposed levy on foreign product is acted.

There has been agitation from time time for such an increase in rates, it in each instance the legislation was ot enacted.

The new tax would be 20 cents per eter on all films passed by the censor. Distributors contend the tax ould be too burdensome. Foreign lms in Poland already pay one of the ghest tariffs in the world, $17 per logram, or approximately $500 for ie average length film. For comarison it is pointed out that the zechoslovakian tariff is 50 cents per logram.

In addition, the Government tax on dmissions amounts to 37 per cent on ieatres showing foreign films, and ly 4½ per cent for the showing of olish films. The proposed new taxion, it is contended, would amount irtually to a ban on foreign product.

G.B. Applications Hit Record Figure

London, Jan. 21.—The number of areholder applications for an invesgation of the affairs of Gaumont ritish received at the Board of Trade the greatest number ever sent in or that type of inquiry, the Board Trade has reported.

The directors of the company will e invited to suggest reasons in opposition to the opening of such an quiry by the Government agency. he application for the investigation riginated with C. L. Nordon, attorey for a large shareholder group.

Warner Calls 'Time' Issue Pro-Nazi; Reel in Denial

(*Continued from page* 1)

the opinion of the large number of company officials who have seen it, may be interpreted as pro-Nazi propaganda. I am informed that most of the portion of this film showing Nazi activities within Germany was made in the form of silent motion pictures with the consent and necessarily with the approval of Dr. Goebbels, Minister of Propaganda—as indeed must all motion pictures be that are made in Germany. It is true that the remarks of the commentator, added to this silent film in this country, tend to counteract to some extent the effect of the silent film. But the effect and appeal of a motion picture is to the eye primarily.

"Careful analysis has proven that the words of commentators when used in connection with motion pictures have but a small effect as against the great effect of what is shown on the screen. In our opinion the film remains pro-Nazi propaganda. This film has already been shown in several motion picture theatres where portions of the audience have hissed and jeered the picture and others have applauded it. We do not intend to make our screens a medium for the dissemination of propaganda for Germany, no matter how thinly veiled that purpose may be. Our screens are reserved for the presentation of entertainment of the highest quality."

De Rochemont Cites Cases

De Rochemont's rebuttal, which was issued late last night, pointed out that:

"It is difficult to believe that Mr. Harry Warner authorized a statement which explained why his theatres did not run March of Time's 'Inside Nazi Germany—1938' by saying that the picture is pro-Nazi propaganda. This statement was signed by his publicity representative.

"A great many people besides Warner Bros. officials have seen this picture in theatres and at previews during the past week. Without a single exception they differ with the alleged statement of Mr. Warner and his associates. During the past 24 hours the German consuls in San Francisco and Buffalo have lodged protests with city officials asking that it be withdrawn from the screen because of its lack of sympathy with their political ideals. In New York City, Rabbi Stephen S. Wise, Father John LaFarge, associate editor of the Catholic weekly, America, and Rev. Guy Emery Shipler, editor of the Churchman, have praised it as an honest piece of pictorial journalism.

Says Pittman Approved

"The chairman of the Senate Foreign Relations Committee, Senator Key Pittman, saw the picture yesterday and said: 'It is the kind of picture that shows aspects of life unknown in this country and exactly what happens when a dictator takes control of a nation. Every man, woman and child in this country should see it.'

"Ex-ambassador Dodd who returned from Germany less than two weeks ago said of this picture: 'The members of every American family, young and old, who believe in liberty and democracy should by all means see this issue of March of Time.' "

RKO Circuit Takes March of Time Reel

(*Continued from page* 1)

and considerable verbal reaction on the part of the audience. The theatre was kept open two hours longer than usual last night, and the reel was shown 16 times during the day.

March of Time reported yesterday that the issue was the subject of debate in the House of Representatives concerning censorship of the screen.

Baltimore Approves Reel

Baltimore, Jan. 21.—"Inside Nazi Germany—1938," the current issue of March of Time, has been passed by the Maryland Board of Censors and has been booked into Isador Rappaport's Hippodrome.

Thomson Is Reticent On Reason for Visit

(*Continued from page* 1)

Federal admission tax. Gillmore also conferred there on W. P. A. theatre matters.

The I. A's jurisdictional claim over actors is on the agenda of the A. F. of L. executive committee which convenes tomorrow in Miami, although it may not be reached for discussion for several days yet. Thomson said he would be in New York until the middle of next week, but declined to say whether he would go to Miami from here.

Stuart Doyle Leaves For Coast Tomorrow

(*Continued from page* 1)

atres in South Africa, which were contingent upon his obtaining a 10-year United Artists product franchise, have not materialized and indications are that nothing definite will occur in connection with those plans at this time. While Doyle said he had abandoned an earlier intention of discussing the matter further with Dr. A. H. Giannini, United Artists president, in Hollywood, he insisted that the theatre building plans were not "dead" but merely will be held in abeyance.

He plans to spend about a week in Hollywood before sailing for Australia. His planned production activities there will be for British and Australian firms only and result from the recent adoption of the New South Wales quota law, he said.

Plan Warner Studio Film

Hollywood, Jan. 21.—Warners is planning a short subject on the evolution of a screen story from the idea stage to a completed production, using its studio writers as actors. Scenes from a number of Warner features will be used.

Those tentatively set to work in the picture are Norman Reilly Raine, John Huston, Earl Baldwin, Jerry Wald, Crane Wilbur, Casey Robinson, George Bricker, Larry Kimble, Anthony Coldeway, Richard Macauley and Horace Jackson.

Review Board Hits Political Censoring

(*Continued from page* 1)

current release, "Inside Nazi Germany—1938," followed a showing of the film at the New School for Social Research last night. Paramount's film on newsreel highlights of the last five years also was screened, as part of a session on documentary films. Edgar Anstey, March of Time's British producer, spoke.

At yesterday afternoon's session, Gilbert Seldes, author and critic, and Dr. Mortimer J. Adler of the U. of Chicago, insisted that the film is art when it is great entertainment.

Joseph M. Price, a member of the Board's executive committee, will be toastmaster at the 23rd annual luncheon today, and among the speakers scheduled are: Robert Edmond Jones, scenic expert who handled the color on "Becky Sharpe"; Paul Rotha, English documentary film producer; Mrs. Mary M. Simkhovich of Greenwich House, who will discuss films and the masses; Wallace Ford, actor; Dr. A. A. Brill, psychiatrist; Dr. Russell Potter of Columbia U.; Dr. Mortimer J. Adler.

Hearings on Taxes To Continue Today

(*Continued from page* 1)

increase to 50 cents are P. J. Wood of the Ohio I.T.O. and Walter Vincent of the Wilmer & Vincent Circuit. The tax, from the standpoint of the stage, will be discussed by William A. Brady, representing the playhouses, and Milton R. Weinberger, Eddie Dowling and Frank Gillmore, representing the American Theatre Council.

Para. Promotes Smith

San Francisco, Jan. 21.—George Smith, branch manager for Paramount here, has been appointed assistant to Myke Lewis, Paramount western division manager, and has left for Los Angeles to take over his new post.

H. Neal East, who has been with Paramount as exchange manager in Seattle, will come here to replace Smith.

Wall Street

Board Closes with Losses

	Open	High	Low	Close	Net Change
Col.	13¾	13¾	13¾	13¾	.....
Cons.	1½	1½	1½	1½	.....
Cons. pfd.	6⅛	6⅛	6	6	— ⅜
E. K.	164	164	164	164	— ¾
G. T. E.....	12⅞	12⅞	12⅞	12⅞	+ ¼
Loew	51¼	51¼	49⅛	49⅛	—1½
Para.	11⅝	11⅝	11⅛	11⅛	— ¼
Para. 1.....	92	92	91	91	.....
Para. 2	10⅞	10⅞	10¾	10¾	.....
Pathe	6½	6½	6⅛	6⅛	— ⅜
RKO	4⅞	4⅞	4¾	4¾	.....
20th Fox ..	23¼	23¼	23	23	— ¼
20th pfd. ..	30½	31	30½	31	+ ½
W. B.	7	7	6⅞	6⅞	— ¼
W. B. pfd.	38	38	38	38	+ ½

Curb in High Upswing

	Open	High	Low	Close	Net Change
G. N.	¾	¾	¾	¾	.....
Monogram	2⅝	2⅝	2½	2½	.....
Tech.	20½	20½	20½	20½	+ ⅛
Univ. Corp.	3½	3½	3½	3½	+ ⅜

Bonds Move Fractionally

	High	Low	Close	Net Change
Loew 3½s '46.....	99½	99⅛	99⅛	— ¼
Para. B'way 3s '55	60½	60½	60½	— ½
W. B. 6s '39......	76⅝	76⅝	76⅝	+ ⅛

(Quotations at close of Jan. 21)

CBS Had Nine '37 Clients in Million Class

(Continued from page 1)

American Tobacco Co., $1,562,480; William Wrigley, Jr., Co., $1,241,054; General Mills, $1,238,912; Campbell Soup Co., $1,166,128, and American Home Products, $1,144,318.

The remainder of the CBS 1937 advertisers, ranked in the order of their gross billings, follows:

Company	Total
Chrysler	$911,051
General Motors	864,460
Philco	790,805
R. J. Reynolds	790,315
H. J. Heinz	730,633
Continental Baking	620,209
Lehn & Fink	583,003
The Texas Co.	558,045
Pet Milk	537,094
Nash-Kelvinator	534,673
Gillette Safety Razor	507,815
General Foods	432,751
U. S. Tobacco	388,905
Stewart-Warner	381,282
E. I. duPont	367,205
Philip Morris	357,735
Gulf Refining	352,710
Vick Chemical	323,320
Lady Esther	316,180
A. & P.	275,275
Atlantic Refining	274,810
Coca Cola	265,170
Cudahy Packing	220,378
American Banks	201,865
R. B. Davis Co.	195,690
Beneficial Management	190,509
Time, Inc.	158,235
General Baking	151,856
Hudson Motor	147,690
Sinclair Refining	141,700
Fels & Co.	139,211
Phillips Petroleum	136,700
National Biscuit	135,110
Sterling Products	119,339
Servel Sales	117,265
Carborundum Co.	114,690
National Ice	104,850
P. Lorillard	103,490
Corn Products Refining	92,505
Wheatena	89,625
Phillips Packing	85,500
F. & F. Laboratories	85,315
International Silver	79,325
Swift & Co.	75,125
Barnsdall Refining	69,740
Knox Gelatine	68,950
Bank of America	54,120
Ward Baking	52,303
Chesebrough Manufacturing	50,760
J. B. Ford Co.	47,950
Manhattan Soap	44,775
Florida Citrus Commission	40,225
Durkee's Famous Foods	37,295
Zenith Radio	33,420
Brown & Williamson	30,870
Skelly Oil Co.	29,220
Tidewater Oil	26,752
A. J. Krank Co.	24,240
Lambert Pharmacal	23,780
Thomas Cook & Son	22,960
Noxzema Chemical	17,610
Rio Grande Oil	17,610
Los Angeles Soap	14,526
Raymonds, Inc.	14,300
Illinois Central	11,795
Homemaker's Council	11,040
Marjorie Mills	9,386
Geo. A. Hormel	9,205
Elgin Watch	6,370
Sylmar Packing	5,681
Gilmore Oil	4,320
Holland Furnace	4,308
Table Products, Inc	4,290
Burdett College	3,960
Pennsylvania Publicity Comn.	3,775
Atchison, Topeka & Santa Fe	1,843
Roma Wine	1,485
Oregon Highway Comn.	1,110
Euclid Candy	990

A.F.M. Meetings End

MIAMI BEACH, Jan. 21.—Meetings of the national board of the American Federation of Musicians closed here tonight with the decision to defer until the next board meeting the proposed discussion concerning the music situation in Hollywood and its relation to the unionization proposals of the A.F.M.

F.C.C. Orders Hearings on Crosley Power

By CLARENCE LINZ

WASHINGTON, Jan. 21.—Investigation by the Federal Communications Commission of the operations of the Crosley Radio Corp. Station WLW, under its 500,000-watt experimental license was started today with issuance of an order by Commissioner George H. Payne for a hearing on the station's application for extension of its license.

This will be the first time the Crosley company has been required to defend itself in the almost four years it has been operating with super-power, the original authorization for which also was secured without public hearing.

Back of the order is seen the quarrel between Payne and Crosley over the latter's refusal to furnish data regarding the financial results of the station's super-power operation and the charge of the commissioner that it has violated the regulations operating commercially on an experimental license.

Labor Also Dissatisfied

Organized labor, dissatisfied with the station for its attitude on labor questions, also has been seeking an investigation.

Some fifteen other applications for super-power are pending, all of which were set for hearing months ago but on which the hearings have never been held.

Members of the commission are represented as not convinced that super-power is good for the industry, Commissioner T. A. M. Craven voicing his doubts recently at hearings before the House Appropriations Committee, and the hearing on WLW may possibly result in revocation of its super-power license.

Kalmar & Ruby to Publish

Kalmar & Ruby, songsters, have gone into the music publishing business and have opened an office in New York with Jim Durkin, professional manager, assisted by Al Friedman, formerly with Hollywood Songs and E. B. Marks, respectively. First song in the catalogue is "Moon Over Manakoora," featured in Samuel Goldwyn's "The Hurricane."

Music Situation in New Orleans in Air

(Continued from page 1)

refused to sign the national musicians' agreement. WWL was the only local station to sign.

Weber is at present attending the A.F.M. conference in Miami, and it is believed he will attempt personally to negotiate a favorable settlement with the recalcitrant stations following the close of the Miami meeting.

WDSU and WSMB have agreed to the wage and hour provisions, but have balked at the closed shop. Harold Wheelahan, manager of WSMB, said the national union had not asked for a closed shop, that it was a local request that would take the control of programs out of the station's hands. Joseph Uhalt of WDSU declared that in asking for the closed shop, the local union "attempts to run our station when they demand that none but union men broadcast from our station."

Philip Morris CBS Series Is Extended

Philip Morris has renewed its CBS "Johnny Presents" series for another year over CBS, effective Feb. 12. The series is broadcast Saturdays from 8:30 to 9 P. M. Biow & Co. is the agency.

A new program, "Hawaiian Moon Casino," over stations in Los Angeles and San Francisco of the CBS Pacific Coast network has been scheduled to be heard Mondays, beginning immediately. Lehr & Fink is sponsoring, through the Wm. Esty Co. of New York.

WNEW Takes Drug Program

WNEW will present the United Drug Co. series, "Coast to Coast Frolics," electrically transcribed. Players include Walter Cassel, Willie Morris, the Norsemen, Don Voorhees' orchestra, and Don Rose as "em cee."

Eickelberg on Eastern Tour

SAN FRANCISCO, Jan. 21.—Manager Wilbur Eickelberg of KFRC has left for his annual three-week business trip to the east, and will visit Mutual stations and account executives in Detroit, Chicago and New York.

Fizdale Enlarges Offices

CHICAGO, Jan. 21.—Tom Fizdale, radio publicist, has moved his local office into larger quarters and has augmented his local staff. Fizdale is in Hollywood at present on new business details.

Copyright by—

Among the tales that may now be told is the following: Recently *Fortune* devoted considerable space to a story on Toscanini, NBC's newest throb. Network executives were thrilled with the story, but shuddered when, underneath each photograph illustrating the story, they read the line: "Copyright Columbia Broadcasting System."

Photographs of Toscanini are rare; the only suitable ones available were Columbia's, where Toscanini had conducted a symphonic series for some seasons. That is the explanation for the CBS credit lines in an NBC story.

This week NBC finally received permission from Toscanini to make some new pictures. NBC has applied for a copyright on them, but the rules say the photographs must first be submitted for sale before the copyright can be granted. They are now on sale in the book shop in the lobby of the RCA Building.

Radio Personals

EDITH DICK, formerly vocali on the "Hit Parades," and cu rently heard on various CBS show has been signed under CBS ar bureau management. . . . Miriam H kins will be a guest on the Kate Sm series Jan. 27, and will embark fo Hollywood immediately following th broadcast. . . . Harold F. Oxley, manager of Jimmy Lunceford, will leav for Texas Monday for the opening o Lunceford's orchestra in Dallas. Oxle will accompany the band to the coas and will return to New York Feb. 1

+

Richard Arlen and Mary Astor wil be featured on the Warner-America Tobacco Co. show next Wednesday . . . Pat O'Brien, and Hugh Daniels the latter fashion adviser of RKO will be interviewed by Feg Murra tomorrow. . . . Frank Mullen, RCA publicity manager, and Ralph Beal RCA director of research, will discus television on the Farm and Hom Hour Monday. . . . Lee Grant has se aside a portion of WMCA's dail "Grandstand and Bandstand" to children who are celebrating birthdays. . . . Lawson Zerbe has been made a permanent member of the cast of the new Dale Carnegie show.

+

Kingsley Horton of the New York office of Radio Sales was a visitor at WKRC . . . "Meet the Missus" program, conducted six times weekly over WKRC by Maynard Craig, has celebrated its first anniversary on the air . . . Ethel Shutta, stage and radio personality, here with her husband, George Olsen, whose band is playing at the Netherland Plaza, was interviewed by Marsha Wheeler on the "Personalities on Parade" program over WKRC . . . Chester Harman, taken on temporarily as program consultant of WLW and WSAI, has been given the post permanently .

Davis & Co. Renews Program Over WEAF

R. B. Davis & Co., sponsors of Grace and Eddie Albert's "Rain or Shine" series over WEAF, has renewed the show for 13 weeks beginning Feb. 22. Charles W. Hoyt & Co., Inc., is the agency.

Harvey Whipple Co. has returned to WJZ after a season's absence with a new series featuring George Griffin. The period is Tuesdays from 7:45 to 8 P. M. Willard C. Myers Co. is the agency.

Mills Forms Dance Division

A newly created department to service its own attractions on dance bookings has been established by Mills Artists, Inc. The new department is called "Danservice." Harry Moss, formerly identified with CBS and CRA, is manager of the new department, with Mickey Goldsen as assistant and Harry Lawrence in charge of club bookings.

Cunningham Quits KOIL

OMAHA, Jan. 21.—Bob Cunningham, program director of KOIL for the past two years, has resigned. He has not announced future plans.

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ytime NBC oss Up 34% uring 1937

l for Year Reaches ecord $10,368,566

ertisers' expenditures for day ver NBC networks in 1937 rose cent over 1936 to an all-time high of $10,368,566, an analysis es.

year found 13 new advertisers daytime radio hours in 1937 n addition, American Home cts added daytime shows for of their products; Procter & e added shows for two more ts; and Sterling Products added for three.

annual investment of adverin NBC daytime programs, for lone, has more than doubled in st five years. In 1933 total billvere $4,355,146; in 1934, they o $5,232,133; in 1935, $5,513,- n 1936, $7,695,482, and in 1937, v high of $10,368,566.

rteen daytime advertisers on during 1937 were using NBC e in 1933; three of them started 4; five in 1935, and eight in

(Continued on page 8)

R Prohibits All ontroversial Talks

R has adopted a policy prog talks on controversial subr religious broadcasts on a coml basis, station officials admitted lay. The explanation followed nt report in the *Brooklyn Tab*atholic publication, that WOR efused to sell time to Rev. s E. Coughlin, whose weekly is now heard locally over A. Father Coughlin in previasons was heard over WOR.

policy was adopted some time

(Continued on page 8)

n Educational rograms on Coast

LLYWOOD, Jan. 23.—KNX, local outlet, and KGI and KECA, stations of NBC here, have preplans for a series of programs udents, in line with the plans of tional leaders and network offifor the sponsoring of educational ial on the air.

oils through the Los Angeles

(Continued on page 8)

ore Radio—P. 8

Super-Power Attacked in F.C.C. Study

Investigation Urged for Newspaper Stations

By BERTRAM F. LINZ

WASHINGTON, Jan. 23.—Proposals for licensing super-power stations are opposed by the engineering department of the Federal Communications Commission in a report on the social and economic aspects of broadcasting made public tonight by Chairman Frank R. McNinch.

The report, prepared by Commissioner T. A. M. Craven while still chief engineer of the commission, was completed last June, but publication was postponed until after the North American Radio Conference at Havana, held last month, because of the uncertainties and implications involved in that meeting, it was explained.

The "American system" of privately owned competitive broadcasting is the best in the world, the report held, and should be maintained, but standards as strict as may be necessary should be adopted to insure its operation in the public interest.

Exhaustive investigation of all

(Continued on page 8)

G. N. Production to Be Resumed in Part

Reorganization of Grand National has progressed to a point where production can be partly resumed, it was learned Saturday, prior to the departure for the coast of Ed Peskay, vice-president in charge of distribution. A tentative deal for capital is reported to be set.

Ed Finney, director of advertising and publicity and producer of the Tex Ritter series, left yesterday for Hol-

(Continued on page 10)

By Royal Command

London, Jan. 16.—British theatres interests will hold a joint meeting on Jan. 27 to work out a course of action with respect to the command performances on radio, which have uniformly resulted in record low grosses at theatres throughout the country.

Ascap Florida Suit Papers to Be Filed

Ascap attorneys will leave today for Tallahassee where they will file the music licensing organization's action attacking the constitutionality of the Florida statute preventing the society from operating within the state.

The action, which will be filed late tomorrow or on Wednesday, is patterned after the one which won the society a court order in Nebraska restraining officials of that state from enforcing a like statute. The Florida case is the fourth to be brought, actions having been heard by Federal courts in Montana and Washington, as well as Nebraska, months ago. No decisions have been made yet in the Montana and Washington cases.

Tennessee also has an anti-Ascap law, but Schwartz & Frohlich, attorneys for the society, have no immediate plans for contesting the law in that state, although ultimately that will be done.

Exemption Increase Sought by Vincent

WASHINGTON, Jan. 23.—An increase of the admission tax exemption to 50 cents was asked of the House Ways and Means Committee Saturday by Walter Vincent of the Wilmer and Vincent Corp., as an aid to a hard pressed motion picture industry.

Vincent appeared as spokesman for the entire industry, representing not only his own M.P.T.O.A. but also, at their request, the I.T.O. of Ohio,

(Continued on page 3)

New Year Week Key Takes Increase to $1,852,759

New Year week grosses in first runs of 24 key cities hit a high spot that has been touched only once since the current exhibition season began Labor Day, completely reversing the downward trend that had been under way since early in November.

The total was $1,852,759 for 150 theatres. This was the largest number of first runs in operation, with one exception, since mid-September. During the week of Nov. 19-20 there were 152 first run houses open.

A new low for the season was set Christmas week when the total of first run houses went down to 136 and the gross was only $1,076,657. The following week the total gross went up to $1,597,409.

(*Grosses tabulation on page* 6.)

MPTOA Drops Plan to Hold Spring Meet

No Decision Reached Yet On Autumn Session

The M. P. T. O. A. has abandoned plans for holding an annual convention in the spring. If a convention is held this year, it will not be until the late fall, it was learned from officials of the organization over the week-end.

Earlier plans to hold the convention in March, as has been customary for the past several years, have been shelved. Chicago was favored as the convention city this year, due to the fact that the south and California have had the meetings for the last five years. It has not yet been decided whether there will be a convention in the fall, although some officials of the organization believe there may be. A decision on this probably will be made during the current visit in the east of Ed Kuykendall, M. P. T. O. A. president.

A meeting of the board of directors of the national exhibitor organization is planned for the near future, probably within the next six weeks. The date and place of the meeting will be set by Kuykendall before he returns to his Columbus, Miss., home.

Lack of urgent organization business, the pressure of other affairs commanding the attention of M. P. T. O. A. leaders and current business conditions are among the reasons given for the abandonment of convention plans.

Loew's Stockholders To Act on Contracts

Profit-sharing contracts for 11 top Loew and M-G-M executives will be voted upon at the annual stockholders' meeting at 11 A.M. tomorrow.

In the absence of Nicholas Schenck, who is in Florida, another executive will preside.

Participants in the proposed new

(Continued on page 10)

Luce Replies Warmly To Warner Statement

Henry R. Luce, president of Time, Inc., on Saturday characterized as "ridiculous," the statement of Harry M. Warner, president of Warners, that the March of Time release "Inside Nazi Germany—1938," is "pro-Nazi propaganda." Warner made the statement in explanation of the re-

(Continued on page 10)

MOTION PICTURE
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(Registered U. S. Patent Office)

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20th-Fox to Build Six New Exchanges

New exchange structures are planned by 20th Century-Fox for Albany, New Orleans, Seattle, Indianapolis, Milwaukee and Cincinnati.

Plans for air conditioning all domestic branches are being completed. To date 18 exchanges have been equipped with air conditioning plants and six more are to be conditioned this year. Among these will be Denver and Pittsburgh and probably Detroit and Chicago.

All new exchange buildings are equipped with air conditioning.

Warners Will Spend $500,000 in Drive

Warners has appropriated $500,000 for national advertising on the films to be released during the Sears drive, which will run until April 16, according to S. Charles Einfeld, director of advertising and publicity.

The individual appropriations for pictures will be based on the importance of the film, it was said. The total amount will be divided among trade papers, newspapers, national and fan magazines and billboards.

◂ *Purely Personal* ▸

H. B. SILENT, Erpi west coast engineering superintendent, has arrived here for conferences with company officials. He plans to return to the coast after Feb. 1.

•

ARTHUR A. LEE, vice-president and general manager of G. B. will leave tonight for a visit at New Orleans, Atlanta and Charlotte exchanges.

•

WILL H. HAYS is en route to Hollywood. He stopped off at Sullivan, Ind., to attend the funeral of his farm manager there.

•

LEONARD H. SILLS, in charge of accessories and film at Republic, has announced his engagement to CAROL RUDIN.

•

STUART F. DOYLE delayed his scheduled departure for Hollywood one day. He now plans to start west this afternoon.

•

WHITFORD DRAKE, Erpi president, is expected back at his office today after an illness of several weeks.

•

ED KUYKENDALL is expected here from Washington tomorrow or Wednesday.

Cocalis Restraint Upheld

The Appellate Division of the N. Y. Supreme Court on Saturday unanimously upheld a judgment restraining Soteros D. Cocalis from participating in the operation of the Melba Theatre, Bronx, until 1942, and also affirmed an order appointing Milton Handler as referee to assess damages to be awarded to the plaintiff, Burke Enterprises, Inc., Laconia Amusement Corp., Etlob Realty Corp. and John C. Bolte. Matthew H. Kutinsky, associate of Cocalis, was also enjoined, but he is not required to pay damages. The judgment was rendered by Justice Bernard L. Shientag, after a trial last February in the N. Y. Supreme Court.

To Ask RKO Plan Delay

A postponement of three or four weeks will be sought for the start of hearings on the RKO reorganization plan, which was scheduled for today. Proponents of the plan will ask Federal Judge William Bondy to grant the postponement, with no serious objections being anticipated.

Berman Joins Selznick

A. C. Berman, former president and general manager of United Artists of Canada, has been named foreign sales representative of Selznick International, with headquarters in London, the Selznick New York office stated on Saturday. Berman is now in London in the course of an extended foreign trip which he is making to study distribution systems abroad and European audience preferences.

On the Job 25 Years

Flossie Flynn, chief telephone operator at Loew's, completed 25 years with the organization the other day. She started as combination telephone and elevator operator when the Loew offices were in the American Theatre Building.

Film "Hotels"

Stockholm, Jan. 23.—Theatres here are doing a brisk business selling sleeping accommodations to travelers who are in the midst of a hotel shutdown due to labor trouble.

Guild and Four A's Seek to End Breach

Plans for healing a breach between the Screen Actors' Guild and other member unions of the Associated Actors & Artistes of America over inter-organizational disagreements on policies and procedure were under discussion over the weekend.

Kenneth Thomson, executive secretary of the guild, and Mrs. Florence Marston, the guild's eastern representative, held meetings on Saturday and yesterday with officers of the Four A's and heads of the individual member unions. Truce plans were still in work at a late hour yesterday.

The guild, generally dissatisfied with the progress of reorganization of the Four A's into a closely knit entertainers' union, rather than an association of numerous unions encroaching from time to time on each other's domains, threatened an outright break with the parent A. F. of L. performers' organization unless its demands for a "cooperative front" were met.

Thomson stated over the weekend that unless harmony and complete understanding of the guild's objectives for the Four A's could be worked out within the organization a complete break would be unavoidable.

Metro Opening Tonight

M-G-M will play host at Miami Beach tonight to a party from New York who will attend the opening of "Everybody Sing" at the Sheridan there. The group from here, including representatives of the daily and trade press, left yesterday afternoon on the Florida Special, and is due back by plane Wednesday morning. Company executives in the party include Nicholas M. Schenck, W. F. Rodgers, general sales manager; Harry Rapf, producer; William R. Ferguson, in charge of exploitation, and Judy Garland, the film's star, who will make a personal appearance at the opening.

Warner Meeting Today

With considerable business to be disposed of, including a decision on the transfer of some of the company's departments to the coast, the Warner board of directors will meet today and tomorrow and a formal statement on the removal will be made. Albert Warner will arrive today to attend the sessions.

Emile Cohl Passes

PARIS, Jan. 23.—Emile Cohl, credited with the invention of the animated film cartoon, is dead here. He was to have had a part in the commemoration of the 30th anniversary of animated cartoons.

Glenda Farrell to "U"

HOLLYWOOD, Jan. 23.—Glenda Farrell, who recently left Warners, has signed a two-picture-a-year deal with Universal.

Alternative Quota Approved by Lab

By AUBREY FLANAGAN

LONDON, Jan. 23.—Film labor terests yesterday gave grudging proval of the proposal for an alte tive quota as proposed by Ol Stanley, president of the Boa d Trade, for inclusion in the new Bill, now under consideration.

The approval, which also i the foreign labor clauses in the posed measure, was in the form letter to the Board of Trade from Association of Cine Technicians, m public yesterday. Approval of the ternative quota was made conting upon certain amendments. The le indicates that the Stanley plan s gests acceptance of the essential p ciple of the separate quota, which defeated in committee, but in a version, which is seen as a par solution.

The labor group declares it agreeable to the change if the hibitor quota is increased, thereby a ing to the showing time of Bri pictures. The group also expres a willingness to agree to the empl ment of one foreign technician and foreign player on each British fi provided the British labor cost fig is raised. They also seek to apply alternative quota to short subjects.

Review Board Ends Three Day Meetir

The 23rd annual luncheon of National Board of Review, conclud the three-day annual conference of board, was attended by nearly 600 p sons Saturday at the Pennsylva Hotel.

Joseph M. Price, a member of executive committee, was toastmast Speakers were Robert Edmond Jor artist and stage designer who hand the color designs for some of Pionee early productions; Paul Rotha, Engl documentary film authority; M Mary K. Simkhovich, director Greenwich House; Dr. Mortimer Adler, associate professor of philosophy of law, University of C cago, and author of "Art and P dence," a volume on films; Dr. R sell Potter, associate director, C lumbia University Extension, Wallace Ford, actor.

Legion Approves Al Of 11 New Picture

The National Legion of Decen in its list of 11 new pictures review and classified for the current we has approved all the new films, sev for general patronage and four f adults. The new films and their clas fication follow:

Class A-1, Unobjectionable f General Patronage—"Cassidy of B 20," "Headin' East," "Im Sonne schein" (German), "Merlusse (French), "Penrod and His Tw Brother," "Saleslady," "West Rainbow's End." Class A-2, Uno jectionable for Adults—"Black Dol "The Girl Was Young," "I Met M Love Again," "Paradise for Three

"Hurricane" at $35,000

"Hurricane" grossed $35,000 in i first week at the Rivoli at popul prices. It is definitely in for thr weeks, the total extent of the run be determined later. "Goldwy Follies" will be the next attraction

Short Subjects

athe Parade No. 3"
O)

hrough a certain weekly news- ure magazine the nation's film-go- public will be aware of the con- s of this reel. The material in- es a baby party thrown recently New York's younger social set, comic melodrama at the Gay es theatre-cafe and the publicity ne that keeps the world informed the attractions in Miami. Each he three sequences are interesting diversified. It should hold attention give satisfaction. Running time, mins. "G."

he Canary Comes cross"
-G-M)

nicely rounded idea is entertain- ly played out in this musical. Erik odes is featured. The mistaken iden- comedy device is utilized in a son where the convicts have a great erest in group singing. Rhodes is opera singer who resembles a con- called "The Canary." He is nghaied to jail and with his ex- ent voice he helps win a radio ard for the inmates and also finds nance with Virginia Grey, the rden's daughter. Running time, 21 ns. "G."

leet the Maestros"
aramount)

lot of melody, personalities, trick ting and superimposition and a teful presentation make this a really asant short. The bands are seen efly and playing familiar numbers. order, Isham Jones, Phil Spital- s girl band, Russ Morgan, Cab lloway and Clyde Lucas are seen. nning time, 11 mins. "G."

elf Control"
isney-RKO)

Here is Donald Duck in a farcical amatic study of the duck who would actice control of his temper as ad- ed by a commentator on the radio. l the action gradually builds up to final and devastating conclusion in ich Donald takes it out on the re- ving set, his restraint thrown to the nds. It has its moments. Run- g time, 8 mins. "G."

California Giants"
aramount)

There is excitement in the scenes logging activities in redwood for- ts in this short. The many angles the industry are briefly shown and uch action takes place. Running ne, 11 mins. "G."

F. T. C. Gets Para. Case

WASHINGTON, Jan. 22.—Report of e investigators of the Federal Trade ommission on the complaint against aramount filed some months ago by llied States is now before the com- ission for consideration, and a deci- on whether or not to proceed with e case may be reached in a short me.

The complaint involved the alleged efusal of Paramount to deliver fea- ures supposedly covered by its con- acts for the year of their production nd being offered with product of the ucceeding year at higher prices.

Hollywood Preview

"A Yank at Oxford"
(M-G-M)

HOLLYWOOD, Jan. 23.—Definite entertainment qualities and the appearance in the leading role of Robert Taylor offer considerable ammunition for the exhibitor in this first of the new group of pictures to be produced by M-G-M in England.

The theme of "A Yank at Oxford," with the English university as the locale, is a typical collegiate yarn. The chief supporting roles are handled capably by Lionel Barrymore, Maureen O'Sullivan, Vivien Leigh, Edmund Gwenn, Griffith Jones, C. V. Frank and Edward Rigby.

Taylor plays a star track and crew man, with a cocky personality. He comes into contact with Jones, aristocratic and very English schoolmate, when he falls in love with Jones' sister, Miss O'Sullivan. Miss Leigh, playing the campus vamp, creates a situation which threatens an abrupt and unpleasant termination of Taylor's Oxford career. But Barrymore, his father, causes both Miss Leigh and Jones to realize the injustice they are doing, and Taylor and Jones become close friends, to the delight of Miss O'Sullivan. The two boys, with Gwenn and Rigby in the boat, row the Oxford crew to victory over Cambridge.

Certain of the incidents may appear a bit incongruous to the average American audience, however true they are to the story's setting. Malcolm Stuart Boylan, Walter Ferris and George Oppenheimer did well with the screenplay from the original by Leon Gordon, Sidney Gilliatt and Michael Hogan, and Jack Conway, director, showed Taylor to full advantage, which should be sufficient to arouse audience interest.

Running time, 100 minutes. "G."

"Arsene Lupin Returns"
(M-G-M)

HOLLYWOOD, Jan. 23.—This is a slick crook and detective story with a new slant introduced into this popular form of entertainment.

Melvyn Douglas and Warren William appear as suavely fascinating characters, ably abetted by Virginia Bruce, John Halliday, Nat Pendleton, E. E. Clive and George Zucco in featured roles. It is full of novelty in story treatment and situations despite the fact that considerable talking is necessary.

Not content to follow in familiar ruts, James K. McGuinness, Howard E. Rogers and George H. Coxe, the authors of the original screenplay, gave a comparatively simple plot a dramatic treatment that should confuse and baffle the minds of the most rabid amateur sleuths. The situations are contrived to make it appear that Lupin, played by Douglas, has resumed a crime career when a valuable gem is stolen, and William, as a former G-Man who is now an insurance detective, picks up the trail. As the scene shifts from New York to Paris all of Douglas' actions convince the audience that he is implicated. Even his erstwhile henchmen, Pendleton and Clive, are sure that Douglas is double-crossing them.

Douglas creates the impression he is going straight and is solely interested in winning Miss Bruce's favor. William is similarly interested. The mystery deepens and the film develops a surprise twist at the finish.

The work of both the authors and players is smart and that desirable quality also distinguishes George Fitzmaurice's direction. It is the kind of film that demands that audiences pay close attention.

Running time, 86 minutes. "G."

"The Kid Comes Back"
(Warners)

HOLLYWOOD, Jan. 23.—Careful direction, a good cast and good production values, plus several sequences in the ring, make "The Kid Comes Back" a lively and entertaining, if unpretentious, attraction.

It is a romantic comedy drama of the ring, with each element coming in for a fair share of attention, and without too much emphasis on any one. Wayne Morris, Barton MacLane, June Travis and the child, Dickie Jones, have leads in a group of competent performances.

B. Reeves Eason, in his direction from a story by E. J. Flanagan and screenplay by George Bricker, has maintained a satisfactory pace and combined comedy and the human interest element.

MacLane, a trial horse of the ring, takes on young Morris as his protege and grooms him for the ring. The boy achieves an enviable strikeout record, and meanwhile falls in love with MacLane's sister, Miss Travis. They plan that he will quit the ring and that they will take a ranch in Texas, with the youngster, Jones, but she makes him promise that he will not fight MacLane. The latter's cherished dream is a crack at the title, and he succeeds, with the aid of a sports reporter, in forcing Morris into a fight with him.

In an effective slugfest, Morris leaves an opening and MacLane knocks him out, which produces the desired result for all concerned.

Running time, 60 minutes. "G."

Exemption Increase Sought by Vincent

(Continued from page 1)

Allied States and independent exhibitors generally.

A moderate increase in the exemption, he told the committee, would encourage the further growth of the film theatre industry, would greatly increase the corporation income tax of film theatres and would not materially decrease the revenue now being derived from admissions.

"The artificial ceiling on admission scales imposed by the federal tax on admissions of 41 cents or over tends to hold the top admission charge at 40 cents as against the natural economic and competitive factors that would cause the theatre management to charge 50 cents, for the simple reason that ordinarily out of the ten cents difference in admission charge five cents would go to the government as tax, three and one-half cents to the distributor for film rental, always based on gross receipts, leaving but one and one-half cents for the theatre management," he explained.

"A change in the exemption figure would not only affect all theatres now charging 40 cents admission, on which no tax is now levied, but all of the subsequent run theatres who follow 40 cents prior or first runs, as well as higher admission first runs who have 40 cents matinee scales," he said.

A.F.L. to Consider IATSE Jurisdiction

WASHINGTON, Jan. 23.—The proposed extension of the jurisdiction of the IATSE to take in screen actors is expected to come up for consideration at the meeting in Miami this week of the executive council of the federation of labor.

Kenneth Thomson, executive secretary of the Screen Actors Guild, was in Washington last week to discuss the matter with federation officials, and is understood to have been informed that neither they nor the executive council had authority to give more jurisdiction to the IATSE, but that such a matter, particularly if opposition was expressed by any union which would be affected or absorbed, must be dealt with by the annual convention of the organization.

Papers Completed in North Dakota Action

Papers in Paramount's action to enjoin North Dakota officials from enforcing the state's circuit theatre "divorce" law after March 15, when the measure goes into effect, were completed here on Saturday and were taken to St. Paul over the week-end by Joseph Finley, resident attorney there for the company.

The injunction is being sought to bar enforcement of the "divorce" law pending the trial of Paramount's action to prove the statute unconstitutional. Although that trial may get under way in March the case may not be decided before late spring.

Finley plans to file the injunction papers in Fargo about Feb. 4, but due to the illness of Judge Andrew Miller, who is convalescing in Florida and is the only Federal judge in the Fargo district, the hearing on the application probably will be held in St. Paul. A special Federal statutory court of three judges will hear the application on or about Feb. 15. A decision is expected within a week or 10 days thereafter.

Everything you could wish for!

WARNER BROS.

in 1938...

JANUARY

TOVARIC

(Claudette Colbert, Charles
Basil Rathbone, Anita Lou
Melville Cooper, Isabel Je

HOLLYWOO HOTEL

(Dick Powell, Rosemary La
Hugh Herbert, The Hollywood
Program with Louella Parsons
Frances Langford, Benny Goo
& His Swing Band, Lola La

THE INVISIBLE MENACE

(Boris Karloff, Marie Wilson
Eddie Craven)

SWING YOUR LAD

(Humphrey Bogart, Frank McH
Louise Fazenda, Nat Pendleto
Penny Singleton, Allen Jenkin
The Weaver Brothers and Elvi

FEBRUARY

PENROD AND HIS TWIN BROTHER

(The Mauch Twins: Billy and Bo
Frank Craven, Spring Byingto

GOLD IS WHERE YOU FIND IT

n Technicolor; George Brent, via de Havilland, Claude Rains, Margaret Lindsay)

JEZEBEL

(Bette Davis, Henry Fonda, George Brent, Donald Crisp, Margaret Lindsay, Fay Bainter, Richard Cromwell)

MAY

FOOLS FOR SCANDAL

(Carole Lombard, Fernand Gravet, Ralph Bellamy, Allen Jenkins, Isabel Jeans, Marie Wilson)

THE KID OMES BACK

(Wayne Morris!)

LOVE HONOR AND BEHAVE

(Wayne Morris, Priscilla Lane, and "Bei Mir Bist Du Schoen")

THE DUDE RANCHER

(Dick Powell, Pat O'Brien Priscilla Lane, Johnnie Davis, Frank McHugh, Dick Foran)

BLONDES AT WORK

lenda Farrell, Barton MacLane, Tom Kennedy, Rosella Towne, Donald Briggs)

APRIL

THE ADVENTURES OF ROBIN HOOD

(In Technicolor; Errol Flynn Olivia de Havilland, Basil Rathbone, Claude Rains, Melville Cooper, Eugene Pallette, Ian Hunter, Alan Hale, Patric Knowles, Una O'Connor)

JUNE

GOLD DIGGERS IN PARIS

(Rudy Vallee, Rosemary Lane, Priscilla Lane, Johnnie Davis, Hugh Herbert, Allen Jenkins, Melville Cooper, Penny Singleton)

MARCH

A LIGHT CASE OF MURDER

dward G. Robinson, Jane Bryan, Allen Jenkins, Ruth Donnelly, Willard Parker)

OVER THE WALL

(By Warden Lewis E. Lawes!)

WHITE BANNERS

(By the Author of 'Green Light'!)

E COULDN'T SAY NO

(Frank McHugh, Jane Wyman, Cora Witherspoon)

WOMEN ARE LIKE THAT

(Kay Francis, Pat O'Brien, Ralph Forbes, Melville Cooper, Thurston Hall)

. . . As the SEARS DRIVE *Sweeps On!*

"Man-Proof" Only Draw in Frisco Slump

San Francisco, Jan. 23.—"Man-Proof," on a dual with "King Solomon's Mines" at the Warfield, was the only attraction to make much of a showing in a dull week with five holdovers. The gross was a par $13,000.

"Hollywood Hotel" and "You're Only Young Once" were weak at the Fox. "I'll Take Romance" and "Girl with Ideas" fell off to $5,200 at the Orpheum in the second week. "Bad Man of Brimstone" and "Beg, Borrow or Steal" slipped to $12,000 in the holdover at the Paramount. "Nothing Sacred" took $5,400 in the fourth week at the United Artists.

Total first run business was $75,300. Average is $87,500.

Estimated takings:

Week Ending Jan. 17:

"SHEIK STEPS OUT" (Republic)
"BOOTS AND SADDLES" (Republic)
EMBASSY — (1,400), 15c-35c-40c-55c, 4 days, 2nd week. **Gross:** $2,800. (Average, $5,000)

Week Ending Jan. 18:

"CRASHING HOLLYWOOD" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $14,000. (Average, $16,000)

Week Ending Jan. 19:

"HOLLYWOOD HOTEL" (W.B.)
"YOU'RE ONLY YOUNG ONCE" (M-G-M)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,000. (Average, $17,000)

"I'LL TAKE ROMANCE" (Col.)
"GIRL WITH IDEAS" (Univ.)
ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days, 2nd week. **Gross:** $5,200. (Average, $8,500)

"BAD MAN OF BRIMSTONE" (M-G-M)
"BEG, BORROW OR STEAL" (M-G-M)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $12,000. (Average, $13,000)

"WELLS FARGO" (Para.)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd downtown week. **Gross:** $5,500. (Average, $7,000)

"MAN-PROOF" (M-G-M)
"KING SOLOMON'S MINES" (G.B.)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $13,000. (Average, $13,000)

Week Ending Jan. 20:

"NOTHING SACRED" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 4th week. **Gross:** $5,400. (Average, $7,000)

Week Ending Jan. 21:

"SLALOM" (Scandinavian)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,400. (Average, $1,000)

Warners Names Shorts

Hollywood, Jan. 23.—Warners has selected five shorts as its nominations for the annual Academy awards. They include: "The Man Without a Country," two-reeler in color; "Playing with Danger" and "Puppets' Love," single reels; "Swing for Sale," two reeler; "September in the Rain," cartoon. The pictures will be viewed by the nominating committee of the Academy next week.

Kennedy Sails Feb. 9

Washington, Jan. 23.—Joseph P. Kennedy will wind up his duties as chairman of the Maritime Commission in a few days and will be ready to sail for London Feb. 9, he states. Mrs. Kennedy will accompany him. In the meantime he is holding conferences at the State Department and White House on his new duties as British Ambassador.

New Year Week Key Takes Increase to $1,852,759

Estimated takings for the latest available periods:

	Week Ending Dec. 31-Jan. 1		*Week Ending Dec. 24-25*	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	7	$96,400	7	$76,000
Buffalo	5	53,850	5	28,000
Chicago	8	137,800	8	92,600
Cincinnati	7	42,850	7	37,400
Cleveland	5	65,500	5	31,000
Denver	6	42,450	6	26,800
Detroit	6	75,700	6	71,800
Houston	4	23,650	4	24,400
Indianapolis	4	24,100	4	20,800
Kansas City	5	49,700	5	27,300
Los Angeles	8	104,159	8	65,657
Milwaukee	5	35,500	5	21,500
Minneapolis	5	22,800	5	24,350
Montreal	4	42,500	4	19,500
New Haven	4	29,500	4	15,800
New York	9	336,300	9	203,000
Oklahoma City	3	12,100	3	9,500
Omaha	3	23,500	3	21,400
Philadelphia	8	89,900	8	66,500
Pittsburgh	5	64,900	5	36,400
San Francisco	8	89,300	8	67,500
St. Paul	4	17,250	4	12,500
Seattle	7	33,700	7	33,150
Washington	6	84,000	6	43,800
	136	$1,597,409	136	$1,076,657

Key city grosses up to the week ending Jan. 7-8:

Week Ending	*No. Theatres*	*Gross*
Sept. 3- 4	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974
Nov. 26-27	138	1,419,301
Dec. 3- 4	136	1,612,773
Dec. 10-11	137	1,300,818
Dec. 17-18	137	1,193,642
Dec. 24-25	136	1,076,657
Dec. 31-Jan. 1	136	1,597,409
Jan. 7- 8	150	1,852,759

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Thomas Takes Another

Kingfisher, Okla., Jan. 23.—Operation of the State has been taken over by John H. Thomas and his son, Kenneth, new owners, who purchased the property from C. S. Humphrey of Oklahoma City. Earlier last week the Thomases had re-acquired the Thomas and Temple theatres here, which they had sold eight months ago to the Consolidated Amusement Co. of Oklahoma City.

Sells Oklahoma House

Hydro, Okla., Jan. 23. — Richard Buchanan, owner of the Hydro since last September, has sold it to D. F. Bradbeck and Bruce Hendrix of Canton, Okla. Bradbeck has owned and operated a theatre at Canton for the past three years. Buchanan said he plans to purchase a theatre in eastern Oklahoma.

Monogram Offers Prizes

Philadelphia, Jan. 23.—The Monogram office here will offer a number of prizes for the best exploitation campaigns of "Boy of the Streets." The competition closes March 15.

Unusual "Landing" Book

The 20th Century-Fox advertising department has turned out an unusual press book for "Happy Landing," the work of Arch Reeve under the supervision of Charles E. McCarthy, director of advertising and publicity. Measuring 21½ inches in depth by 15½ inches wide, the book combines red and silver effectively on the front and back covers. A complete selection of publicity and exploitation material, mats and other sales suggestions is included.

Republic Office Moves

Philadelphia, Jan. 23.—The local Republic exchange has moved into temporary quarters while the new offices are being completed. The work is expected to take several months.

Shea Leases 3 Houses

Columbus, Jan. 23.—The Shea interests in New York have leased the Harkness, at Clyde, O., and the Lion and Bellevue, at Bellevue, O. All three houses will be remodeled.

"Hotel," Show Detroit Lead With $25,00

Detroit, Jan. 23.—Top money f the week went to "Hollywood H and a stage show at the Mic The $25,000 gross passed par $5,000.

Business was good all along the li with all first runs in the profit colum "Dinner at the Ritz," with a sta show headed by Ted Weems' orche tra, took $22,500, "Mannequin" w $2,500 up on a take of $12,500 at t United Artists, and "Tovaric grossed $11,600 at the Madison.

Total first run business was $83,3 Average is $70,000.

Estimated takings for the week en ing Jan. 20:

"YOU'RE A SWEETHEART" (Univ.) (2nd Week)
"GIRL WITH IDEAS" (Univ.)
ADAMS—(1,770), 15c-50c, 7 days. **Gros** $5,500. (Average, $5,000)

"DINNER AT THE RITZ" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage Ted Weems' orchestra, Gloria Day, Tomm Martin, Readinger Twins, Dames de Coe **Gross:** $22,500. (Average, $20,000)

"HOLLYWOOD HOTEL" (F.N.)
MICHIGAN — (4,100), 15c-75c, 7 day Stage, Baptie & Lamb, Bobby Duffy Alex Hurd, Sybil Bowan, Rigolette Brother & Aimee Sisters, Joyce Bros. & Dea **Gross:** $25,000. (Average, $20,000)

"BLOSSOMS ON BROADWAY" (Para.
"BORDERTOWN" (M-G-M)
STATE—(3,000), 15c-50c, 7 days. **Gross** $6,200. (Average, $5,000)

"MANNEQUIN" (M-G-M)
UNITED ARTISTS—(2,070), 15c-75c, days. **Gross:** $12,500. (Average, $10,000)

"TOVARICH" (W.B.)
MADISON—(2,000), 15c-75c, 7 days. **Gross** $11,600. (Average, $10,000)

"Hurricane" Tops Seattle; 3rd Week

Seattle, Jan. 23.—"The Hurricane" continued to be the outstanding draw downtown in its third week. It rolled up $8,400, over normal by $3,400, at the Liberty.

"Wells Fargo" held up to $4,200 in its third week downtown. It was at the Music Box on an extended run from the Paramount. "Boy of the Streets," on a dual with "The Duke Comes Back," turned in a smart $5,500 at the Palomar.

Total first run business was $41,400. Average is $36,500.

Estimated takings for the week ending Jan. 21:

"PARTNERS IN CRIME" (Para.)
"THEY WON'T FORGET" (F.N.)
BLUE MOUSE—(950), 25, 7 days. **Gross:** $3,600. (Average, $4,000)

"TOVARICH" (W.B.)
"YOU'RE ONLY YOUNG ONCE" (M-G-M)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $8,250. (Average. $7,000)

"THE HURRICANE" (U.A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 3rd week. **Gross:** $8,400. (Average, $5,000)

"WELLS FARGO" (Para.)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Paramount. **Gross:** $4,200. (Average, $4,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
"BREAKFAST FOR TWO" (RKO)
ORPHEUM—(2,450), 30c-40c, 7 days, 2nd week. **Gross:** $5,650. (Average, $6,000)

"BOY OF THE STREETS" (Monogram)
"THE DUKE COMES BACK" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Lew White. **Gross:** $5,500. (Average, $4,500)

"MAN PROOF" (M-G-M)
"NIGHT CLUB SCANDAL" (Para.)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $5,800. (Average. $6,000)

EVEN IF THEY TURNED THE ROXY UPSIDE DOWN

SONJA HENIE ★ DON AMECHE
"HAPPY LANDING" with JEAN HERSHOLT ETHEL MERMAN
AND GALA STAGE SHOW WITH JACK POWELL

AND **POURED** THE CROWDS IN

THEY COULDN'T HAVE PACKED MORE PEOPLE IN AT THE "HAPPY LANDING" OPENING!

20th CENTURY FOX
THE KEYSTONE
OF YOUR FUTURE

Super-Power Attacked in F.C.C. Study

(*Continued from page 1*)

phases of the situation should be undertaken before any policy is adopted with respect to the licensing of newspaper-owned stations, Craven held, pointing out that broadcasting has already affected newspapers and will affect other means of communication, possibly affecting the film industry in the future just as the latter has affected the legitimate stage.

Network operation performs an essential service, but studies should be made of programs with a view to their improvement and studies should also be conducted into the contractual relations between the chain companies and their affiliated stations to insure preservation of competition between networks, individual stations, sponsors, performing talent and others.

Seek Profits Probe

Inquiries into the profits of broadcasting stations of all classes were also suggested, toward which it was proposed the commission require stations to file more complete financial statements than now submitted. Such a demand for adequate statements, however, it was explained, should not be the basis for fears that it was a step in the direction of rate regulation.

"We know of no reason for changing the doctrine of fair competition, both local and national, among individuals as well as among organizations, and we believe that adherence to the diversification doctrine of licensing stations in any community or region, as well as in the nation as a whole, is a sound public policy," the report said in discussing the American system.

"In effecting a preservation of the existing American system of broadcasting," it pointed out, "it may be necessary to establish standards of public service and to take such steps as are necessary to insure their being complied with."

Super Power Important

Considerable attention was paid in the report to the question of superpower, a major factor in which, the commission was warned, is the fact that a small group of licensees would have control of radio facilities capable of reaching the entire nation.

"Unless care were exercised in the regulation of these licensees, the possibility exists of having granted to a few people, from natural resources of the Federal Government, the control of a system of mass communication having untold potentialities of being utilized to influence public opinion," Craven said, adding that "the evidence is not conclusive of the immediate general need for super-power."

Adoption of super-power, the report contended, should be surrounded by restrictions to insure that the smaller stations are not adversely affected.

Biebl on WHK, WCLE Staff

Raleigh, N. C., Jan. 23.—Leslie Biebl, for the past two years announcer on WPTF here, has resigned to accept a post on the staff of WHK and WCLE, Cleveland.

Daytime NBC Gross Up 34% During 1937

(*Continued from page 1*)

1936. In addition, these clients in most instances have expanded not only the sizes of the networks they were using, but the number of programs, Procter & Gamble in 1937 having more than 80 daytime quarter-hours a week on the Blue and Red networks.

New daytime advertisers in 1937 included American Home Products, for four different products; Drackett Co., Duart Manufacturing Co., Ferry-Mores Seed Co., Firestone Tires, Globe Grain & Milling Co., Jergens-Woodbury, Lamont-Corliss Co., C. F. Mueller Co., National Ice, Pacific Guano Co., Procter & Gamble, two new programs; Scott Paper Co., Sherwin Williams Co., and Sterling Products, two.

Plan Educational Programs on Coast

(*Continued from page 1*)

school system will receive the broadcasts as a regular part of their curricula. More than 400 classrooms in the schools have been radio-equipped.

Mrs. Paulin Winner, radio coordinator of the local Board of Education, is in charge of arranging for speakers for the series, working in cooperation with Donald W. Thornburgh, CBS vice-president in charge of coast operations; Charles Vanda, CBS coast program director, and Fox Case, public relations director for the CBS western division.

Appointed to work out the programs are Harrison Holliway, KFI-KECA manager; Jose Rodriguez, educational director of the Earle C. Anthony stations; Dr. Remsen D. Bird, president of Occidental College; Dr. W. D. Henley, University of Southern California, and Dr. G. Ross Robertson, of the University of California at Los Angeles. The programs are tentatively scheduled to start in 60 days.

WOR Prohibits All Controversial Talks

(*Continued from page 1*)

ago and it has been applied generally except in the instance of Father Coughlin, whose program was acceptable to the station because of his previous seasons on the air over WOR. It became applicable to Father Coughlin following the cancellation of his program last season as a result of his differences with his church superior.

The situation was explained to the *Tablet* in a letter by Eugene S. Thomas, assistant sales manager of WOR.

To Syndicate Radio Scripts

Universal Radio Programs, Inc., will soon begin syndication of comedy scripts for spots on local variety shows. Universal has acquired the exclusive rights to a large gag and situation library, and will release three spots for "em cee" and announcer, and three comedy blackouts weekly. They will be offered at syndication prices.

A Real Egg

Merced, Cal., Jan. 23.—An egg has been laid at KYOS. It wasn't one of the boys' flat gags, either. When the KYOS group came to work one day at 8 A.M., a white leghorn hen was sitting quietly on the mat in front of the studio door.

The chicken disappeared, but a fresh egg was revealed there in the morning fog.

FCC Sets Hearings For Jan. 24-27-28

Washington, Jan. 23.—The Federal Communications Commission today made public its calendar of hearings on broadcasting applications for the current week, as follows:

Jan. 24, before an examiner: Applications of Y. W. Scarborough and J. W. Orvin for a 1,210-kilocycle station and of Santo Sottile for a 1,200-kilocycle at Charleston, S. C., both to have 100 watts power night, 250 watts day; and application of Joe L. Smith, Jr., for a 1,210-kilocycle station at Beckley, W. Va., with 100 watts power night, 250 watts day.

Jan. 27, before the commission: Argument on contesting applications for a 1,570-kilocycle station of The Journal Co., Milwaukee, and Mid-Atlantic Corp., Washington, each seeking 1,000 watts power, and *The Trenton Times,* Trenton, seeking 250 watts; contesting applications for a 1,210-kilocycle, 100-watt station of the Cumberland Broadcasting Co., Inc., Portland, Me.; Twin City Broadcasting Co., Inc., Lewiston, Me.; Philip J. Wiseman, Lewiston, Me.; Cape Cod Broadcasting Co., Barnstable, Mass., and George M. Haskins, Hyannis, Mass., and application of Arthur E. Seagrave for a 1,420-kilocycle, 100-watt station at Lewiston, Me.; applications of the Pacific Acceptance Corp. and Smith, Keller & Cole for a 1,200-kilocycle, 100-watt, daytime station at San Diego; and application of the Colonial Network, Inc., for a 720-kilocycle, 1,000-watt station at Providence, R. I.

Jan. 28, before the commission: Oral argument on applications of the Frontier Broadcasting Co., for a 1,420-kilocycle station at Denver, with 100 watts power night, 250 watts day; and WMEX, Boston, for change of frequency from 1,500 to 1,470 kilocycles and increase of power from 100 watts night, 250 watts day, to 5,000 watts.

Galesburg Station Gets FCC Approval

Washington, Jan. 23.—Construction of a new station at Galesburg, Ill., by the Galesburg Broadcasting Co., to operate day only on 1,500 kilocycles with 250 watts power, has been approved by the Federal Communications Commission.

The commission also authorized an increase from 500 to 1,000 watts in the power of KPOF, Denver.

An application of Richard F. Lewis for a new day station on 1,160 kilocycles with 1,000 watts power at Oakland, Cal., was denied.

Application for a new station at Pontiac, Mich., to operate daytime only on 800 kilocycles with 1,000 watts power has been filed.

◂ Radio Personals ▸

Walter Cassel has just been signed under the management of the CBS artists bureau. . . . Edward G. Robinson was introduced to local radio scribes via the cocktail party method at the Plaza over the weekend. Ruthrauff & Ryan tendered the party. . . . Lupe Velez will be Jack Oakie's guest during the "Caravan" broadcast Feb. 1. . . . Lew Gehrig, whose boner in confusing "Huskies" and "Wheaties" is still well remembered, will be on the M-G-M "Good News" show Jan. 27.

2 Watch Companies To Increase Budgets

The Longines-Wittnauer and Bulova Watch Co's, will increase their advertising budgets for radio considerably in 1938, both organizations state.

The Longines-Wittnauer radio schedule will include contracts for time signals on at least 100 stations throughout the country, while Bulova will increase its 1938 schedule by 50 per cent over the past year. The increase will be used chiefly to expand the company's radio time signal service. Arthur Rosenberg Co. is the agency for Longines; Biow & Co. handles the Bulova account.

Heatter Talk Series Transcribed by WOR

The WOR recording division has completed transcribing the new series of five-minute inspirational talks by Gabriel Heatter for the Johns Manville Co. The transcriptions will be spotted on 10 stations, including WOR, beginning Feb. 1.

Other shows which are being transcribed by the recording division include the Eleanor Howe platters for the National Ice Industry, the Myrt and Marge series for Colgate-Palmolive-Peet, and "Hilltop House," also for Colgate-Palmolive-Peet.

Canada Raises Fees For Receiving Sets

Ottawa, Jan. 23.—An increase in the license fees for radio receiving sets in Canada from $2 to $2.50 for the next fiscal year has been announced by Minister of Transport C. D. Howe. The increase is expected to yield an additional $650,000 annually and give C.B.C. approximately $2,575,000 in revenue from license sources.

Tormey Is Elected Blackett Executive

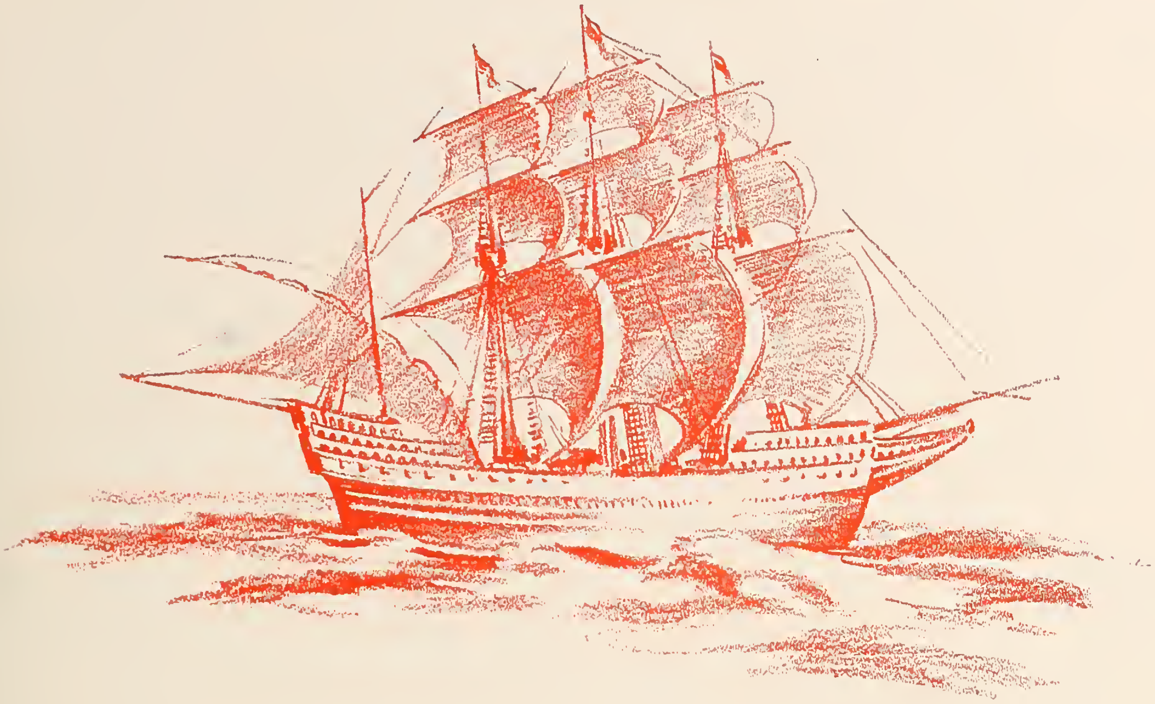
George Tormey, for the past 10 years with Blackett-Sample-Hummert, Inc., in New York as an account executive, has been named a vice-president with the agency.

He was formerly with Lord & Thomas.

Mexico Sets Total 250,000

Mexico City, Jan. 23.—The total number of radio receiving sets in regular service in Mexico, which has a population of 17,000,000, is disclosed by the Government at 250,000.

New Ports of Call



The far-flung service of QUIGLEY PUBLICATIONS to the motion picture industry is emphasized anew as TEATRO AL DIA, youngest of the Quigley group of business papers, enters its third year of existence. The current issue of TEATRO AL DIA, out today, widens the publication's scope with new features and new interests.

TEATRO AL DÍA

Published in Spanish and distributed to the industry in all Spanish language markets by

Quigley Publishing Company, Inc.

Kansas City House Tries Single Bills

Kansas City, Jan. 23.—A single feature policy has been introduced by John Wolfberg at the Strand, a suburban here, with a direct appeal to "single feature fans," asking them to support the move.

"There seems to be thousands of you," Wolfberg's advertisement read. "You represent approximately 80 per cent of the movie-going public. You are continually asking for the abolition of double bills. Well, here's your chance! We don't like double bills any better than you do, but we continue them because business falls off when we don't. If you'll support single features, we'll have them. The management of the Strand cordially invites your support and, most important, your attendance at this trial program. Kansas City's amusement policy is in your hands. We ask that you do something about it. Demonstrate your preference for single bills by attending them."

Loew's Stockholders To Act on Contracts

(Continued from page 1)

profit-sharing arrangement will be Louis B. Mayer, vice-president in charge of production; Al Lichtman, vice-president and executive assistant to Nicholas M. Schenck; J. Robert Rubin, vice-president and general counsel; Edgar J. Mannix, Sam Katz and Benjamin Thau, production executives; Hunt Stromberg, Bernard Hyman, Lawrence A. Weingarten, Harry Rapf and Mervyn LeRoy, producers.

Out Hollywood Way

Hollywood, Jan. 23. — Robert Montgomery, Virginia Bruce and Warren William top the cast of M-G-M's "Wooden Wedding." Richard Thorpe is directing from an original story of Norman Krasna, who is producing.

Herbert Stothart is doing the music for M-G-M's "Marie Antoinette.". . . Warners, after making numerous casting announcements which were later cancelled, has finally decided that Lola Lane and Paul Kelly will play "Torchy" and "Sergeant McBride" in "Torchy in Panama.". . . Humphrey Bogart plays with the "Dead End" kids again, having drawn the male lead in Warners "Reform School.". . . Bob Fellows, Warner Bros. unit manager, has been made assistant to Sam Bischoff, producer. . . . Republic is preparing two topical stories—"Plane Missing," based on recent airplane disasters, and "Fly By Night," based on recent exposes of fly by night tourist travel agencies.

✚

Darryl Zanuck closed by cable a deal which will bring Richard Green, London stage actor, here to play opposite Loretta Young in "Four Men and a Prayer.". . . Robert Taylor, Margaret Sullavan and Robert Young head the cast of M-G-M's "Three Comrades," in which Taylor plays the tragic Eric, who loses his sweetheart and his friend. . . . Freddie Bartholomew's next for M-G-M will be "Lord Jeff.". . . Paramount has signed Fibber McGee and Mollie, for three pictures a year.

✚

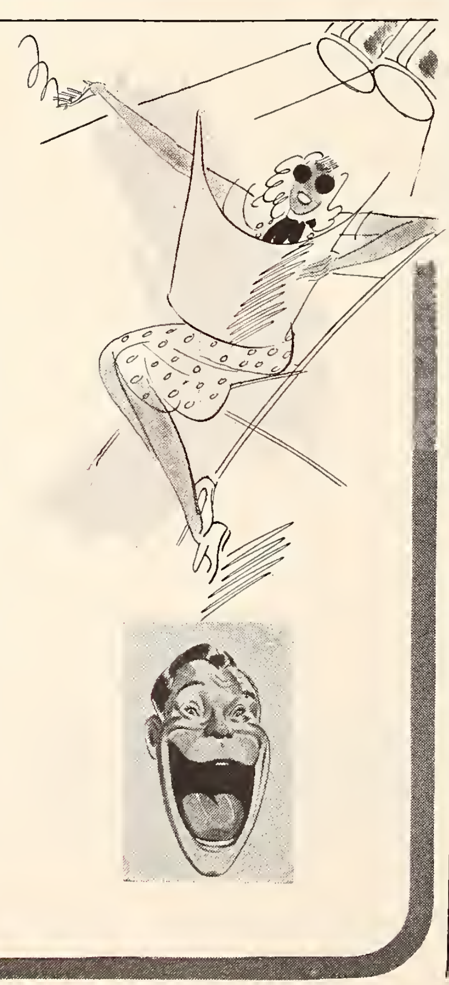
Casting—Douglas Fairbanks, Jr., and C. Aubrey Smith in "Four Men and a Prayer," 20th Century-Fox. . . . Marjorie Weaver in the Ritz Brothers vehicle, "Kentucky Moonshine, same lot. . . . John Beal in "Madelone," M-G-M. . . . Dorothea Kent and Frank Jenks in "Goodbye, Broadway," Universal. . . . Marilyn Knowlden, 10-year-old girl, to "Marie Antoinette," M-G-M. . . . Vera Gordon and Egon Brecher in "You and Me," Paramount. . . . Edward Brophy in "Gold Diggers in Paris," Warners. . . . Eric Blore in "Never Say Die," Jack Benny vehicle at Paramount. . . .

✚

Writers and *Story Buys*—20th Century-Fox has purchased "Take Her Down," novel of submarine life by Commander T. B. Thompson. . . . Julius Epstein has joined Milton Krims on the script of "Lovely Lady," Kay Francis vehicle at Warners. . . . H. W. Hannemann has gone to Warners to work on the screenplay of "Up She Goes.". . . Hans Kraly is writing the story for Ramon Novarro's next for Republic. . . .

✚

Directors—Lewis D. Collins has been signed by Larry Darmour to direct the next Jack Holt vehicle, "Flight Into Nowhere," for Columbia release. . . . William McGann will guide "The Defense," Warner picture formerly called "For the Defense.". . .



THE SCRIPT GIRL says:

"I've been looking at shooting scripts too long . . . and sometimes I want to shoot the author! But I can't get enough of the new COLUMBIA laugh smash . . . JOE E. BROWN in WIDE OPEN FACES!"

G. N. Production to Be Resumed in Part

(Continued from page 1)

lywood to put the next Ritter, "Rollin' Plains," in work shortly and to prepare three more films which will complete the series on this year's contracts. Finney will establish the advertising and publicity department on the coast, remaining there indefinitely. Details of the setup will be decided on the coast.

Phil Goldstone and Phil Krasne, attorney and studio supervisor, who were here all last week in connection with the reorganization, also left Saturday en route to the coast. Peskay planned to stop over in Chicago en route west. On his return he plans a tour of exchanges.

Peskay declared that "we are conserving our assets as much as possible" and that the companv is meeting all current obligations.

Reorganization plans will be discussed further with Edward Alperson, president, after the men now heading west reach Hollywood.

The company needs $1,000,000 to get production under way on a substantial scale, according to a spokesman.

Cooper Touring West

Lincoln, Neb., Jan. 23.—J. H. Cooper, head of Cooper Enterprises, was here from New York this week talking over leases and rentals with Charles Stuart, and Frank D. Eager, his landlords. He went with Division Manager L. J. Finske to Oklahoma City from here to look over the reorganization of his holdings there.

Luce Replies Warmly To Warner Statement

(Continued from page 1)

fusal of the Warner circuit to book the issue.

Luce's statement said: "Mr. Warner's assertion that the March of Time is 'pro-Nazi propaganda' is ridiculous.

"Mr. Warner also says that movie audiences pay little or no attention to the sound that comes from the screen. This is an amazing observation to come from the man generally credited with introducing the talking picture.

"According to the Warner statement, the Warner screens are reserved for entertainment only. Evidently Mr. Warner does not believe the movie industry capable of any honest pictorial treatment of any matter of importance.

"Fortunately Mr. Warner does not control the entire motion picture industry."

Sue RKO on 'Time' Sequence

Davenport, Ia., Jan. 23.—RKO Radio Pictures is defendant in a $1,100,000 libel suit in the Scott County District Court here by Norman G. Baker, Muscatine, Ia., in connection with the March of Time Episode of February, 1937, titled "Conquering Cancer."

Baker asks $550,000 actual and $550,000 exemplary damages, alleging libel in the film's reference to "The Notorious Quack, Norman Baker of Muscatine."

Dollinger to Report

A report on national Allied's recent board meeting in Washington will be given by Irving Dollinger, president of Allied of N. J., at the unit's regular meeting at the Lincoln Hotel tomorrow afternoon. Dollinger has been named chairman of the national group's radio committee.

Poland Bars Panay Film

Warsaw, Jan. 23.—Newsreel films of the *Panay* sinking have been barred by the Polish censor on the ground that they might arouse unfriendly feeling in a friendly nation.

Wall Street

Light Board Activity

	Open	High	Low	Close	Net Change
Col.	13½	13½	13½	13½	— ¼
Cons. pfd.	6	6	6	6	.....
E. K.	163¾	163¾	163¾	163¾	— ¼
G. T. E.	12¾	12¾	12¾	12¾	— ⅛
Loew	49	49½	49	49¼	+ ⅛
Para.	11	11	10⅝	11	— ⅛
Pathe	5⅞	5⅞	5⅞	5⅞	— ¼
R. K. O.	4⅞	4⅞	4¾	4¾	.....
20th Fox	23	23	23	23	.....
W. B.	6⅞	6⅞	6⅞	6⅞	.....

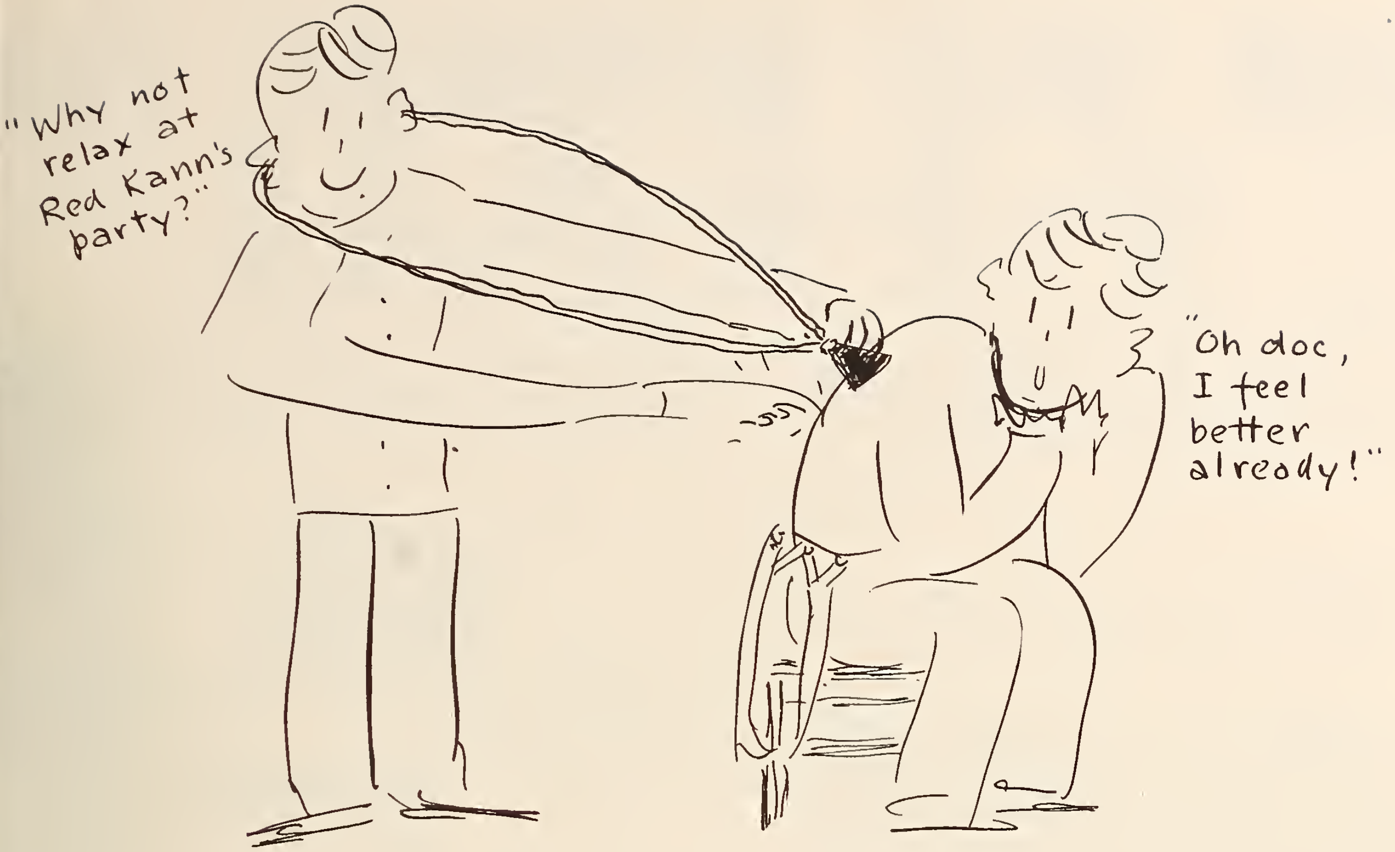
Technicolor Drops on Curb

	Open	High	Low	Close	Net Change
G. N.	¾	¾	¾	¾	.....
Sonotone	2⅛	2⅛	2⅛	2⅛	+ ⅛
Technicolor	19½	19½	19⅛	19⅛	—1⅜
Univ. Corp.	3½	3½	3½	3½	.....

Bonds Decline

	High	Low	Close	Net Change
Paramount Broadway 3s '55	60½	60½	60½	.....
Paramount Pictures 6s '55	95⅜	95⅜	95⅜	— ⅝
W. B. 6s '39	76⅝	76⅝	76⅝	— ⅜

(Quotations at close of Jan. 22.)


"Why not relax at Red Kann's party?"
"Oh doc, I feel better already!"

RED KANN'S PARTY IS GOOD FOR WHAT AILS YOU!

What this industry needs is a rousing party—preferably without speeches!

That brings us right up to next Wednesday, January 26th, at the Hotel Astor. The industry is tossing a big evening to a swell guy, Red Kann, and please tell the folks you won't be home till dawn! This party, conservatively described as a Round-up and Barbecue, will be attended by all of Red's friends in the business ... and that covers everybody. It's strictly informal, for gents only, and starts with cocktails on the house at 7 p.m. An excellent dinner, liquor, laughs, entertainment and merry industry-fellowship provided by the sponsors.

TICKETS FROM PAUL BENJAMIN, PHONE CIRCLE 6-5700

INSIDE NAZI GERMANY-1938

SINGLE SUBJECT OF THE MARCH OF TIME, ISSUE 6, VOLUME 4

SENATOR KEY PITTMAN, *Chairman—Senate Foreign Relations Committee:*

"'Inside Nazi Germany' shows exactly what happens when a dictator takes control of a nation. I think it highly desirable that this picture be seen by every American."

WALTER WINCHELL:

"Don't miss the new March of Time . . . the best ever."

WILLIAM E. DODD, *Retiring U. S. Ambassador to Germany:*

"The members of every American family, young and old, who believe in liberty and democracy should by all means see 'Inside Nazi Germany' which March of Time has so brilliantly produced. It tells the truth about Hitler's government."

GUY EMERY SHIPLER, *Editor—THE CHURCHMAN:*

"Inside Nazi Germany—1938" ought to have a profound effect on American thought. Its very restraint in dealing with a situation so completely lacking in restraint, adds notably to the strength of the presentation.

FILM DAILY:

"'Inside Nazi Germany' brings home the full truth for perhaps the first time."

MOTION PICTURE DAILY:

"A notable film document which may well attain historical importance."

CHICAGO'S POLICE COMMISSIONER ALLMAN:

"The film is not censorable.—I lifted the ban."

PENNSYLVANIA BOARD OF CENSORS:

"Showing of this film would have a healthy influence. 'Inside Nazi Germany' should be shown throughout the country."

FATHER JOHN LA FARGE, S. J., *Associate Editor—AMERICA:*

"Congratulations on film. Believe public will grea[illegible] profit by serious warning contained in this masterly presentation of conditions in Nazi Germany."

LIFE
10 cents

LIFE'S MOVIE OF THE WEEK: *Inside Nazi Germany—1938*

RABBI STEPHEN S. WISE:

"A truthful portraiture of the march of time in Nazi Germany. As an American, I congratulate 'Time' for defending the Democratic Ideal—by telling the truth about Regimentation in Nazi Germany."

ERIC VON SCHROEDER, *Chairman—German - American League for Culture:*

"A thoroughly objective film which should be shown everywhere because it represents the truth."

SENATOR CLAUDE PEPPER OF FLORIDA:

"This new March of Time picture awakens us to things we do not know and should know. It should be shown in every theatre in the land."

MELVIN M. FAGEN, *Exec. Secy.—Conference on Jewish Relations, Inc.:*

"March of Time has performed a notable public service . . . volumes have been written about Nazi Germany, but I doubt whether any or all of them together have been able to portray the problem in so stirring and in so complete terms."

W. F. GITHENS, *President—Embassy Newsreel Theatre:*

"'Inside Nazi Germany' showing to record crowds at Embassy Newsreel Theatre far surpassing Panay Bombing with box office open to 2 a. m. Tremendous interest and public approval. This is the best March of Time ever released."

TIME MARCHES ON!

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Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 20 NEW YORK, TUESDAY, JANUARY 25, 1938 TEN CENTS

Kuykendall's Hopes Rise on 10-Point Plan

Says Prospects Brighter After Talks Here

The M.P.T.O.A.'s 10-point trade ractice program has a better chance f being adopted at this time than at ny moment since its drafting almost 8 months ago, Ed Kuykendall said esterday on his arrival here from Vashington.

In explanation of his statement Kuykendall said that "some distributor interests which have declined o participate in any way in conferences on a trade practice program are howing a very definite interest in it t the present time."

He declined to name the "distributor interests" referred to, although t is a matter of record that Warners efused to confer with the M.P.T.O.A. rade practice committee when it met vith seven other major companies ere late in 1936. It is also known hat Universal, subsequent to the

(*Continued on page 4*)

Name Esary to Head Hearst's Show Unit

HOLLYWOOD, Jan. 24. — Howard Esary, former program director of KEHE, Hearst station here, has been named head of the newly organized International Radio Productions, a division of International Radio Sales, and will operate from offices at KEHE. Al Poska, chief KEHE announcer, has taken Esary's post as program director, with staff announcer George Irwin elevated to the chief announcer's post.

Auditor Gurden Mooser has been transferred to KYA, Hearst station in San Francisco, to act as chief accountant. Jack Gross continues as KEHE station manager.

U. S. May Prohibit Air Ads on Liquor

WASHINGTON, Jan. 24.—A flat ban on liquor advertising over the air is expected to be issued by the Federal Alcohol Administration within the next few days.

The prohibition will apply to all liquor, but is aimed primarily at radio advertising of beer, there being little or no such advertising of spiritous

(*Continued on page 8*)

More Radio—P. 8

Jackson Non-Committal on Talk Of Industry Anti-Trust Action

Washington, Jan. 24.—Revived reports that the Department of Justice was about to engage in an anti-trust campaign against the major film companies today were neither denied nor affirmed by Assistant Attorney General Robert H. Jackson, in charge of anti-trust enforcement.

Jackson said it would "be unfair to single out an industry" for discussion before the department was ready to make an announcement, but in other quarters it was said no general campaign against the film companies was under consideration at this time.

Jackson today visited the White House to confer with President Roosevelt, it is believed, on the subject of the latter's plans for new anti-trust legislation. Questioned following the conference as to whether the decision in favor of the Government in the Madison Oil case, the largest suit the Government has conducted in a number of years, had caused him to change his mind regarding the enforceability of the present statutes, he said he still believed the laws should be modernized.

Old Biograph Plant Is Put Up for Sale

The Biograph studio in the Bronx, built in 1912, and valued for tax purposes at $500,000, is being offered for sale. The present tenant is Biograph Studios, Inc., wholly owned subsidiary of Consolidated Film Industries, and the sale would be subject to the lease, which expires in October, this year.

Empire Trust Co., which owns the property, yesterday said that while the studio is not listed on the open market, it is ready to receive offers. Brokers have been making the rounds of film companies, attempting to interest them in buying the property,

(*Continued on page 4*)

"Everybody Sing" in Big Miami Opening

By A-MIKE VOGEL

MIAMI, Jan. 24. — "Everybody Sing," with little Miss Judy Garland, got its world premiere tonight under the Miami moon and with Metro-Goldwyn-Mayer decorations and elaborations. On hand were the elite of this southern capital and the assembled visiting showmen who congregate in the playland winter country.

It seems that Harry Rapf, producer

(*Continued on page 7*)

Guild to Get Word On IATSE's Claims

The Screen Actors' Guild will be notified by A. F. of L. officials of any attempt by the I. A. T. S. E. to press its claim to jurisdiction over the guild at the current A. F. of L. executive council meeting in Miami, and will be given an opportunity to contest the claim, Kenneth Thomson, executive secretary of the guild, said yesterday he had been informed by American

(*Continued on page 7*)

"Snow" Gets Third Music Hall Week

"Snow White and the Seven Dwarfs" will be held a third week at the Music Hall. It will be the 10th picture to play more than two weeks at the theatre since it was opened more than five years ago.

Having marked up $108,000 in its first week ended Wednesday night, the Disney feature gained momentum at the start of the second stanza and grossed $68,000 in the four days which ended Sunday night, as compared with $65,066 for the first four days of the initial week.

Business continued to build yester-

(*Continued on page 4*)

Prompt Exchange of Roxy Stock Ordered

Immediate arrangements for the exchange by bondholders and noteholders of Roxy Theatre of old securities for the new bonds and preferred stock, provided by the plan of reorganization, were ordered by Federal Judge Francis G. Caffey in the U. S. District Court yesterday. Bondholders who deliver the old bonds to the Manufacturers' Trust Co., as depository, will receive new first mortgage bonds

(*Continued on page 4*)

No Deal Is Definite, Says J. R. Grainger

HOLLYWOOD, Jan. 24.—Replying to reports that he is considering a return to active duty in the industry, James R. Grainger today told MOTION PICTURE DAILY that while he has listened to a number of propositions, no particular deal is being definitely considered.

Grainger is still under contract to Universal. His pact will expire next June.

Delay on RKO Setup to Fall Now Foreseen

Postponement to Feb. 28 Irks Judge Bondy

Completion of RKO's reorganization before next fall appears highly unlikely at this time as a result of another lengthy postponement yesterday of the start of hearings on the reorganization plan for the company.

Although acceding to the request of H. C. Rickaby, attorney for the proponents of the reorganization plan, for a postponement of the initial hearing to Feb. 28, Federal Judge William Bondy for the first time displayed impatience over the repeated delays and the failure to make progress in the reorganizing of the company.

"RKO has been reorganizing for five years now," Judge Bondy reminded Rickaby when the request for a new postponement was made. "In that time, creditors of the company have died, stockholders have changed and, I suppose, something has happened to the lawyers, too. It seems to me that this reorganization ought to be disposed of soon. If you can't agree among yourselves, perhaps you ought to let matters take their own course."

Rickaby interposed that there are "some things" which remain to be done, to which Judge Bondy replied, "So if this reorganization isn't completed this year, it will be the court's fault, I suppose."

MOTION PICTURE DAILY learned that there is no certainty that the reorganizers will be prepared to go forward with the hearings on Feb. 28,

(*Continued on page 5*)

Monogram Will Plan 42 for Next Season

Monogram will schedule 42 features for 1938-'39, the same as the current season, Edward A. Golden, sales manager, said yesterday. Selling will start early in April, following a national sales convention or regional meetings late in March.

A number of story properties have already been lined up for the new season. W. Ray Johnston, president, will arrive in Hollywood tomorrow to confer with Scott R. Dunlap, production chief, on the new program.

Golden said that product commitments have been maintained on schedule and that deliveries on the program will be completed July 1.

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(Registered U. S. Patent Office)

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Alperson's Mother Dies

Hollywood, Jan. 24.—Edward L. Alperson, president of Grand National, left by plane today for Omaha to arrange the funeral of his mother, Mrs. R. Alperson, who died Sunday following a lengthy illness. Alperson will return at the end of the week.

Rosamond Pinchot Dead

Old Brookville, L. I., Jan. 24.—Rosamond Pinchot was found dead here today in her garage. Miss Pinchot, a stage and screen player, appeared in "The Three Musketeers" in 1935 for RKO. She was 32.

MITCHELL MAY, Jr.
CO., INC.
•
INSURANCE
Specializing
in requirements of the
Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Hollywood Preview

"International Settlement"

(20th Century-Fox)

Hollywood, Jan. 24.—Double dyed in the wool melodrama is the entertainment and commercial substance of "International Settlement." The plot is developed against backgrounds of warfare which raged around the locale which gave the film its title. Skillful insertion of newsreel clip shots constitute a production backing which, for realism, would hardly be possible or as impressive had they been studio made. Yet practically all the action, intrigue, danger, romance which is both dramatic and lightly comic, and blood and thunder goings-on, occur in Shanghai's native Chinese sections.

The theme focuses attention on adventures of George Sanders, who assumes the identity of a dead man, Pedro de Cordoba, to whom he had been entrusted to deliver $1,000,000 to be used by one of the warring factions for the purchase and smuggling of munitions. As bombing, and shelling roar loudly, Sanders becomes involved with an arms hijacker, Leon Ames; with John Carradine and Harold Huber, ammunition traders, and Dolores Del Rio, a cafe entertainer, who initially is his enemy, but becomes his loving friend and saves him from the vengeance of the plotters and the perils of war. Running along in counterpoint to the main theme is the light romantic story of Dick Baldwin, a newsreel cameraman and June Lang.

The topical story, which accents production realism and makes possible strong characterizations, is an original by Lynn Root and Frank Fenton. The screenplay was prepared by Lou Breslow and John Patrick. In directing, Eugene Forde stressed action nicely.

Running time, 75 minutes. "G."

"The Spy Ring"

(Universal)

Hollywood, Jan. 24.—Fast action characterizes this Trem Carr production for Universal, "The Spy Ring," which has as backgrounds the machinations of an international spy plot and fierce playing on Army polo fields. Classified in the crime melodrama category, "The Spy Ring" will satisfy those fans for whom it is intended by virtue of its gripping suspense tempered with plausibility. Joseph H. Lewis' direction upholds the elements of the screenplay of George Waggner who adapted the story of Frank Van Wyck Mason.

The cast has as its top names William Hall, Jane Wyman, borrowed from Warners, and Jane Carleton, whom some fans will recognize as Esther Ralston, all of whom acquit themselves well.

Following the mysterious death of the army inventor of a device which transforms a machine gun into an effective anti-aircraft weapon, Hall is given the commission to develop it further. Three spies are offered $2,000,000 by a foreign country to steal the invention, and trail Hall to his new assignment at Monterey, where he leads the Army polo players to victory over their opponents, led by one of the spies. After the game, the spies argue among themselves and one of them is killed. Hall is kidnapped with his sweetheart, the daughter of the colonel, by the remaining two, but is rescued by his friends.

Running time, 60 minutes. "G."

Rick Ricketson in Town

Rick Ricketson, Fox Intermountain division manager at Denver, is here for conferences with Spyros Skouras. The Ricketsons motored to Watertown, N. Y., over the weekend with Spyros and Mrs. Skouras to visit their respective sons who are attending the Taft preparatory school there.

McCarthy to Chicago

Charles E. McCarthy, director of advertising and publicity for 20th Century-Fox, and Roger Ferri of his department, left last night for Chicago to prepare for the roadshow premiere of "In Old Chicago" at the B. & K. Apollo there Thursday night.

Wanger Borrows Dieterle

Hollywood, Jan. 24.—Walter Wanger has borrowed William Dieterle from Warners to direct "The River in Blue." Production will start in three weeks. Madeleine Carroll will be starred.

Sonja Henie at Roxy

Sonja Henie and her troupe of 78 skaters made an unannounced appearance on the Roxy stage Sunday night. Her picture, "Happy Landing," is doing big business there. Miss Henie took a bow and Paul Ash, the Roxy's master of ceremonies, presented her a bouquet of roses. The skating star and her troupe opened last night at Madison Square Garden for a week of exhibitions.

To See Republic Serial

About 300 exhibitors in the metropolitan area have been invited by Republic to attend a screening of the first episode of "The Lone Ranger" serial at the Mecca Laboratories from 2 to 4 o'clock this afternoon.

Buy Harlow Story

The late Jean Harlow's novel, "Today Is Tonight," which she completed shortly before her death, has been purchased by M-G-M.

Purely Personal

AL LICHTMAN has deferred h departure from the coast for Ne York for a few days in order to co fer with Eddie Mannix, M-G- production executive, who will arri in Culver City tomorrow from east.

•

J. C. Squier and D. D. King the M-G-M London office, winners a sales contest, will arrive today the *Manhattan*, en route to Hollywoo Archie Mayo is also arriving on th ship.

•

Frank C. Walker of the Come ford Circuit has been appointed trea urer of the Associated Catholic Cha ities, succeeding Morgan J. O'Brie deceased.

•

Sabin Carr and W. B. Frank Associated Features will leave toda for Philadelphia, Pittsburgh and Ch cago in connection with showings "Harlem on the Prairie."

•

W. Ray Johnston, Monogra president, will arrive on the coast t morrow from New York, for confe ences at the studio on the productio schedule for the 1938-'39 season.

•

Fredric March and Mrs. Marc (Florence Eldridge) will join Jane Gaynor, Tommy Kelly and An Gillis at the President's Birthda Ball at the White House Jan. 29.

•

W. G. Van Schmus, managing d rector of the Music Hall, returne yesterday from a visit to Hollywoo for pointers on the new product.

•

Dave O'Malley of Columbia mourning the loss of his brothe Patrick, who died in Norwoo Mass., last week.

•

Whitford Drake, Erpi preside returned to work yesterday on an a breviated schedule following a rece illness.

•

Chuck Reisner director, arrive here yesterday from the coast in co nection with the publication of h two books for juveniles.

•

Clinton M. White, G. B. assista general manager, returned yesterda from a three-week trip through t middle Midwest.

•

Roy Haines, eastern and Canadia sales manager for Warners, has r turned from a brief trip to Montre and Toronto.

•

William H. Pine, assistant Cecil B. DeMille, will leave th afternoon for a two-week vacation Florida before returning to the studio

•

Bill Saal of Republic is due to r turn tomorrow from franchise holde conferences in the field.

•

Alma Lloyd, daughter of Fran Lloyd, will leave tomorrow for th coast to attend her father's birthday.

•

Otto Kruger will arrive on th *Aquitania.*

Paramount's "WELLS FARGO" Beats All-Time Hold-Over Record!

CHICAGO
2 weeks at the Chicago Theatre
1 week at the Oriental
Now moving over to first run at Apollo

KANSAS CITY
3 weeks at Newman
Moving to Uptown for 1 week

LOS ANGELES
3 weeks' first run at Los Angeles Paramount

DENVER
3 weeks' first run at Denham
Moving to Aladdin for 4th week

INDIANAPOLIS
1 week at Indiana
Moving to Apollo for 2 more weeks

NEW YORK
4 weeks' first run at Paramount

OMAHA
2 weeks at Omaha Theatre

OAKLAND
2 weeks at Fox
1 week at Great Lakes

DES MOINES
1 week at Paramount
1 week at Orpheum

SAN FRANCISCO
2 weeks at Fox
2 weeks at St. Francis

SEATTLE
2 weeks at Paramount
1 week at Music Box

PORTLAND
3 weeks at Paramount

. . . and that's not all!

"Better set down and take the weight off your dogs, Pawnee...kinda looks like we're gonna stay awhile."

Paramount Pictures

Kuykendall's Hopes Rise on 10-Point Plan

(*Continued from page* 1)

meetings, indicated that it would not participate in the administration of the local conciliation boards, which are regarded as the backbone of the 10-point program.

Officials of the two companies said they had nothing to say concerning their present attitude toward the program for self-regulation of distribution and exhibition.

Kuykendall also reiterated his charges that the 10-point program "would be in effect today if it had had the cooperation of certain so-called exhibitor leaders who for reasons beyond my understanding have consistently used every possible means to discourage its enactment."

His statement was aimed at Allied States which, at its annual board meeting in Washington last week, declined to participate in a joint exhibitor move to further a trade practice program in order to continue its moves to obtain legislative regulation of the industry.

Referring to Motion Picture Daily's story of yesterday that the M.P.T.O.A. would not hold a spring convention and had no definite plans for any national meeting this year, Kuykendall said, "If a 1938 convention is held, it will probably be in the fall. However, no decision has been made yet." He also stated that no decision on the holding of a board meeting had been made, but that both questions might be answered soon.

Kuykendall will leave tomorrow to attend the Virginia M.P.T.O. meeting at Richmond on Thursday, and will return to his Columbus, Miss., home from there by way of Birmingham.

Wonders of Science

Kansas City, Jan. 24.—Out in a Kansas town the other day a cameraman for the educational division of a film company met an old farmer. He told him he had been taking some pictures of life on his farm.

"Did you catch any of my men in motion?" the farmer was curious to know.

"Sure I did."

"Science is a wonderful thing," the farmer said wonderingly.

Regina Crewe to Be At Ampa Luncheon

Regina Crewe, retiring film editor of the *Journal-American*, will be honored by Ampa at its meeting at the International Casino Thursday. She has not definitely severed her association with the Hearst publications and may be transferred to another paper, the Hearst office said yesterday.

Others scheduled to appear at the Ampa luncheon are Edward G. Robinson, Sally Rand, Philadelphia Jack O'Brien and Norman Thorpe.

FLY
TWA
first
SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday, Sunday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA
For Further information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

Note to "Scrip" Holders
Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

TWA first

SHORTEST-FASTEST COAST TO COAST

Old Biograph Plant Is Put Up for Sale

(*Continued from page* 1)

but no definite bids have been made, according to the bank.

A representative recently offered the studio to Monogram, it is learned, but that company was not interested since it has no production in the east and plans none here.

H. J. Yates, head of Consolidated, has been renting the studio to independent producers of shorts and commercial films and used it for musical sequences for Republic's "Manhattan Merry-Go-Round" last summer. At that time Yates said he planned to shoot musicals in the east to some extent, believing this was practical because of the talent available here.

Consolidated took a five-year lease on the studio in 1933 on terms calling for a percentage to the Empire Trust on the basis of rentals from sub-leases and occasional producers, according to the bank. The property is held in the name of Actinograph Co., a subsidiary of Empire Trust, which acquired it in a foreclosure from the old American Biograph Co. In 1930 the bank spent $200,000 to modernize the studio and install Western Electric recording equipment.

When Biograph built the studio in 1912 the cost was estimated at more than $1,000,000.

"Snow" Gets Third Music Hall Week

(*Continued from page* 1)

day and if the present pace continues there will be a fourth week for the attraction. Over last weekend the theatre was virtually mobbed. Juvenile attendance was heavier than usual.

The nine previous films held three weeks were: "Little Women," "Love Me Forever," "Top Hat," "Follow the Fleet," "Mary of Scotland," "Swing Time," "A Star Is Born," "Prisoner of Zenda" and "Stage Door." With three exceptions these have been RKO releases.

Ned Depinet, vice-president of RKO commenting on the showing of "Snow White and the Seven Dwarfs," pointed out that the film appears to have unusual "building power," with many people returning to see the film more than once.

Moss Says Theatre Displays Improving

Advertising displays in front of West 42nd St. theatres have become more conservative of late, License Commissioner Paul Moss said yesterday as a result of his warning to managers that he would not tolerate offensiveness.

"With the exception of some copy on signs and marquees, which still has to be toned down, the theatres are behaving," Moss said.

So careful have the grind houses become that they are observing the Louise Hovick billing for Gypsy Rose Lee.

Southern Meet in June

Chattanooga, Jan. 24.—The Southeastern Theatre Owners' Association will hold its annual meeting at the Lookout Mountain Hotel next June. Approximately 200 members of the association are expected to attend.

Prompt Exchange o Roxy Stock Ordere

(*Continued from page* 1)

at par, together with $6 in cash f each $1,000 bond held.

Second mortgage gold noteholde will receive 10 shares of $1.50 divide cumulative preferred stock, and $23, cash, upon surrender of each $1,0 note to Halsey Stuart & Co.

The order is understood to m that the entire fund of $300,00 cash now available will be used i payment of fees to attorneys and pı tective committees.

Judge Caffey approved the allo ance of $33,949 for disburseme made by the Pound bondholders' pı tective committee, proponents of t plan. An additional request for $3,3 was held in abeyance. Howard Cullman, Roxy trustee, was direct to pay $24,977 to the Manufacture Trust in liquidation of a note execut by the Pound committee.

Weisman Fee Approved by Cou

Milton C. Weisman, equity receiv of Fox Theatres Corp., was award $12,500 as fees for his services receiver for the six months end Jan. 12, by Circuit Judge Martin Manton in the U. S. District Co here yesterday. Weisman had ı quested $20,000.

Shirley Temple's Parents Sue

George F. and Gertrude Temp parents of Shirley Temple, filed $5,000 breach of contract suit in t N. Y. Supreme Court yesterd against Monocraft Products Co., In manufacturers of children's jewel The plaintiffs allege that Monocra was granted exclusive right to u Shirley Temple's picture on childre jewelry under a contract made May, 1936, and that a $5,000 balan on a $10,000 advance was unpai Monocraft filed an answer denyi liability.

Guilty in Trans-Lux Stock Sal

Federal Judge John M. Woolsey U. S. District Court yesterday, in oral opinion at the close of the i junction trial of the Securities a Exchange Commission against Torr Co., brokers, and 10 individual d fendants, ruled all but two of t defendants had violated the Securiti Act in the sale of Trans-Lux Daylig Screen Corp. stock. Whether or n the injunction will be granted will decided in the next few days.

Union Suing Theatre

St. Louis, Jan. 24. — Officials operators union Local No. 143 ha filed a suit in the Circuit Court f an injunction to restrain the owne of the Longwood from employi machine operators who are not me bers of the local union. The cou directed the defendants to show cau Jan. 27 why a temporary injuncti should not be granted.

Lefkos Go to Coast

Pittsburgh, Jan. 24. — Geor Lefko, RKO manager, and his wi have left for Palm Springs, whe Mrs. Lefko will spend the remaind of the winter convalescing. Her hu band, however, will return to his de here in three weeks.

elay on RKO etup to Fall ow Foreseen

(Continued from page 1)

inasmuch as Judge Bondy's calen- or that day is already so crowded he was obliged to set the sched- hearing for 4 P. M., it is obvious little will be accomplished on that even if the hearing does get under r. Once started, it is expected that vill take several months to com- e the hearings and several months eafter before the court's decision ald be made known. For this rea- officials close to the reorganiza- proceedings are not hopeful of the ganization being completed before at the earliest.

ndrew Christiansen, head of the eivership division of Irving Trust , RKO trustee, and O. C. Doer- Jr., of counsel to the trustee, left coast yesterday after three weeks conferences there with RKO finan- associates and Leo Spitz, presi- t. Peter N. Rathvon, last of the tern conferees to remain in Holly- od, is expected to leave the coast ut Thursday or Friday.

Spitz may make a brief visit to w York early in February for con- ences on the designation of a new O theatre operating head, a post ich has been vacant since the resig- ion of Nate J. Blumberg. Spitz, wever, has been designated to con- ue in charge of RKO production an indefinite period and he would urn to the coast as soon as the the- e selection was made.

Buy Calvert Interest

Baltimore, Jan. 24.—J. Marsh atthews and Leo H. Homand, of- ers of the Lord Calvert Theatre ., have bought the principal inter- s in the Lord Calvert Theatre from ter stockholders. The Scheck inter- s, of which Robert Scheck is presi- nt and Meyer Leventhal is general nager, have bought Homand's in- est in the Carroll, Westminster, Md.

Wall Street

Small Board Gains

	Open	High	Low	Close	Net Change
l.	13½	13½	13½	13½	.....
ns.	1½	1¾	1½	1¾	+ ¼
K.	162¾	163½	162¾	163½	+ ¼
T. E.	12½	12½	12½	12½	— ¼
ew	49⅜	49⅞	49⅜	49⅞	+ ⅝
ra.	10¾	11⅛	10¾	11	.....
ra. 1	90	90	90	90	—1
ra. 2	10½	10½	10½	10½	— ¼
O	4¾	4¾	4⅝	4⅝	— ⅛
h Fox	23⅛	23¾	23⅛	23½	+ ½
. B.	6⅞	7	6¾	7	+ ⅛

Curb Issues Hold Levels

	Open	High	Low	Close	Net Change
N.	¾	13/16	¾	¾	.....
onogram	2½	2½	2½	2½	.....
notone	1⅞	1⅞	1¾	1¾	.....
ch.	19	19½	19	19¼	+ ⅛
niv. Corp.	3⅜	3⅜	3⅜	3⅜	.....

Bonds Move In Fractions

	High	Low	Close	Net Change
ew 3½s '46	98½	98⅝	98⅝	— ½
ra. Pict. 5s '55	95½	95½	95½	+ ⅜
ra. Pict. '47	72¾	72¾	72¾	.....
. B. 6s '39	76½	75½	76½	+ ½

(Quotations at close of Jan. 24)

Make 4,000 Calls

Indianapolis, Jan. 24.—Four thousand residents of this city received telephone calls from girls in the local Curtis Publishing Co. office and were asked if they had read "Hurricane" in the *Saturday Evening Post*. If the answer was "yes," the girls recommended seeing the film, which was showing at Loew's, and if those questioned said "no," they were asked to go to the theatre to see what they had missed by not reading the story. The tieup cost the theatre a pass each to the 10 girls making the calls.

Census Survey Begun By Liberties Union

Information on film and stage censorship and on radio is being gathered in a nationwide survey being made by the American Civil Liberties Union in 1,000 cities of 10,000 population or more.

A questionnaire has been sent to public officials and others familiar with local conditions, to determine the relative standing of cities "in the practice of civil liberties." The union will present an emblem of recognition annually to the city receiving the highest rating.

Questions concerning 32 issues are asked in the survey, including the following:

1. Are films controlled otherwise than by court action. If so, how?
2. Can theatre licenses be revoked without awaiting a conviction or an injunction?
3. Do any local radio stations carry regular open forum programs on public issues? If so, what?

A committee headed by Richard S. Childs, president of the City Club of New York and a member of the union's board of directors, will rate the cities on the basis of the questionnaire returns.

Ray Heads Canadian Theatre Association

Vancouver, B. C., Jan. 24.—A. Hugo Ray, owner of the Beacon, has been elected president of B. C. Theatres Association. George McEwen has been elected vice-president, and Amy Scriven, secretary-treasurer.

Directors for 1938 will be A. C. Blaine of Cranbrook, Ray Castle of Oak Bay, R. W. McCartie of New Westminster, Frank Gow and Hector Quagliotti-Romano of Vancouver, and J. Howard Boothe, retiring president.

A special committee reported on the advisability of doing away with double feature bills in the province. It was decided not to take action at the present time, but general opinion favored reversion to single bill schedules. Three new members were introduced to the association: Andrew Digny of the Oak, Russell McTavish of the Cambie and Donald McMillan of the Nova, North Vancouver.

Century Circuit to Build

Century Circuit has filed plans for a new 1,000-seat air-conditioned theatre at Kings Highway and Nostrand Ave., Brooklyn.

Bars All Games in Pennsylvania County

Beaver, Pa., Jan. 24.—District Attorney Robert E. McCreary of Beaver County has stated here that all cash and merchandise giveaways will be barred after Feb. 7. McCreary included in his ban on gambling all Bingo games and merchandise promotion contests, but said he would permit charity contests if without cash awards. He declared that Bank Night violates the state gambling laws.

He termed the theatre promotions as "another gambling situation which is being imposed on the people by outside owners of copyrighted, protected schemes of promotion."

"The district attorney's office," McCreary added, "did not make the laws against gambling. We must enforce the law as it is. If the people of Beaver County are not in favor of a ban on Bingo and other games, they will have to look to the legislature to make a change."

W. N. Skirball Improving

The condition of William N. Skirball, head of the Skirball theatre interests in the Cleveland area, who was stricken with pneumonia two weeks ago, is improving, his brother, Jack H. Skirball, general manager of Educational, reported yesterday on his return from Cleveland.

Branson at 'Frisco'

San Francisco, Jan. 24.—Walter Branson, head of the Ned E. Depinet-RKO sales drive in this country and Canada, will address the company's branch here tomorrow.

Doyle Seeks Deal to Star Helen Morgan

Stuart Doyle is negotiating for Helen Morgan with plans to produce films in Australia, the William Morris office, which represents Miss Morgan, said here yesterday. He has theatrical and radio performances also in mind for her and plans to star her in a "Ziegfeld Follies" revue that will tour the Antipodes, according to the agency.

Doyle left here Sunday and is due to arrive in Los Angeles tomorrow. He has obtained the American license for a new type of Neon sign developed in England and plans to open manufacturing and licensing agencies here and in Los Angeles.

Murray Silverstone Will Sail Thursday

Murray Silverstone, head of the United Artists British organization, plans to sail for London Thursday on the *Aquitania*, ending an American visit of more than two months.

Commenting on reports in circulation since the collapse of the Alexander Korda - Samuel Goldwyn negotiations to acquire control of United Artists, Silverstone said he had "no thought" of resigning his British post with the company.

"I am sailing on Thursday to resume my work in London immediately upon my return," he said.

Joins Calvalcade Board

Thomas H. McDannell has been named to the board of directors of Cavalcade Pictures, Inc.

THE
CAMERAMAN
says:
"In my racket you get all the angles. Panning, dollying, on the crane or down below, this new comedy, JOE E. BROWN in WIDE OPEN FACES is something to shoot at . . .!"
A Columbia Picture

"Hotel" Tops Philadelphia With $19,000

PHILADELPHIA, Jan. 24.—"Hollywood Hotel" turned out to be an ace attraction at the Stanley, going to $19,000 which was $5,000 over normal.

"City Girl," with the help of Benny Baker's show featuring Tim and Irene, pulled $19,500 at the Earle. This was $5,500 to the good. "Wells Fargo" took $3,000 in a second run showing at the Arcadia and "The Hurricane" was good for $4,000 in a third run engagement at Keith's, but business elsewhere was dull.

Total first run business was $80,000. Average is $79,140.

Estimated takings for the week ending Jan. 21:

"I MET MY LOVE AGAIN" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 9 days. **Gross:** $8,500. (Average, 7 days, $8,160)

"WELLS FARGO" (Para.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 7 days. **Gross:** $3,000. (Average, $2,800)

"WISE GIRL" (RKO)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $10,500. (Average, $14,000)

"ROSALIE" (M-G-M)
FOX—(3,000), 40c-55c-65c, 5 days, 3rd week. **Gross:** $8,500. (Average, 7 days, $14,000)

"CITY GIRL" (20th-Fox)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Benny Baker Hollywood revue with Tim and Irene. **Gross:** $19,500. (Average, $14,000)

"YOU'R A SWEETHEART" (Univ.)
(2nd run)
KARLTON—(1,000), 25c-40c-50c, 5 days. **Gross:** $2,000. (Average, 7 days, $4,000)

"THE HURRICANE" (U. A.)
(3rd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $4,000. Average, $4,000)

"HOLLYWOOD HOTEL" (W. B.)
STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $19,000. (Average, $14,000)

"BULLDOG DRUMMOND'S REVENGE" (Para.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,000. (Average, $7,000)

Win Magazine Award

The fan magazine, *Screen Romances*, has given its April award for the best picture of the month to Warners' "The Adventures of Robin Hood," in Technicolor.

Out Hollywood Way

HOLLYWOOD, Jan. 24. — PAUL MANTZ, veteran air pilot, has been appointed technical adviser on Paramount's "Men with Wings," to be made in color. Assisting him will be TEX RANKIN and FRANK Y. CLARKE. Pilots to work under MANTZ in war time shots will number more than 40, and a fleet of old war planes is being hunted.

EDDIE HENRY has resigned his post in Warners casting office to enter the agency business. . . . DICK WRIGHT, Warners' theatre zone manager in Cleveland, is here on a vacation. . . . JOSEPH SAWYER, now working in Paramount's "Stolen Heaven," has been signed for a featured part in a Theatre Guild production of "Casey Jones.". . . .

+

Casting—GLADYS GEORGE will play the role of "Mme. DuBarry" in M-G-M's "Marie Antoinette." . . . ANN SHERIDAN, at one time cast as "Torchy" in Warners' "Torchy in Panama," draws the feminine lead in "Little Lady Luck," instead. . . . AKIM TAMIROFF gets a featured role in Paramount's "Spawn of the North." . . . GLORIA DICKSON in "Gold Diggers in Paris," Warners. . . . TORBEN MEYER and BODIL ROSING in "Wooden Wedding," M-G-M. . . . JOE PENNER and LUCILLE BALL will have the leading roles in RKO's "Rolling Stones," WALTER O'KEEFE original purchased for FRED STONE. STONE has left the lot.

+

Music—For Warners' "Gold Diggers in Paris," HARRY WARREN and AL DUBIN have written six songs—"I Wanna Go Back to Bali," "Let's Drink to a Dream," "A Stranger in Paree," "Put That Down in Writing," "Waltz of the Flowers" and "Latin Quarter."

+

Director — MICHAEL CURTIZ, who has just completed directing "The Adventures of Robin Hood," draws the Warner picture formerly known as "All Rights Reserved."

Baker to Drop Lease On Electric Theatre

KANSAS CITY, Jan. 24.—A. F. Baker and George Baker, his son, will relinquish their lease on the Electric, one of the two first run houses in Kansas City, Kan., Jan. 31. However, they will retain their interest in the Electric Theatre Co., which Frank C. Grubel heads. The theatre will continue as an independent house.

The Bakers will concentrate on the acquisition and operation of summer resort theatres, one of which, the Rustic, in West Yellowstone, Mont., they have operated for several years. They will also acquire and operate "community" theatres in the smaller situations in the midwest.

The Bakers have operated the Electric for two years. A. F. Baker, however, has managed the house off and on since it was founded 31 years ago.

Last Canada Single Stronghold Succumbs

TORONTO, Jan. 24.—The last stronghold of single-feature programs has succumbed to the dual bill policy with the adoption of double attractions by the first-run theatres of London, Ontario. Practically simultaneously the Capitol, Loew's and Patricia there announced duals, with program changes twice weekly.

Occasional attractions are being presented on a solo basis in the ace houses of Toronto and Montreal but even in Canada's two largest cities twin bills are the general rule. London, Ontario, held out against doubles for years but the pressure was too great.

ITOA Meets Tomorrow

Collapse of the projected trade practice conference sponsored by Harry Brandt, I.T.O.A. president, because of national Allied's rejection of the proposal, will be a topic at the regular meeting of the local organization tomorrow at the Hotel Astor.

Va. M.P.T.O. Meet Thursday

RICHMOND, Jan. 24.—The M.P.T.O. of Virginia will hold its midwinter convention here on Thursday. According to Harold Wood, secretary, there will be no speakers from outside the state. Gov. James H. Price and Mayor J. Fulmer Bright will greet the delegates.

Charter Two Companies

DOVER, Del., Jan. 24.—RKO Radio Pictures of China, Inc., has been chartered here with capital of $10,000 by Robert E. Dann, George Muchnic and Gordon E. Youngman.

Metropolitan Pictures Corp. has been chartered with capital of $1,000,000 by M. M. Lucey, J. M. Lucey and L. S. Dorsey.

Hold Para. Conference

PORTLAND, Ore., Jan. 24. — The Pacific northwest Paramount conference here was attended by Myke Lewis, coast division manager; Frank Clark, Portland manager, and Glen Haviland, Stan Gustafson and Glenn Brogger, Oregon salesmen.

"Tovarich" Is $10,500 Hit Kansas Cit

KANSAS CITY, Jan. 24.—"Tovari turned in the best showing of week, $10,500, at the Newman. beat par by $3,500 and brought holdover.

"Hollywood Hotel" and "Patient Room 18" were held for a seco stanza at the Mainstreet after doi $9,800, $1,800 over. "Big Town Gi and a stage show gave the Fox Tow $8,500, $1,500 better than normal.

Total first run business was $42,9 Average is $37,500.

Estimated takings:

Week Ending Jan. 20:

"HOLLYWOOD HOTEL" (W. B.)
"THE PATIENT IN ROOM 18" (W.
MAINSTREET—(3,100), 25c, 40c, 7 da **Gross:** $9,800. (Average, $8,000.)

"THE LAST GANGSTER" (M-G-M)
"SHE MARRIED AN ARTIST" (Col.)
MIDLAND—(4,000), 25c-40c, 7 da **Gross:** $10,600. (Average, $11,500.)

"TOVARICH" (W. B.)
NEWMAN—(1,900), 25c-40c, 7 day **Gross:** $10,500. (Average, $7,000.)

"BIG TOWN GIRL" (20th-Fox)
FOX TOWER—(2,200), 25c-40c, 7 day Stage: Nick Lucas, Clifford & Pearl, Ret Ray, "The Great Pauline." **Gross:** $8,50 (Average, $7,000.)

"NOTHING SACRED" (U. A.)
UPTOWN—(2,000), 25c-40c, 7 days, 2 week. **Gross** $3,500. (Average, $4,000.)

"Prescription" the Best Milwaukee Be

MILWAUKEE, Jan. 24.—"Prescription for Romance," with Ted Lewi in person, clicked for $10,000 at th Riverside. This was $5,000 abov average. Admission prices for th week were raised from 30 to 40 cents

Second money went to "Ever Day's a Holiday" and "Bulldo Drummond's Revenge" at Fox' Palace with $7,800, just $2,800 to th good.

Both "First Lady" and "You're A Sweetheart" at the Warner and "Man-Proof" and "You're Only Youn Once," at Fox's Wisconsin, were good for $1,500 above average.

Total first run business was $37,300. Average is $26,500.

Estimated takings for the week ending Jan. 20:

"EVERY DAY'S A HOLIDAY" (Para.)
"BULLDOG DRUMMOND'S REVENGE" (Para.)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $7,800. (Average, $5,000)

"PRESCRIPTION FOR ROMANCE" (Univ.)
RIVERSIDE—(2,300). 30c-40c, 7 days. Stage: Ted Lewis and his band. **Gross:** $10,000. (Average, $5,000)

"TRUE CONFESSION" (Para.)
"LOVE ON TOAST" (Para.)
STRAND—(1,400), 35c-50c, 5 days. **Gross:** $2,500. (Average. $4,500)

"THE HURRICANE" (U. A.)
"SHE'S GOT EVERYTHING" (RKO)
STRAND—(1,400), 35c-50c, 2 days. **Gross:** $1,000. (Average, $4,500)

"FIRST LADY" (W. B.)
"YOU'R A SWEETHEART" (Univ.)
WARNER—(2,400), 35c-50c, 7 days. **Gross:** $6,500. (Average, $5,000)

"MAN-PROOF" (M-G-M)
"YOU'RE ONLY YOUNG ONCE" (M-G-M)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $9,500. (Average, $8,000)

Pergament Resigns

Harvey Pergament who has been connected with The Film Exchange, Inc., for almost 10 years, has resigned. He will announce future plans soon.

SPOT NEWS!

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ubmarine" win Cities' Only Grosser

NNEAPOLIS, Jan. 24.—"Submarine was the only attraction in of the Twin Cities to make ng like a dent in the general ess. It pulled $4,500 at the St. Orpheum, thereby topping par 500.

e only other house to get over al was the World here where toria the Great," in its second , took $2,400. Even "Tovarich" d to make the grade, taking $9,000 e Minnesota here and $4,000 at St. Paul Paramount.

tal first run business in Minnes was $22,500. Average is $27,- Total first run business at St. was $15,200. Average is $16,500. stimated takings:

Minneapolis:

Week Ending Jan. 20:

"TOVARICH" (W. B.)
NNESOTA—(4,000), 25c-55c, 7 days. s: $9,000. (Average, $10,000)

LOVE AND HISSES" (20th-Fox)
PHEUM—(2,900), 25c-40c, 7 days. s: $6,000. (Average, $6,000)

VICTORIA THE GREAT" (RKO)
ORLD—(400), 25c-35c, 7 days, 2nd week. s: $2,400. (Average, $2,000)

"ROSALIE" (M-G-M)
ATE—(2,400), 25c-55c, 7 days. **Gross:** 0. (Average, $5,500)

Week Ending Jan. 19:

"I'LL TAKE ROMANCE" (Col.)
NTURY—(1,600). 25c-40c, 7 days. ss: $1,900. (Average, $5,000)

St. Paul:

Week Ending Jan. 20:

"TOVARICH" (W. B.)
ARAMOUNT—(2,500). 25c-40c, 7 days. ss: $4,000. (Average, $5,500)

"DARK JOURNEY" (U. A.)
ORLD—(400), 25c-35c, 7 days. **Gross:** 00. (Average, $1,500)

"LAST GANGSTER" (M-G-M)
NIGHT CLUB SCANDAL" (Para.)
IVIERA—(1,000), 25c-40c, 7 days. **Gross:** 00. Average, $3,300)

"SH! THE OCTOPUS" (F. N.)
TARZAN'S REVENGE" (20th-Fox)
OWER—(1,000), 25c-35c, 7 days. **Gross:** 00. (Average, $2,000)

Week Ending Jan. 22:

"SUBMARINE D-1" (F. N.)
RPHEUM—(2,000), 25c-40c, 6 days. ss: $4,500. (Average, $4,000)

eagle in Nelson Film

ONDON, Jan. 24.—Anna Neagle has n cast by Herbert Wilcox as Lady milton in a planned Technicolor n based on the romance of Lord lson. The film will start shooting ril 13, and will feature sea battles which the British naval hero was gaged. Grandcourt Malleson is do- the screenplay.

ate Third Dionne Film

HOLLYWOOD, Jan. 24.—Production "Everybody's Sweethearts," the rd Dionne quintuplets feature, will started by 20th Century-Fox in ne. A unit will film scenes in Calder, Ont., as in previous films. Jean ersholt is to be featured and Allan wan will direct.

o Produce Earle Shows

WASHINGTON, Jan. 24.—John Payte, Warner general zone manager re, has formed a production department for the Earle here and has named arry Anger as stage director. nger formerly supervised stage ows for Paramount theatres.

"Hurricane" $27,300 Top On the Loop

CHICAGO, Jan. 24.—"The Hurricane" did a smashing business at the United Artists to gross $27,300, which was $12,300 better than average.

"Wells Fargo" at the Oriental was good for $20,200 which was well over average. Other theatres that found business somewhat better than normal were the Chicago with "Hollywood Hotel," and the State-Lake with "She Married an Artist."

Several conventions in town helped the night grosses somewhat and a preview at the Chicago Thursday night helped that house considerably as the theatre was packed. The weather was unsettled most of the week.

Total first run business was $138,400. Average is $121,000.

Estimated takings:

Week Ending Jan. 20:

"HOLLYWOOD HOTEL" (F. N.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: Fred Sanborn and Revue. **Gross:** $33,000. (Average, $32,000)

"MARIHUANA" (R. P.)
GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $10,500. (Average, $6,500)

"WELLS FARGO" (Para.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $20,200. (Average, $18,000)

"WISE GIRL" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Ken Murray and Revue. **Gross:** $17,300. (Average, $19,000)

"SHE MARRIED AN ARTIST" (Col.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Willie Shore and Revue. **Gross:** $13,500. (Average, $13,000)

Week Ending Jan. 21:

"ROSALIE" (M-G-M)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $6,100. (Average, $6,500)

"BAD MAN OF BRIMSTONE" (M-G-M)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. 2nd week. **Gross:** $10,500. (Average, $11,000)

"HURRICANE" (U. A.)
UNITED ARTISTS—(1,700). 35c-55c-75c, 7 days. **Gross:** $27,300. (Average, $15,000)

"Hurricane" Pulls $10,000 at Houston

HOUSTON, Jan. 24.—"The Hurricane" bowled over box-office average at Loew's State to take $10,000, which was $3,000 above par. The picture was held.

"Wise Girl," helped by the Jan Garber stage-revue, grossed $7,000 to break even at the Metropolitan. "Every Day's A Holiday" at the Majestic fell under the $7,000 average by $300.

"45 Fathers" brought $3,200 to the Kirby in four days, and with "Trapped by G-Men" put the Kirby $200 above the goal of $5,000 for the week.

Total first run business was $29,000. Average is $26,000.

Estimated takings for the week ending Jan. 20:

"45 FATHERS" (20th-Fox)
KIRBY—(1,450). 15c-35c. 4 days. **Gross:** $3,200. (Average, 7 days, $5,000)

"TRAPPED BY G-MEN" (Col.)
KIRBY—(1,450). 15c-35c. 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"THE HURRICANE" (U. A.)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $10,000. (Average, $7,000)

"EVERY DAY'S A HOLIDAY" (Para.)
MAJESTIC—(2,250). 25c-50c. 7 days. **Gross:** $6,700. (Average, $7,000)

"WISE GIRL" (RKO)
METROPOLITAN—(2,600). 25c-50c, 7 days. Stage: Jan Garber's Show. **Gross:** $7,000. (Average, $7,000)

"Everybody Sing" in Big Miami Opening

(*Continued from page 1*)

of the picture, was the house guest of Nicholas M. Schenck at the time the picture was ready for release. So with one thing and another, it seems opportune just before Mr. Rapf took off for a South American vacation, to give his picture special attention—especially since advance reports from the studio were so promising.

Judy Garland and Deanna Durbin were signed by Metro at the same time and early in their careers with the company appeared together in a sort of buildup short. Somehow Miss Durbin was not contractually retained. It appears that the company is making special efforts to see that Miss Garland will be.

The picture in which Judy appeared tonight is in line with her previous work considered so promising by the studio, in "Broadway Melody" and "Thoroughbreds Don't Cry." The opening here tonight therefore might apply to the strategy of Hollywood and plans for tomorrow, especially as concerns exhibition, here and otherwise.

W. R. Lynch Supervised

The premiere at the Sheridan, Paramount's Miami Beach first run house, erected in the space of 51-one days in January of 1937—a not unusual proceeding for the Miami sector—was under the supervision of Will R. Lynch, brother of the famed S. A. Lynch and head of the local Paramount theatres. Cooperating with Mr. Lynch were W. R. Ferguson, Metro's exploitation head man, directly represented by E. B. Coleman, southern exploiter for the company, who went to town directly and often with Jonus "Perly" Perlberg, publicity chieftain for Mr. Lynch.

There was much excitement, flashlights, sun arc batteries and microphones, all in the best Hollywood manner. Miss Garland, who accompanied a band to the station to meet the visiting New York deputation, and wondered audibly about it, began to discover she was a star when called upon to make a personal appearance. By the second show, she was more at home about it.

Celebrities Galore

Among those present were: Mr. and Mrs. Jack Cohn, Mr. and Mrs. Harry Rapf, Mr. and Mrs. Herman Robbins, Mr. and Mrs. N. L. Nathanson, Mr. and Mrs. S. A. Lynch, Mr. and Mrs. N. B. Shanberg, Mr. and Mrs. Aaron Jones, Mr. and Mrs. Sailing Baruch, Mr. and Mrs. M. L. Annenberg, Mr. and Mrs. Ed Hatrick, Mr. and Mrs. E. J. Sparks, Mr. and Mrs. Carl Banford, Mr. and Mrs. W. K. Jenkins, Mr. and Mrs. Charles O'Reilly, Mr. and Mrs. M. A. Shea, Mr. and Mrs. Jack Dempsey, Mr. and Mrs. Georgie Price and Mr. and Mrs. Damon Runyon. Others included Abe Warner, Lord Beaverbrook, Ted Schlanger, Mrs. James Farley, Harry Richman, Fifi D'Orsay, Sammy Lee, Roscoe Ates, Terry Ramsaye and A-Mike Vogel.

"U" Signs John Rawlins

HOLLYWOOD, Jan. 24.—Universal has signed John Rawlins, who has been in England for the last two years directing G. B. to guide "State Trooper," with John King in the leading role.

Actors Will Submit Four A Law Changes

The Screen Actors' Guild notified the board of directors of the Associated Actors & Artistes of America at a meeting yesterday that it would submit a program of proposed changes in the bylaws of the parent A. F. of L. entertainers' organization at a meeting of the board on Friday.

The changes in the bylaws are incident to a pending reorganization of the Four A's and will be calculated to advance the guild's ideas for simple and inexpensive interchangeability of union cards and a strong central jurisdiction for actors' organizations within the Four A's, it was indicated.

The decision to submit the guild's proposals for immediate consideration followed weekend conferences between Kenneth Thomson, executive secretary of the guild, and Burgess Meredith, acting president of Actors' Equity Ass'n. Thomson stated earlier that a break between the guild and the Four A's would be inevitable unless prompt consideration was given the guild's views.

The American Federation of Actors renewed its claim to jurisdiction over night club and presentation fields at yesterday's meeting of the Four A's board, and action on the claim was postponed to Friday for further consideration. Pending a decision, the A. F. A. and Chorus Equity Ass'n agreed to suspend their organizing activities in those fields.

Guild to Get Word On IATSE's Claims

(*Continued from page 1*)

Federation of Labor officials in Washington.

Whether or not the I. A.'s jurisdictional claim will be pressed at the Miami meeting, where it is now on the agenda, is uncertain at this time. If it is, however, Thomson, who plans to remain in New York for about a week, will be notified in time to go to Miami to answer the claim.

I. A. Meeting on Today

Major distributor representatives and officials of the I.A.T.S.E. are scheduled to meet today at the Warner office in an effort to arrive at an agreement on a master contract for exchange employes in 31 exchange cities. The union has made counterproposals to the distributors' proposals for general terms governing working conditions.

Expect Withdrawal Of Tampa Trust Suit

The anti-trust suit filed by the Rivoli, Tampa, Fla., against United Artists and other major distributors is expected to be withdrawn in the near future as a result of a preliminary investigation completed in Tampa last week by Ed Raftery of United Artists counsel, which indicated that the 1931 closing of the theatre was due to other causes than inability to obtain product, as charged in the theatre's action.

The suit was scheduled to go to trial in Federal court at Tampa yesterday, but has been marked off the court's calendar and probably will be withdrawn formally.

◂ Radio Personals ▸

BERT HAUSER of the NBC sales promotion will speak on radio advertising today before the Jersey City Executives' Club in the American Home Products plant in that city. . . . Irene Wicker will leave for Rochester tomorrow to make three personal appearances there. . . . Gregory La Cava will be Bing Crosby's guest Thursday in the "Music Hall." . . . Ed Curtin of the NBC press department is now on vacation. . . . Ida Lupino will be the feminine lead in Tyrone Power's "Hollywood Playhouse" Jan. 30. . . . "Magic Key" next Sunday will feature Ezio Pinza, Jose Iturbi and Carol Wyman. . . . Vivian Della Chiesa, now in New York, will return to Chicago for an appearance in the Chicago Theatre beginning Feb. 18. . . . Ken Sisson has written a tune called "Snowtime" which will be published by Mills and Canadian Music Sales. Lyrics are by L. S. B. Shapiro of the *Montreal Gazette.*

✚

Kate Smith will be Gabe Heatter's guest on "We the People," Jan. 27, the explanation being that both are sponsored by the same client. . . . Bill Perry of the WOR announcing staff has taken off for California to handle the commercials on the Eddie Duchin-Elizabeth Arden show, which will emanate from the coast for eight weeks. . . . Glenda Farrell and Walter Wanger will appear on the Vallee program Thursday. . . . Jerry Lesser (he's "Dr. John Benson" in "Life of Mary Sothern") was for five years stage manger for Harry MacFayden, the NBC director when MacFayden was a stock company impresario in Cleveland and Detroit. . . . And Jay Jostyn, the "Max Tilley" on the same "Mary Sothern" show, worked in stock in Milwaukee with Spencer Tracy and Melvyn Douglas.

Form North Carolina Firm

GOLDSBORO, N. C., Jan. 24.—The Eastern Carolina Broadcasting Co., with headquarters here, has been formed to operate a broadcasting station. The authorized capital stock is $25,000, with $15,000 subscribed by Leslie Weil and Lionel Weil, trading as H. Weil & Brothers; A. T. Hawkins, Thomas O'Berry, Kenneth Royall and others.

Extend Sperry Flour Program

Sperry Flour Co.'s "Sunday Special" over the NBC-Pacific Coast network has been extended to March 6. The series is broadcast 1 to 1:30 P. M., P.S.T.

AIR FEATURES, Inc.

RADIO PRODUCTIONS

◆

247 Park Ave. New York City

Radio Fee Increase Stirs Canadian Ire

TORONTO, Jan. 24.—Radio users and dealers are in an uproar over the announced decision of C. D. Howe, Federal Minister of Transport, that the Canadian radio license fee will be raised from $2.00 to $2.50 effective April 1.

This jump will add a net revenue of $650,000 to the annual fee total of almost $2,000,000 and the additional money from this source will be used for expansion purposes by the Canadian Broadcasting Corp.

A drastic change in the fee system means a much larger increase for licenses for many owners of receiving sets than the mere boost of 50 cents in the individual fee because the Government has now decided that a license will be required for every receiving set and not for the owner of one or more sets. The rule now in effect is that a householder requires only one certificate for all the sets of which he is the actual owner. This, it is feared, will tend to cut the sale of motorcar radios and extra instruments for the household.

In announcing the fee increase, Howe declared that it was the problem of the Canadian Broadcasting Corp. to bring broadcasting service to all parts of Canada and to increase the hours of Government programs which were recently jumped from six to 12 hours daily. The Government also intended to reduce commercial programs.

Drive on Air Talent Still in Talk Stage

The American Federation of Radio Artists' efforts to organize the talent in radio is still in the negotiating stages, according to Mrs. Emily Holt, executive secretary of the Equity affiliate.

Preliminaries are rapidly being cleared, however, she said, and actual bargaining with the networks and with the American Association of Advertising Agencies is expected to start early next week.

WORC Closing with Announcers' Union

BOSTON, Jan. 24.—Edward E. Hill, manager of WORC in Worcester, has signed with the American Guild of Radio Announcers and Producers for a four-year period. Hill said: "The recent experience of many stations which have not had the benefit of such contracts has shown us the value of an employer-employe contract."

Sharp Program on Short Wave

Dr. Roland Hall Sharp, writer and traveler, will be presented in "Views of the News" via short wave over the NBC-Blue beginning Jan. 28, at 6:15 P. M., and weekly thereafter at that time. The first broadcast will be from Rio de Janeiro, and others will be from Buenos Aires, Santiago, Bogota, Guatemala City and Mexico.

Kapp Sales Department Head

Paul Kapp has been appointed head of the radio sales department of Consolidated Radio Artists, Inc., effective Feb. 1. Kapp previously was head of radio sales for Music Corp. of America, and more recently operated his own office acting as personal representative for artists.

Rooster Stretch

Harry Glick, who does the morning exercises on WHN, has spent almost a decade broadcasting in the early morning hours. Only once has he appeared before the microphone in the evening and that was when he had a special exercise program on WHN last year.

Union Plans Protest On Air Time Refusal

HARTFORD, Jan. 24.—The United Office and Professional Workers of America plan to file a protest with the Federal Communications Commission against WTIC here for refusal to sell them air time. The union sought to rebroadcast the speech over WMCA of Louis Merrill, international president, on "Labor Relations in the Life Insurance Companies."

Elizabeth Higgins, organizer of the union, said WTIC cancelled the contract suddenly on the ground that the assertions to be made were too general and would sound like attacks on all insurance companies. WTHT then refused a similar request for air time on the ground that the assertions made in the speech were too specific.

"Way Down East" to Resume Over WOR

"Way Down East," dramatic serial, will resume its transcribed broadcasts over WOR and 12 other stations every Monday through Friday, beginning Jan. 31.

The series is sponsored by Haley's M-O and Danderine, through the Blackett-Sample-Hummert agency. The program is produced by Frank and Anne Hummert.

Catholic Award to Thompson

MILWAUKEE, Jan. 24.—Edgar A. Thompson, radio editor of the *Milwaukee Journal,* has been voted the Catholic Action Award for January by the St. Rose Newman Club here in recognition "of his continued efforts in the public press for a high standard of morality in radio broadcasts; for his condemnation of programs unfit to enter a Christian home; for his approbation of good broadcasts, and, in particular, for his outspoken condemnation of a recent broadcast in which sacred scripture was ridiculed."

Gillin Wins Omaha Award

OMAHA, Jan. 24.—John J. Gillin. Jr., manager of WOW, has been named Omaha's outstanding young man for 1938 as recipient of the Omaha Junior Chamber of Commerce distinguished service award. The award goes annually to the Omaha man under 36 whose civic activities rate highest in the opinion of five judges.

To Air 5 Basketball Games

SAN FRANCISCO, Jan. 24.—The first of a series of five important coast basketball games, sponsored by Associated Oil Co., will be broadcast Friday night from Kezar Gymnasium, between Santa Clara and St. Mary's. The remaining four contests will be heard on successive Friday nights.

Hollingbery Partnership Is Dissolve

The partnership between Mrs. No man Craig and George Holling[illegible]er dealing as Hollingbery & Co., Ch[illegible] and Craig & Hollingbery, New [illegible] as special representatives in radio, h been dissolved by Hollingbery, it w learned yesterday.

Hollingbery immediately will op an office in New York, and identifi with him will be F. Edward Spence formerly general manager of Craig Hollingbery.

While it could not be verified offi cially, accounts currently scheduled t continue to be represented by Holling bery include WREN, KSJC, WWJ WHAM, KTSM and WHIO. Mr Craig, it is believed, will continue t service WOKO, WEBC, WBIG WDRC, WJDX, WJAX, WIOD WDBJ, WIBX and WORC.

U. S. May Prohibit Air Ads on Liquo

(*Continued from page* 1)

drinks. The order will prohibit broadcasting by any person or concern under the regulation of the F.A.A. but will not prohibit the acceptance of such advertising by broadcasters over whom the alcohol agency has no control.

Most of the beer advertising, it was said, is in the form of spot announcements and in some areas composes a substantial item of station revenue.

Patents Television Method

WASHINGTON, Jan. 24. — Francois C. P. Henroteau of Ottawa has invented a new television method by which he claims to produce clearer pictures than are now possible, and to send them secretly on short wave. A patent has been granted here. The heart of the apparatus is a screen, on which the television pictures are impressed by light.

N. Y. Firm Asks Television Permit

WASHINGTON, Jan. 24.—A construction permit for a new television station at New York was filed with the Federal Communications Commission today by the Hazeltine Service Corp. The station would operate in the 42,000 - 56,000 and 60,000 - 86,000 kilocycle bands with a power of 125 watts for aural and visual transmission.

WKRC Staff Members to Wed

CINCINNATI, Jan. 24.—Allen Franklin, who left WKRC, local CBS outlet, and Betty Lee Arnold, member of the same staff for four years, will be married in Columbus, Jan. 29. Both are members of the dramatic serial, "The Mad Hatterfields."

WTAG Buys Novis Library

HOLLYWOOD, Jan. 24. — WTAG Worcester, Mass., has purchased the "Donald Novis Sings" library from Radio Features, Hollywood. Radio Features is headed by Gerald King, and is a subsidiary of Standard Radio.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

OL. 43. NO. 21 NEW YORK, WEDNESDAY, JANUARY 26, 1938 TEN CENTS

RKO Circuit Head Will Be Chosen Soon

Spitz to Join Talks On Blumberg Successor

The designation of a new operating ead for the RKO circuit is expected o follow shortly after the arrival in New York of Leo Spitz, RKO presi-ent, late this week.

Spitz is scheduled to leave the coast or New York today and is expected ere on Friday, although he may be elayed a day or two. The designa-ion of a new theatre operator to fill he post which has been vacant since he resignation of Nate Blumberg on an. 1 will be the first order of busi-ness on his arrival. Conferences also re scheduled with reorganization fac-ors incident to current efforts to ad-vance the company's rehabilitation.

Spitz's stay in New York, however,

(*Continued on page* 13)

Films Furnished 44 Song Hits in 1937

Of the 132 songs which were per-ormed more than 10,000 times on the principal radio networks during 1936, 44 were from films, the latest program analysis made by the Amer-can Society of Composers, Authors & Publishers reveals.

The report, published in the cur-rent issue of the Ascap Journal, shows, however, that the bulk of the film songs came within the first half of the full list of 1936 "hits." Thus the first two songs on the list are from films; five of the first 10 came from

(*Continued on page* 13)

Canadian Officials To Salute Australia

MONTREAL, Jan. 25.—W. L. Mackenzie King, Premier of Canada, B. S. B. Stevens, premier of New South Wales, and W. M. Hughes, Federal Minister of Health, Australia, will be heard over the Canadian Broadcasting Corp. National network Thursday night from 9 to 10 P. M. The broadcast, to be entitled "Canada Salutes Australia," will be held in commemoration of the 150th anniversary of the founding of Australia.

This show will mark the beginning of a three-month celebration in honor of the Dominion "down under."

More Radio—Pp. 12-13

Broadway's Ticket Tax Up in December

By CLARENCE LINZ

WASHINGTON, Jan. 25.—Admission tax collections in the Broadway district of New York in December, while well ahead of November, were under those of the corresponding month in 1936, it was disclosed today by the Bureau of Internal Revenue.

Total collections in the third New York district weer $756,525, compared with $682,113 in November and $781,641 in December, 1936.

The loss from the previous December was entirely in collections on box-office admissions, it was shown, which last month amounted to $668,327 as compared with $703,180 in the previous year. Total collection in the Broadway district during 1936 accounted for $6,546,147 of the national revenue of approximately $20,974,000, according to bureau records. Box-office collections in the area totaled $5,792,196.

In addition to box-office collections, December receipts in the third New York district included $9,467 on free or reduced rate admissions, against $7,956 in November; $18,300 on tickets sold by brokers, against $13,773; $2,441 on tickets sold by proprietors in excess of established prices, against $2,210; $3 on permanent use or lease of boxes and seats against $35, and $57,985 on admissions to roof gardens and cabarets, against $41,619.

Extend Theatrical Strike to 9 Houses

The strike of the Theatrical Managers, Agents and Treasurers' Union, which was called at five theatres on Monday was extended yesterday to four additional houses. All have legitimate attractions.

The union demands recognition and a basic agreement. Box-office men, press agents and in some instances managers walked out and the houses were picketed. A union spokesman said additional theatres may be affected today.

The theatres involved, all owned by the Shuberts, are the Morosco, Broadhurst, Golden, Winter Garden, Imperial, Majestic, Ritz, Barrymore and Plymouth.

New Exhibitor Group Planned in England

By AUBREY FLANAGAN

LONDON, Jan. 25.—Hector McCullie, member of the general council of the London Branch of the Cinematograph Exhibitors' Association, resigned today and is understood planning the formation of a new independent exhibitor organization.

His resignation followed the annual

(*Continued on page* 13)

Loew Stockholders Approve New Pacts

Profit-Sharing for Eleven Of Executives Wins Overwhelmingly

By a vote of 1,080,883 shares for and 5,390 against, stockholders of Loew's, Inc., at their annual meeting yesterday ratified profit-sharing contracts for 12 executives. About 150 persons attended.

The aggregate value of these contracts and the present employment contract held by Nicholas M. Schenck, president, is $4,788,000 annually in salaries and percentages of the net profits, David Bernstein, vice-president and treasurer of the company, told the meeting.

Considerable cross - fire between minority stockholders and Loew executives marked the meeting. The criticisms and explanations of the terms of the agreements consumed most of the two and a half hours required for the meeting.

The only other business was the choice of directors, all of whom were reelected unanimously. The directors are due to meet this afternoon to elect officers. No changes are expected.

Directors reelected were: George N.

(*Continued on page* 11)

"Goldwyn Follies" Is Shown on Coast

HOLLYWOOD, Jan. 25.—"The Goldwyn Follies," one of Samuel Goldwyn's biggest production efforts, was previewed here tonight at the Warner Hollywood. Produced in full Technicolor at a cost of approximately $2,000,000, the picture ran for 130 minutes. Guests talked over a radio hookup from the theatre lobby.

Film and radio talent, included in the cast, includes: Edgar Bergen and Charlie McCarthy, Adolph Menjou, the Ritz Brothers, Andrea Leeds, Zorina, Kenny Baker, Phil Baker, Helen Jepson, the American Ballet of the Metropolitan Opera, and the Goldwyn Girls. The United Artists release was directed by George Marshall from a story and screen play by Ben Hecht. The music was written by the late George Gershwin, and the lyrics by his brother, Ira.

Ricketson Lining Up Plans for Expansion

Expansion plans for the Fox Intermountain division of National Theatres are being set here this week in conferences between Rick Ricketson, division head, and Spyros Skouras.

The plans entail the construction of a 1,000-seat theatre to cost $100,000 in Sterling. Col. Ricketson said the American, an old house, will be closed when the new theatre is opened July 4. The circuit will continue to operate the Rialto there. A decision will also be made on rebuilding either the Kiva or Gem in Durango, Col., at an estimated cost of $30,000.

Ricketson, whose headquarters are in Denver, reported that business has

(*Continued on page* 13)

Ament News Editor Of Pathe Newsreel

Walton C. Ament, assistant to Frederic Ullman, Jr., general manager of Pathe News, has been named news editor of the reel succeeding Pete Hennig, whose resignation becomes effective today. Ament joined the reel last fall and has been serving in various departments since.

Howard Winner, a ranking cameraman on the Universal Newsreel staff for some time past, resigned recently to join the Pathe News cameraman's staff.

Studio Lull Holds With 28 Shooting

HOLLYWOOD, Jan. 25.—Production this week remained at 28 pictures in work, as seven started and seven finished. Ten are in final stages of preparation, and 62 are being edited.

The starts were: "Wooden Wedding," M-G-M; "Rawhide," Principal; "Sidewalks of New York," Republic; "Four Men and a Prayer," 20th Century-Fox; "Goodbye Broadway," Uni-

(*Continued on page* 7)

New England Allied Again Names Yamins

BOSTON, Jan. 25.—Nathan Yamins was reelected president of New England Allied at a meeting of Independent Exhibitors, Inc., held here this afternoon.

Max L. Levenson was renamed to the first vice-presidency and Arthur K. Howard was reelected business manager. Both men, like Yamins, are prominent in the affairs of National Allied. Francis C. Lydon again won the post of second vice-president,

(*Continued on page* 11)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Drop "Picture Week"

The National Board of Review plans no further action on a proposal for a "national motion picture week" discussed by Mrs. Richard M. McClure, president of the Better Films Council of Chicago, at the board's 14th annual conference here late last week, according to Wilton A. Barrett, executive secretary. At the time the plan was presented, it was taken under advisement by the motion offered from the floor.

Christie Hearing Feb. 1

Los Angeles, Jan. 25.—Notice has been issued to creditors of Christie Film Co., bankrupt, that a hearing will be held Feb. 1 by Hugh L. Dickson, referee, for the purpose of hearing the trustee's final report and to set attorneys' fees. Claims proved and allowed total $227,096.19. The report will show a balance of $4,576.23 currently on hand.

Selznick Rents Here

Myron Selznick has rented space in the International Bldg., Rockefeller Center, as the New York headquarters for Myron Selznick, Ltd., representatives of film and radio actors, writers and directors.

◀ Purely Personal ▶

ARTHUR A. LEE, G. B. vice-president, delayed his departure for the south until last night because of bad weather Monday. He will visit exchanges at New Orleans, Atlanta and Charlotte. ARTHUR GREENBLATT, eastern division manager, left yesterday for Boston.

●

EDWARD SHANBURG, MARTIN FINKELSTEIN, JOHN ROXBOROUGH, JULIAN BLACK and JOE LOUIS, heavyweight champion, will leave Friday to attend the premiere of "Spirit of Youth," LOUIS' picture, at the Nixon-Grand, Philadelphia, that night.

●

SONJA HENIE, CESAR ROMERO, JUNE LANG and ETHEL MERMAN, appearing in person, will be 20th Century-Fox's contribution to the entertainment at the President's birthday ball at the Waldorf Saturday night.

●

ALISTAIR COOK, heard over WEAF and the NBC-Red as "A Critic on Broadway," has been signed by March of Time as commentator for that part of the reel distributed in the British Isles.

●

LESSER SAMUELS, G. B. writer, will sail tomorrow on the *Manhattan* to resume work at Pinewood on a musical for JESSIE MATTHEWS.

●

HENRY B. NAGLER, slot man on the *Journal-American*; and MICHAEL RAYMOND have written an original called "Woman Prosecutor."

●

ELEANOR POWELL and RAY BOLGER will be guests at the President's Birthday celebration in Washington Saturday.

●

STUART F. and MRS. DOYLE are en route to Los Angeles where they will remain for about one week prior to sailing for Australia.

●

RAY GALLO, advertising manager of *Better Theatres*, will sail Saturday on the *Shawnee* for a two-week sojourn in Miami.

●

VIRGINIA FIELD, under contract to 20th Century-Fox, will arrive from Hollywood by air today.

●

M. H. LAVENSTEIN, attorney for H. J. YATES and his enterprises, is out of town, to return the end of the week.

●

JOSEPH B. KLECKNER, president of Motiograph, Inc., will leave Chicago shortly for Miami.

●

ARTHUR J. LEONARD, assistant chief accountant at Paramount, is the father of a baby girl born Sunday.

●

ALEC MOSS of Paramount has arrived in Miami and may go on to Cuba.

●

ANNA NEAGLE'S songs in "Look Out for Love" will be published by Mills Music Corp.

●

LIONEL TOLL of the I.T.O.A. has been confined to his home with an attack of the grip.

●

LEON SCHLESINGER, producer of cartoons for Warners, has arrived from the coast with MRS. SCHLESINGER.

●

HENRY ARMETTA is at the Waldorf-Astoria.

JOSEPH SEIDELMAN, Universal foreign manager, sails on the *Berengaria*, Feb. 3, for conferences with the company's representatives in England and France and to become acquainted with the foreign staffs. He will be away about six weeks.

●

J. W. PECHET, distributor for Alexander Film Co. in Winnipeg, is here discussing expansion plans on ad films with CHARLES LIGHT, the company's export manager.

●

HARRY GOETZ is en route to the coast to confer further on production plans for "The Women." Expects to return to New York in three weeks or a month.

●

ED KUYKENDALL, M. P. T. O. A. president, will leave tonight for Richmond to attend the annual convention of the Virginia M. P. T. O.

●

ARTHUR DOYLE, Japan manager for 20th Century-Fox, and D. B. LEDERMAN, Philippines sales head, this week will observe another birthday.

●

SPYROS SKOURAS has Rick and Mrs. Ricketson of Denver as his guests at his home in Mamaroneck.

●

EDWARD G. LEVY, M. P. T. O. A. general counsel, is due in New York today from New Haven.

●

OMAR KIAM, fashion designer for SAMUEL GOLDWYN, is in town on a short vacation.

●

DAVE ROSENGARTEN, president of Times Pictures, Inc., will leave shortly for a vacation at Miami Beach.

●

HARRY and BERNARD BRANDT are due to return from a Caribbean cruise on Monday.

●

ELMER J. McGOVERN has joined Tri-State Film Co. in Cleveland as editor.

●

WESLEY RUGGLES will arrive Feb. 3 aboard the *Normandie*.

●

MILTON SILVER of National Screen Service is nursing a sore throat.

●

ERROL FLYNN will leave for the coast by air tomorrow.

●

. . . New Haven

LOU SCHAEFER, Paramount manager, is celebrating his eighth anniversary. BOB RUSSELL completes 19 years of continuous service with the Poli theatres, Feb. 14.

HARRY F. and MRS. SHAW are considering a Mexican vacation.

MRS. ALBERT PICKUS is convalescing in Miami Beach.

FRED and MRS. LIEBERMAN in the film district for a visit. Also MORTON LIEBERMAN, who will buy for the Cameo, Hartford.

Derr Luncheon Guest

E. B. Derr was honor guest yesterday at a luncheon given by Pete Harrison at Gallagher's Restaurant following a screening of "My Old Kentucky Home." Among those present were Edward A. Golden, Norton V. Ritchey, Pedro Gonzalez, Charles Morla, Leon Fronkiss, Jack London of Fitelson and Mayer; Sylvia Miller, Louis S. Lifton, Sam Fier, and J. P. Friedhoff.

Maryland Censors Approve Time Reel

BALTIMORE, Jan. 25.—Dr. Ben Pau Sandy, chairman, today confirmed th decision of the Maryland censor boar to approve the latest March of Tim reel, "Inside Nazi Germany—1938" after he viewed the film.

Sandy refused to countenance th protest of the German Consul here, Frederick F. Schneider. The censor chairman declared, "It has been my experience that all March of T[illegible] newsreels are carefully prepared and accurate in every respect. The issue involved here is much like that of the freedom of the press and I am affirming the license issued for the reel." The film will play at the Hippodrome here soon.

Selznick Praises Time

David O. Selznick, in a telegram to Henry R. Luce, president of Time, Inc., called the March of Time reel, "Inside Nazi Germany—1938," one "of the greatest and most important reels in the history of pictures."

N. J. Allied to See Reel

Allied of New Jersey members will look at March of Time's "Inside Nazi Germany—1938" before booking the reel for their houses, it was decided yesterday at a meeting in the Lincoln Hotel.

Irving Dollinger, president of Allied, gave the members a report on the national Allied board meeting in Washington last week, and Sidney Samuelson discussed the organization's legislative program.

A confidential report was made on the Altec service contract terms. Maury Miller of Passaic was appointed to arrange a beefsteak dinner in that city in February.

Eddie Ugast Resigns

Eddie Ugast, assistant foreign manager of Grand National, has resigned effective Friday. Ugast has held the post since the start of Grand National and during the absences of Jack Barnstyn has been in charge of the department.

Four New Pacts at RKO

HOLLYWOOD, Jan. 25.—RKO has given new contracts to Cliff Reid, producer; Ben Holmes, director; Bradley Page and Whitney Bourne, players.

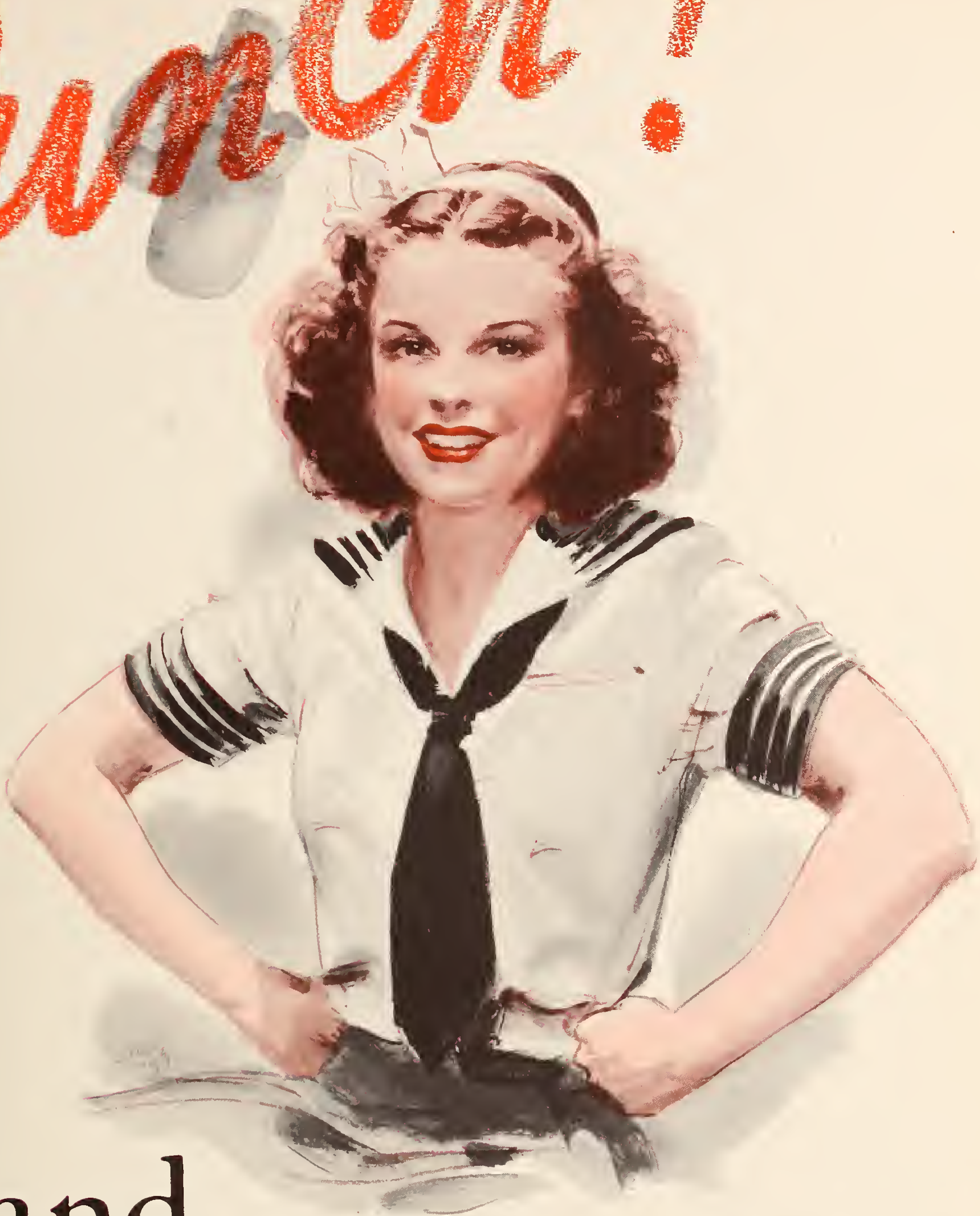
ONE AIRLINE
takes you through
Southern Sunshine
TO CALIFORNIA

● Turning South out of New York, American's route takes you quickly into Tennessee's friendly climate. Continues down to Texas and then across the sunny plains and deserts of the Southwest to California . . . OVERNIGHT! Nature designed this all-year, greater-comfort route . . . and American uses it!

For reservations call your travel agent or VAnderbilt 3-2580

AMERICAN AIRLINES Inc.

Punch !



and JUDY !

The acting, singing sensation
of the New Year

The Girl Who Makes

EVERYBODY SING

THE STORY OF JUDY GARLAND

It is May, 1937! A 12-year-old girl, with her mother, faces M-G-M casting directors to beg for a "singing audition." The studio is overrun with girls who want an audition. But Judy has something.

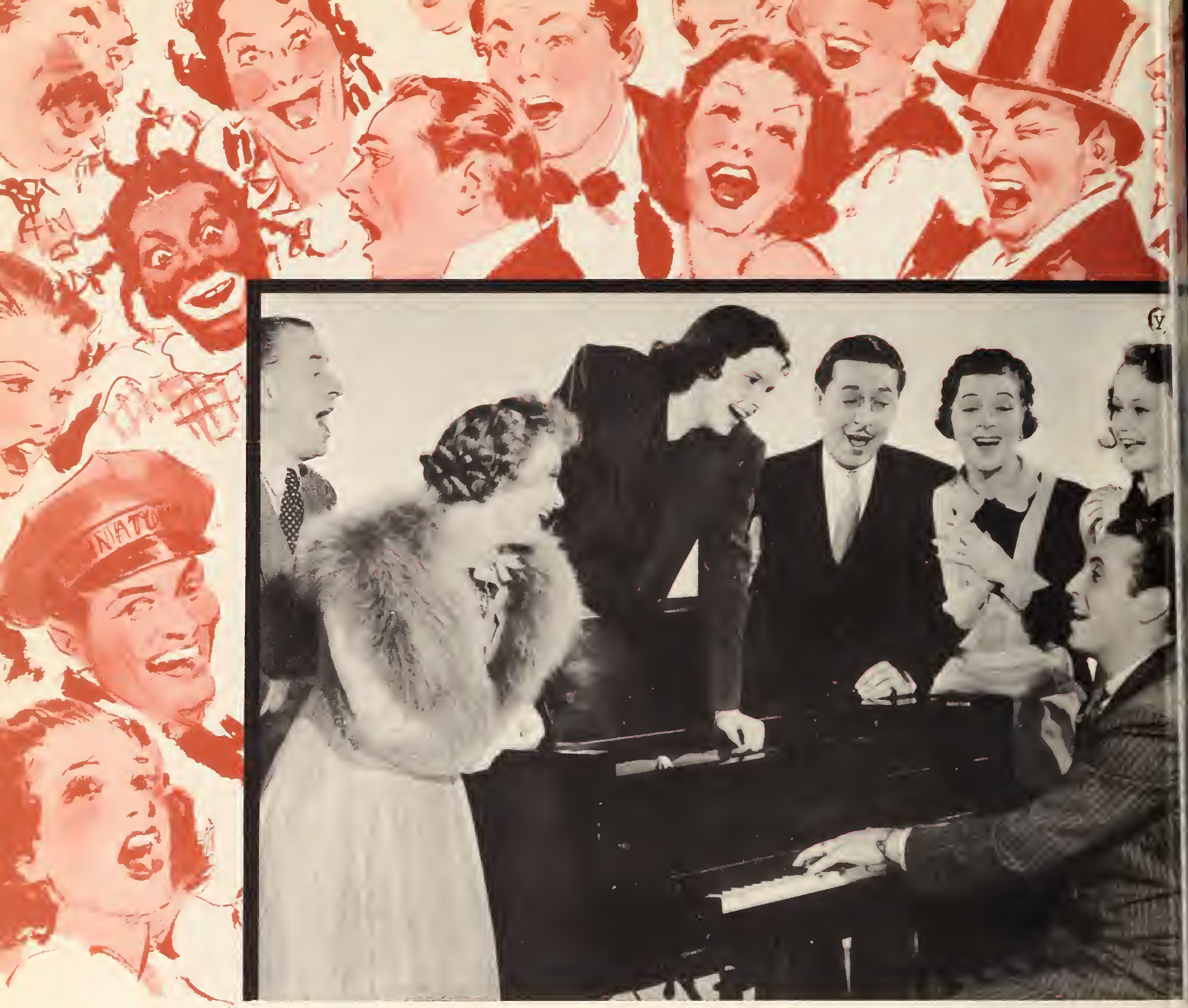
Anything can happen in magic Hollywood. One man has a hunch. One man writes a page in screen history when he says "Let's hear this kid!"

Such is the romance of the discovery of Judy Garland! In just three pictures, topped by "Broadway Melody" her fame was national. Now, after smashing new triumphs on the air, she comes into her glorious own — in M-G-M's lavish, spectacular musical — "Everybody Sing!"

It's a little early to predict but here's a prophecy for 1938!

JUDY GARLAND

STARDOM!



When **ALLAN JONES** delivers romance

When **JUDY GARLAND** starts 'em cheering

When **FANNY BRICE** plays "Baby Snooks"

AND THIS CAST, TOO:

REGINALD OWEN
BILLIE BURKE
REGINALD GARDINER
LYNNE CARVER

Original Story and Screen Play by Florence Ryerson and Edgar Allan Woolf • Additional Dialogue by James Gruen • Directed by Edwin L. Marin • Produced by Harry Rapf

"EVERYBODY SING"

Hang a GARLAND on your box-office
with M-G-M's Showmanship Sensation!

LITHO U.S.A.

"Fargo" Gets 4th Week in Denver Shift

DENVER, Jan. 25.—"Wells Fargo" continued to stand them even in its third week at the Denham, and was stopped to make way for the Mae West film. Fox Intermountain promptly grabbed "Wells Fargo" and used it for a fourth week at the Aladdin. This is probably the first time in the history of Denver a film has continued first run in an opposition house. The National Western Stock Show, breaking records of its own with sell-outs, has continued interest in the film, and Fox figured it might as well cash in on it. Other first run houses were from fair to good.

Total first run business was $38,500. Average is $33,250.

Estimated takings for the week ending Jan. 20:

"LOVE AND HISSES" (20th-Fox)
ALADDIN—(1,400), 25c-40c, 7 days, after a week at the Denver. **Gross:** $4,000. (Average, $3,500)

"MAYERLING" (Pax)
BROADWAY—(1,500), 25c-40c, 3 days. **Gross:** $600.

"BORDERTOWN" (W. B.)
BROADWAY—(1,500), 25c-40c, 4 days. **Gross:** $900. (Average, 7 days, $2,500)

"WELLS FARGO" (Para.)
(3rd week)
DENHAM—(1,392), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,500)

"HOLLYWOOD HOTEL" (F. N.)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $8,500)

"BAD MAN OF BRIMSTONE" (M-G-M)
"WISE GIRL" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $10,000. (Average, $7,500)

"STAND-IN" (U. A.)
"DANGEROUSLY YOURS" (20th-Fox)
PARAMOUNT—(2,096), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"52nd STREET" (U. A.)
(After a week at the Paramount)
"THE SHADOW" (20th-Fox)
RIALTO—(878), 25c-40c, 7 days. **Gross:** $2,000. (Average, $1,750)

Ask Free Admission Of Education Films

TORONTO, Jan. 25.—Appearing before the Rowell Commission on Tariffs and Taxation, which is investigating the excise situation in Canada, J. W. Noseworthy of Toronto, representing the Canadian Federation of Teachers, entered a formal request for the free importation from the United States of films of any width which could be classed as strictly educational. Pointing to the advantages of visual education and the increasing value of films in school work, Noseworthy made a plea for consideration of this type of film whether it is intended for schools or theatres.

The teachers' spokesman also pressed for the expansion of the Canadian Government's own Motion Picture Bureau to include the production of suitable films of Canadian life for presentation in schools.

Cuts Cincinnati Price

CINCINNATI, Jan. 25.—The Forest, one of the largest subsequent units in the Libson-White circuit, has inaugurated a 20-cent bargain hour from 6:30 to 7:30 P. M., with the regular 30-cent rate effective at other times. Children's admission has been reduced from 15 to 10 cents, good any time.

The Newsreel Parade

Movietone News
Vol. 20, No. 39
(20th Century-Fox)

Warfare in Spain and China, comprising some good material, makes this issue interesting. The ruined city of Teruel is shown as the Franco forces launch an offensive and the Loyalists hold on grimly, while refugees and wounded are evacuated. Some of the scenes are harrowing.

The Japanese troops are shown pushing forward in North China, capturing Tsinan, while at Hong Kong, to the south, the British colonial and Indian defenders train for eventualities. The release also has: The Maine sport of harness racing on ice; Jim Braddock trying painfully to smile for the camera, while Tommy Farr acknowledges defeat; William and Mrs. White of Washington, with their 17 children; Jeanne Kavanagh, who is authorized to sign the President's name; 48-passenger plane built for the Soviet; a baby Giant Panda; film cuties at Santa Anita race track; baseball players in golf driving competition; Lew Lehr going nuts over a Florida men's "bathing beauty" contest and winter bathing up north.

Running time, 10½ mins. F.

News of the Day
Vol. 9, No. 237
(M-G-M)

Franklin D. Roosevelt, Jr., is proved a vigorous orator in this release showing him addressing an audience in defense of New Deal policies. His tone and delivery are much like his father's. Representative Samuel B. Pettengill of Indiana presents the other side of the debate and, in the newsreel, comes off second best.

Scenes of Japan's push in China and the Hong Kong defenses are duplicates of Fox Movietone's, with a touch or two that are different. The rest is run-of-the-mill: Spectacular parachute jumping; doubles of famous men; a men's "bathing beauty" contest in Miami; Washington's White family of 17 offspring; winter bathing by people who seem to enjoy it; racing at Hialeah.

Running time, 9½ mins. F.

Paramount News
No. 50
(Paramount)

With the possible approach of the Japanese armed forces to Canton, leading city of south China, as the reason, Paramount's reel presents views indicating its size and activity, and showing the construction of extra roofs on many buildings to absorb the shock of possible bombing attacks. Pictured also are U. S. and British gunboats.

New York's new snow-clearing equipment is shown in action at Floyd Bennett Airport, and a Coast Guard cutter is seen ploughing a path through the ice of the Hudson River. A group of motor manufacturing executives are shown on their arrival for conferences with President Roosevelt, and, also in Washington, is pictured William and Mrs. White and their 17 children, the capital's record family.

Seattle authorities are pictured arresting one man and uncovering the dynamite satchel, fitted with a time arrangement, which was planned to blow up a Japanese liner in the harbor. Lifeguards in Miami compete in a "beauty" contest, which is amusing material, and gives Miami its weekly turn in the newsreels. Mrs. Harkness returns from Hong Kong with her second giant panda, while the first cavorts before the camera at Brookfield, Ill. A reel of average interest.

Running time, 9 mins. A.

Universal Newsreel
Vol. 10, No. 635
(Universal)

Eleven subjects lend variety to this release and make up for lack of pictorial news. Under the heading of news the China Clipper is shown at anchor at Los Angeles, the *Augusta* quits Shanghai and Admiral Yarnell transfers to a smaller craft, automobile makers leave the White House, and Lawrin winning the Hialeah handicap is presented.

A girl wrestler from Venice, Cal., furnishes a human interest topic good for a few laughs by throwing young men over her shoulders. Wild ducks spending the winter with tame ones in Central Park are mildly interesting. Florida's active publicity bureau makes the grade as usual with two subjects—one a night fashion show and the other a beauty contest for men lifeguards.

Shots of a recent banquet with the guests of honor doubling for famous men are interesting. Two other subjects are a demonstration of a new parachute that can be guided in its descent by the user and the 17 children of a Treasury Department employe. Neither adds much to the entertainment value of the total.

Running time, 9 minutes.

Pathe News
Vol. 9, No. 54
(RKO)

The mobilization of China's manpower at Canton is the most important clip in this reel, which otherwise is of routine interest.

James Roosevelt reads to an audience a defense of his father against charges that he is exercising dictatorial powers as President. At a novel dinner in New York, amazing likenesses to famous men affords a moment of amusement.

Routine news coverage offers pictures of the chiefs of the automobile industry at the White House, and shown is the Government clerk who is the father of 17 children. The speeding up of coin production is pictured at the Philadelphia Mint, with interesting camera recording of the process of manufacture.

Maribel Vinson makes an attractive picture under falling snow as she exhibits her skill in fancy skating at Lake Placid and the reel closes with the testing of a new type of parachute, adaptable to low-altitude jumps, by two Washington college boys.

Running time, 9 mins. A.

Plan Brooklyn Theatre

Plans have been filed for the construction of a two-story theatre and store building in Brooklyn by the Argyle Holding Corp., of which A. J. Burns is president. The building will cost $100,000.

"Rosalie" and "Tovarich" Up In Washington

WASHINGTON, Jan. 25.—"Rosalie," in a return engagement at Loew's Columbia, and "Tovarich," in a like situation at the Metropolitan, were the bright spots of an unimpressive week. The Powell-Eddy musical took $4,700 to better par by $1,100; "Tovarich" garnered $5,000, which is over the top by $700.

At Loew's Capitol, "Love and Hisses," backed by a stage show, brought in $17,100, dipping under average by $3,800, with Loew's Palace doing $9,900 on a second week of "Hurricane," or $6,000 below the first week normal take. "Every Day's a Holiday," with Clyde Lucas' orchestra supporting on the stage, accounted for $15,500, a $2,900 skid.

Total first run business was $61,700. Average is $73,700.

Estimated takings:

Week Ending Jan. 19:

"LOVE AND HISSES" (20th-Fox)
CAPITOL—(3,434), 25c-66c, 7 days. Stage: Benny Davis' Stardust Revue. **Gross:** $17,100. (Average, $20,900)

"EVERY DAY'S A HOLIDAY" (Para.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Clyde Lucas' Orchestra, Loew, Hite and Stanley, Edna Strong, Bob Flinch. **Gross:** $15,500. (Average, $18,400)

"HURRICANE" (U.A.)
PALACE—(2,370), 35c-55c, 7 days. **Gross:** $9,900. (Average, $15,900)

"YOU'RE A SWEETHEART" (Univ.)
RKO KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $9,500. (Average, $10,600)

"TOVARICH" (W.B.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,300)

"ROSALIE" (M-G-M)
COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $4,700. (Average, $3,600)

Studio Lull Holds With 28 Shooting

(Continued from page 1)

versal; "White Banners" and "Torchy Blane in Panama," Warners.

The tally by studios:

Columbia finished zero, shooting one, preparing zero, editing seven; Goldwyn, zero, zero, zero, zero; Grand National, zero, zero, zero, zero; M-G-M, zero, five, one, five; Monogram, one, zero, zero, three; Paramount, zero, four, two, 12; Principal, zero, one, zero, one; RKO, zero, four, two, three; Republic, one, two, one, five; Roach, zero, one, zero, one; Selznick, zero, zero, zero, one; 20th Century-Fox, two, three, two, five; Universal, zero, three, zero, three; Wanger, zero, zero, zero, zero; Warners, three, four, two, 16.

Columbia started one short subject, as did Warners, making, with one at Roach, a total of three in work. M-G-M is preparing two; RKO, one. A total of 15 is being prepared.

To Study License Fees

SUPERIOR, Wis., Jan. 25.—The city attorney has been instructed to review the ordinance asking a yearly license fee of $50 in order to obtain additional funds for the city. The action was taken following a motion by one of the councilmen. Two new theatres have been built here in the last six months and there are now six.

Short Subjects

"The Lone Ranger"

(*Republic*)

With "The Lone Ranger" the exhibitor has a 15-episode serial that will probably be a prominent factor when an accounting of profits is taken. The film, based on the popular radio serial, has been produced with an eye to providing thrills. If the initial installment gives an idea of what is to come, bookers should be busy.

The basic story deals with terrorism in Texas at the close of the Civil War which is spread by a self-constituted dictator. The Lone Ranger, so named because he is the sole survivor of a troop of his fellows who have been ambushed, vows to wipe out the murderer and his ilk.

With the aid of Tonto, an Indian friend, and the victimized settlers, he sets out to bring a close to the dark state of affairs. He is ruthless in his determination. The character who plays the Lone Ranger has been robed in mystery. There are five men who seem to take the part. This angle is part of the attraction.

The picture uses fine outdoor settings. William Nobles has done a handsome job with the photography. The well chosen cast includes Lynn Roberts, Hal Taliaferro, Herman Brix, Lee Powell, Lane Chandler, George Letz, Chief Thundercloud, Sammy McKim, Stanley Andrews and Tom London. Silver Chief, a splendid Arab horse, is a striking photographic subject as the hero's mount. William Witney and John English have done well with the direction.

The first chapter runs 26 minutes, the remaining 14 run 18 minutes each. "G."

"What Do You Think No. 2"

(*M-G-M*)

Another interesting cinematic venture into the realm of the supernatural. The film should have good reception where the audience found the initial number of interest. The slight plot, narrated by Carey Wilson, concerns the near commission of murder by a young and jealous husband who saw a woman resembling his wife in a doctor's arms. The narrative is shrewdly ended with a deduction that leaves the conclusion hanging in midair. Running time, 10 mins. "G."

"Jungle Jitters"

(*Vitaphone*)

This Merrie Melody is interestingly developed and played for its utmost in laughs, but it follows a routine course. The color and animation are good and ingenious, respectively. The plot sets a comical salesman down amid cannibals. Unsuccessful at peddling his wares to the savages, he resigns himself to the cook-pot rather than marry their homely white queen. Running time, 7 mins. "G."

"Deviled Ham"

(*RKO*)

Here the lower depths are the setting for a number of interesting acts. Gus Van is the Satanic master of ceremonies. There is a clever dance routine by Toy and Wing, a Chinese dance team; music by Erskine Hawkins and his colored band and interpretive dancing by Moya Engele. It is the usual sort of thing made more interesting by Van's humorous antics and singing. Running time, 10 mins. "G."

"Popular Science J 7-3"

(*Paramount*)

The usual collection of interesting developments in the application of science to the household and industry. The color is not always as good as it might be. The best sequence is a bit of research on the microscopic examination of valuable furs. Running time, 11 mins. "G."

"The Bolted Door"

(*Vitaphone*)

Another Floyd Gibbons' "Your True Adventures" that will set the patrons' hearts pounding to its realistic drama. The story enacted here concerns the plight of a young mother whose baby almost drowns in a filling bathtub. The film creates a thrilling tension and there is no letdown until the conclusion. Running time, 13 mins. "G."

"New Audioscopiks"

(*M-G-M*)

Here is one that must be played. It has all the novelty that had audiences squirming and ducking in their seats last year, but with better and more effective stunts. Not only should there be billing on the marquee but the exhibitor had better lay in a big supply of colored eye-pieces. This issue is done with two colors. Running time, 8 mins. "G."

Hollywood Preview

"Radio City Revels"

(*RKO*)

HOLLYWOOD, Jan. 25.—There is plenty for exploitation in title and cast names in "Radio City Revels" and this should have a pronounced effect on the drawing power of the picture. The title itself has a connotation of lively, entertaining fare, with the always popular radio background and a fair share of music. The film bears out that promise.

In addition, there is a real selling opportunity in Bob Burns, Kenny Baker, Jack Oakie, Victor Moore, Helen Broderick, Milton Berle, a flash of Don Wilson, Buster West and Melissa Mason, an excellent eccentric dance team, Anne Miller, a clever and attractive tap dancer, and Jane Froman in a featured song. To these borrowings from radio are added several songs from Herb Magidson and Allie Wrubel, spectacular dance sequences and an entertaining story in which comedy is dominant, even with respect to the romantic aspect.

Ben Stoloff directed with emphasis on the amusing moments, which are well-spaced and serve to keep the entertainment pitch high. It is a story of success attained through a pattern of failure, radio stardom attained after a struggle. Oakie and his assistant, Berle, are failures as song writers, while Oakie continues to promise Miss Miller he will get her a real chance. She meets Baker and he falls in love with her.

Burns, their hill-billy song writing "pupil," comes from Arkansas to take his lessons in person, but without money. They are about to toss him out, while Miss Miller's sister, Miss Broderick, makes a play for him, when they discover that he composes hit tunes, words and music, in his sleep, but can remember nothing when he awakens. Their attempts to put him to sleep and keep him awake as needed provide the highlight comedy of the picture.

Finally recognition comes to Burns, Miss Broderick gets him, Miss Miller gets Baker, and Oakie has money—and still has Berle.

Running time, 88 minutes. "G."

"Double Danger"

(*RKO*)

HOLLYWOOD, Jan. 25.—RKO's "Double Danger" should satisfy patrons in virtually any house with its comedy, suspense, romance and other elements. It brings together two master crooks—one an author who robs to get plots for his novels, and the other a pretty girl who poses as a society figure. The comedy situations are more or less a burlesque of master mind crook dramas.

Lew Landers has done a good directorial job. The screenplay was written by Arthur T. Horman and J. Robert Bren, from Horman's original story. Maury Cohen produced. The capable cast consists of Preston Foster, Whitney Bourne, Donald Meek, Samuel S. Hinds in one of his best roles in some time; Paul Guilfoyle; Cecil Kellaway, the studio's Australian importation, who registered a definite hit; June Johnson, daughter of Chic Johnson, and others.

Foster, crook author, foils Miss Bourne, society thief, in a jewel robbery. Hinds, police commissioner, believes one of the pair is "The Gentleman," who for years has eluded him. So he invites them to a house party. Hinds sets a trap to catch "The Gentleman," but the windup is that five claim to be that person. However, Guilfoyle is caught with the jewels, and Hinds permits Foster and Miss Bourne to leave—for a honeymoon and permanent stay on the Riviera.

Running time, 60 minutes. "G."

(Additional Reviews on page 11)

Variety Club

Dallas

DALLAS, Jan. 25.—R. J. O'Donnell, chief barker of the Dallas Variety Club turned the first spade of earth in the erection of a $20,000 wing to the Freeman Memorial Clinic for underprivileged children, a project of the club.

Organized in November, 1935, with O'DONNELL as chief barker, the c[illegible] began paying the clinic $250 mont[illegible] for surgical work for poor children of the section including Texas and Oklahoma. Later the monthly payments were raised to $350 a month and they may be increased.

In addition the three-story wing to the present clinic will be added. Revenues come from two sources, the annual dinner-dance, which this year netted $5,000, and a semi-annual golf tournament scheduled to be held here in March.

Des Moines

DES MOINES, Jan. 25.—Variety Club has secured Ted Lewis and his orchestra for a dance to be held at the Tromar ballroom Feb. 4. G. RALPH BRANTON is chairman of the committee in charge of arrangements.

Omaha

OMAHA, Jan. 25.—Officers will be installed and new members initiated at Variety Club's Inaugural Ball Jan. 30 at Hotel Fontenelle. About 250 are expected at the party, a formal supper-dance.

Handling arrangements are Chairman JOE JACOBS and D. V. MCLUCAS, AL HILL, BILL MISKELL, A. M. AVERY, TED EMERSON and EVERT R. CUMMINGS.

To Attend Buffalo Dinner

ALBANY, Jan. 25.—Local branch managers will have a table at the testimonial dinner to be extended Ted O'Shea in Buffalo next Monday.

Wall Street

Board Closes on Decline

	Open	High	Low	Close	Net Change
Col.	13½	13½	13½	13½	.....
Cons.	1½	1½	1½	1½	— ¼
E. K.	164	164	162¾	162¾	— ¾
G. T. E.	12¼	12¼	12¼	12¼	— ¼
Loew	49⅞	49⅞	49½	49½	— ⅜
Para.	10¾	10¾	10½	10⅝	— ⅜
Para. 2.	10¼	10⅜	10¼	10⅜	— ⅛
Pathe	6	6	6	6	+ ⅛
RKO	4⅝	4⅝	4½	4⅝	.....
20th Fox	24	24	23¼	23⅜	— ⅛
20th pfd.	31	31	31	31	.....
W. B.	6⅞	7	6⅞	6⅞	— ⅛
W. B. pfd.	38½	38½	38½	38½	+ ½

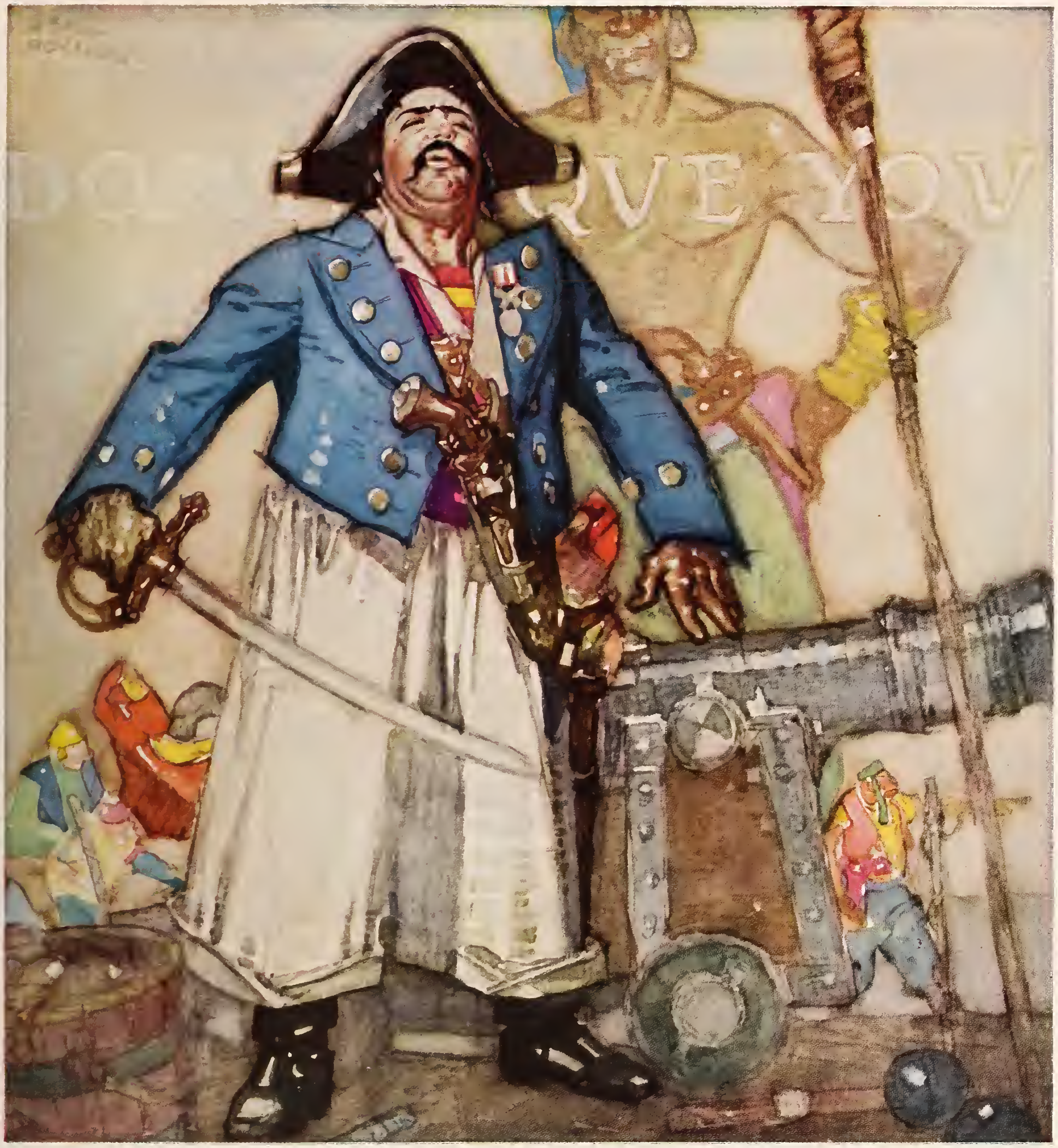
Curb Issues Off

	Open	High	Low	Close	Net Change
G. N.	¾	¾	¾	¾	.....
Monogram	2⅜	2⅜	2⅜	2⅜	— ⅛
Sonotone	1⅞	1⅞	1¾	1¾	.....
Tech.	19½	19½	19	19⅛	— ⅛
Trans-Lux	2⅞	2⅞	2⅞	2⅞	— ⅛
Univ. Corp.	3¼	3¼	3¼	3¼	— ⅛

Bonds Dip Lightly

	High	Low	Close	Net Change
Keith 6s '46	83	82⅝	82⅝	— ⅜
Para. B'way 3s '55	60	60	60	— ½
Para. Pict. 6s '55	95½	95½	95½	.....
Para. Pict. '47	72¾	72¾	72¾	.....
W. B. 6s '39	75¾	75¾	75¾	— ¼

(Quotations at close of Jan. 25)

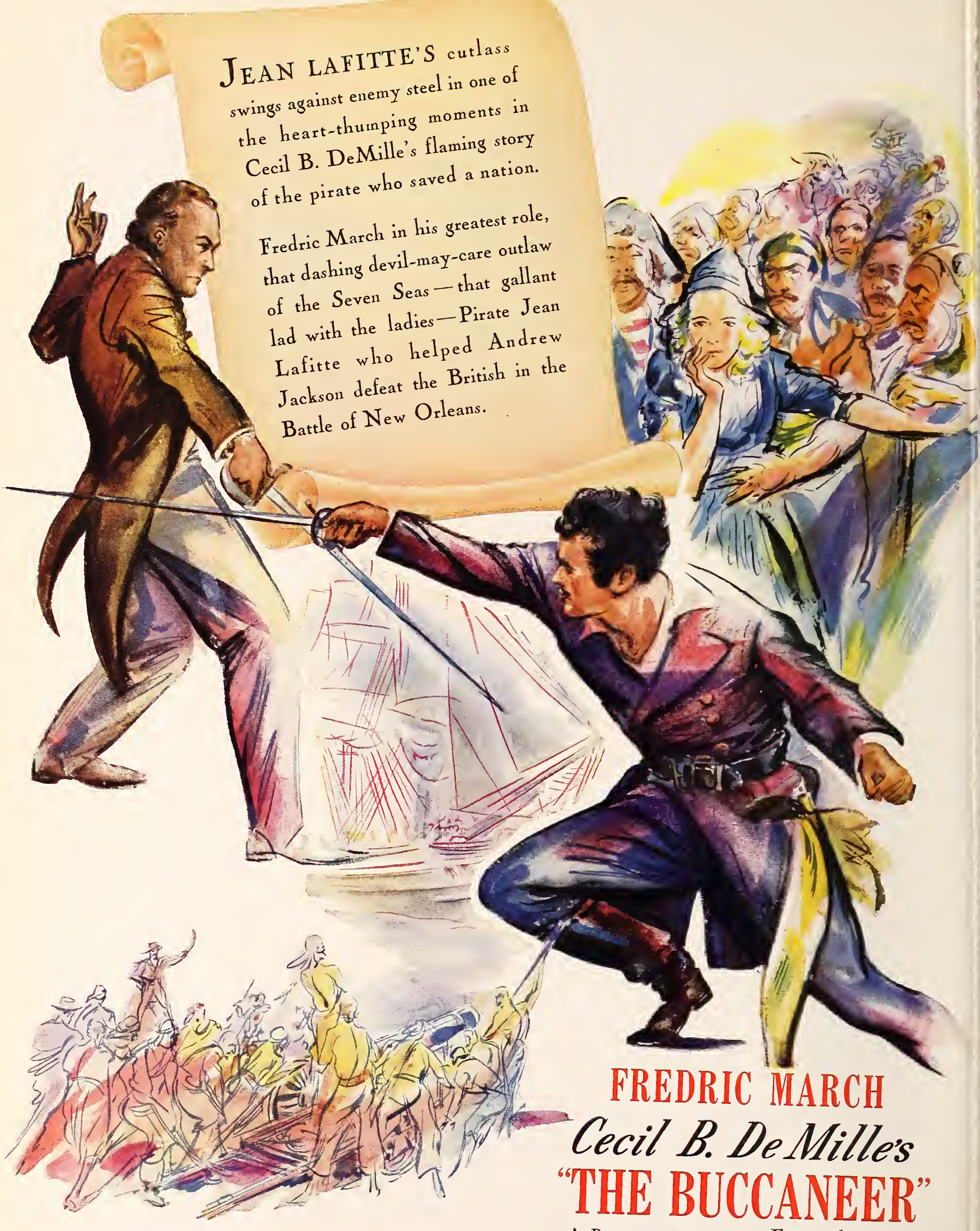


AKIM TAMIROFF as *Dominique* in

Cecil B. DeMille's

"THE BUCCANEER"

A Paramount Picture



JEAN LAFITTE'S cutlass swings against enemy steel in one of the heart-thumping moments in Cecil B. DeMille's flaming story of the pirate who saved a nation.

Fredric March in his greatest role, that dashing devil-may-care outlaw of the Seven Seas—that gallant lad with the ladies—Pirate Jean Lafitte who helped Andrew Jackson defeat the British in the Battle of New Orleans.

FREDRIC MARCH
Cecil B. DeMille's
"THE BUCCANEER"

A Paramount Picture with Franciska Gaal
Akim Tamiroff · Margot Grahame · Walter Brennan
Ian Keith · Anthony Quinn · Hugh Sothern · Evelyn Keyes
Screen Play by Edwin Justus Mayer, Harold Lamb and C. Gardner Sullivan • Based on an Adaptation by Jeanie Macpherson of "Lafitte the Pirate" by Lyle Saxon
Directed by Cecil B. DeMille

Paramount Pictures

PRINTED IN U.S.A.

Stockholders Approve Loew Profit Pacts

(Continued from page 1)

Armsby, David Bernstein, Isidor Frey, Leopold Friedman, John R. Hazel, Al Lichtman, Charles C. Moskowitz, William A. Parker, William A. Phillips, J. Robert Rubin, Nicholas M. Schenck and David Warfield.

Isidor Frey of Loew's legal staff acted as chairman, with Leopold Friedman, general counsel, as secretary. Others representing the management were Bernstein and J. Robert Rubin, vice-president and general counsel.

Objections to the personal service contracts were raised by several speakers, most of them attorneys representing small stockholders. Some of the larger stockholders were forceful in favor of the proposals.

Minneapolis Unit Objects

The only written protest was filed by Carl H. Fowler, attorney, who said he represented Charles M. Drew of Minneapolis, owner of 700 common shares. Fowler termed the agreements "improvident and extravagant" and served notice that the directors and officers of the company who participated in making them "will be held personally responsible for injury to the company and the stockholders." Another attorney pointed out that contracts, when declared improvident in a legal action, have been held by the U. S. Supreme Court to be illegal.

Pat Casey, defending the proposal, said, "If M-G-M doesn't want the deal, give it to me. I will guarantee I will go out and make more with it than they could."

Walter Reade, circuit operator, called the contract proposals "the greatest piece of strategy in the history of the industry."

Under the agreements, instead of three executives and producers, Louis B. Mayer, J. Robert Rubin and the late Irving G. Thalberg, 11 will share in the same aggregate percentage of the profits. The new contracts cover periods of from four to seven years, beginning Jan. 1, 1939. Those who share profits under the new pacts are Mayer, Rubin, Al Lichtman, Edgar J. Mannix, Sam Katz, Harry Rapf, Bernard H. Hyman, Hunt Stromberg, Lawrence A. Weingarten, Benjamin Thau and Mervyn LeRoy.

Bernstein Contract Extended

In addition, the stockholders approved a five-year extension of David Bernstein's personal service contract at his present rate of compensation, $2,000 weekly plus 1½ per cent of the profits.

LeRoy's present contract, which runs for three years from the date he reports to the studio, to be no later than March 15, calls for a weekly salary of $3,500, plus $29,500 quarterly. Beginning Jan. 1, 1939, under the new agreement, he will receive 7/10ths of one per cent of the profits, this percentage to be no less than his present quarterly compensation.

The other contracts are: Mayer, executive and managing director of production, contract extended to Dec. 31, 1942, at $3,000 weekly, plus 6.77 per cent of the profits; Lichtman, executive, contract extended to Dec. 31, 1945, at $3,000 weekly, plus 1.05 per cent of the profits; Rubin, executive, extended to Dec. 31, 1943, $2,000 weekly, plus 1.4 per cent of the profits and additional compensation at the termination of employment, and the stock option agreement made Dec. 15, 1932, is unaffected; Mannix, production executive and supervisor, extended to Dec. 31, 1945, $3,000 weekly including expenses, plus 1.4 per cent of the profits; Katz, executive and production supervisor, extended to Dec. 31, 1945, $3,000 weekly, plus 1.4 per cent of the profits; Rapf, production supervisor, contract extended to April 8, 1943, $2,200 weekly, plus 35/100ths of one per cent of the profits; Hyman, production supervisor, extended to Dec. 31, 1945, $3,250 weekly, plus 7/10ths of one per cent of the profits; Stromberg, production supervisor, extended to Dec. 5, 1944, $5,000 weekly, plus 1.05 per cent of the profits, with the provision that his present bonus of $15,000 for each picture over eight produced by him in any one year is canceled, effective Jan. 1, 1939; Weingarten, production supervisor, extended to Dec. 30, 1943, at $3,250 weekly, plus 35/100ths of one per cent of the profits; Thau, executive, extended to Dec. 31, 1945, $1,750 weekly, plus 7/10ths of one per cent of the profits.

New York Preview

"She Loved a Fireman"

(Warners)

This is frankly unpretentious, melodramatic action material, with its usual romantic complications. It is satisfactory for its type. The youngsters, especially, will appreciate the spectacular fire scenes, and the rescue which results in friendship for the two rivals and a clear field for the romance. Where audiences like simple action material, they will like "She Loved a Fireman."

Dick Foran is the egotistical political hanger-on who decides to join the fire department, which he thinks is a soft berth, much to the annoyance of Robert Armstrong, company captain. Foran at the same time falls in love with Ann Sheridan, not knowing she is Armstrong's sister. He goes through the department training school, is assigned to Armstrong's company, and the feud is on.

Foran resents any command from Armstrong, until finally, when a man is injured through his negligence, he is transferred. The climax comes in a roaring fire, accompanied by gasoline explosions, when Foran goes to the rescue of Armstrong, saves his life, and brings about the happy conclusion. John Farrow directed from a screenplay by Carlton Sand and Morton Grant.

Running time, 60 minutes. "G."

"My Old Kentucky Home"

(Monogram)

This is standard dramatic fare. The story has no connection with the song of the same name. The production is in good taste, but the action drags.

In the beginning Grant Richards is introduced as somewhat of a playboy. He is in New York and is about to marry Evelyn Venable and terminate a friendship with Bernadene Hayes. He is the scion of an old and wealthy Kentucky family. He and Miss Hayes say farewell, but as he is leaving her apartment Miss Hayes drinks poison. While attempting to thwart her Richards is blinded by the stuff. Clara Blandick, who plays the role of grandmother, takes him home to Kentucky, her purpose being to reconcile him with Miss Venable. Richards is threatened with blindness. Miss Blandick eventually gets things settled. The story concludes with Richards recovering his sight and happily reconciled with Miss Venable. The Hall-Johnson Choir in their finished style sing a few well known Stephen Collins Foster numbers.

Effective support is contributed by J. Farrell MacDonald, Mildred Gover, Margaret Marquis, Cornelius Keefe and Kitty McHugh. It is a Crescent production. Lambert Hillyer directed.

Running time, 72 minutes. "G."

Autry and Republic In Contract Dispute

HOLLYWOOD, Jan. 25.—Gene Autry and Republic are definitely at odds over salary and other matters, it was disclosed here today. Autry, first ranking western star in the poll of *Motion Picture Herald* and who is now on a personal appearance tour in the South, is unwilling to return to the studio for his scheduled picture, "Washington Cowboy," until his pay is raised from $5,000 to $15,000 per picture and he is guaranteed that Smiley Burnette be featured with him in all films.

While rumors are current here that Republic is seeking court action, the files fail to disclose the record of such eventuality. Sam Wolf, attorney for Autry, said the star claims contract breach by the studio by not having the picture ready to start for him on time.

'Bad Man' Portland SRO

PORTLAND, Jan. 25.—"Bad Man of Brimstone" played to standing room only at the Broadway here during the first two days of its run. "The Life of Emile Zola" is also showing sustained strength, having returned to the Music Box with a draw heavier by 10 per cent than its first run.

New England Allied Again Names Yamins

(Continued from page 1)

Adolph Bendsley was renamed secretary and E. Harold Stoneman reelected treasurer.

Walter Littlefield, who a few months ago sold out his theatre interests to M. & P., tendered his resignation from the board of directors. The directorate now includes Edward Ansin, Wilbur Peterson, Charles W. Hodgdon, Irving Isaacs, Samuel Resnick, W. H. McLaughlin, Daniel Murphy, Francis M. Perry, Morris Pouzzner, George Ramsdell, Richard B. Rubin, Philip Smith and William A. Viano.

Withdraw "Hotel" Suit

The motion for a temporary injunction to restrain Warners from using the title "Hollywood Hotel" in the suit brought by the Hollywood Hotel Revue, Inc., was withdrawn before Justice Peter A. Schmuck in the N. Y. Supreme Court yesterday. I. R. Broder, attorney for the plaintiff, stated that the suit will be transferred to the Federal Court here because of jurisdictional reasons and the motion will be renewed there. The plaintiff produces stage presentations for film houses.

Continue Florida Suit

TAMPA, Jan. 25.—The anti-trust action of the Rivoli Theatre Co., Inc., against United Artists and other major distributors was continued in U. S. District Court here today at the request of the defense. Judge Akerman granted the continuance on the defense plea of newly discovered evidence. The case probably will be set for the June term.

Would Tighten Law

ALBANY, Jan. 25.—Designed to tighten the laws on discrimination against colored persons in theatres, hotels and places of amusement, Assemblyman Robert W. Justice, colored legislator from Harlem, today introduced a bill changing the civil rights statute to provide prosecution by the state attorney general in actions instituted. It was sent to the judiciary committee for consideration.

Asks Building Law Shift

ALBANY, Jan. 25.—Senator John J. Howard (Dem., Brooklyn) has introduced a bill giving the Industrial Commissioner power to enforce building laws with the help of the State Police where there is no board or officer charged with this duty. The bill is aimed at theatres and other places of assembly and would apply in upstate towns and villages.

Rules on House Licenses

MONTGOMERY, Ala., Jan. 25.—Attorney General Albert A. Carmichael of Alabama has ruled that a motion picture company operating two houses must obtain a license for each place. The opinion was directed to Probate Judge J. C. Kellet of DeKalb County.

It's Now 'Tipoff Girls'

HOLLYWOOD, Jan. 25.—Paramount's production formerly known as "Midnight Cargo" and "Highway Racketeers," will be released as "Tipoff Girls."

Permits Asked For Three New Air Stations

WASHINGTON, Jan. 25.—Construction permits for three new broadcasting stations have been asked of the Federal Communications Commission.

Applications disclosed that the Eastern Carolina Broadcasting Co. proposes a 1,370-kilocycle, 100-watt station at Goldsboro, N. C.; Edward Breen and Allen R. Loomis, II, plan a 1,500-kilocycle station at Fort Dodge, Ia., with 100 watts power night, 250 watts day, and the Tacoma Broadcasters, Inc., plan a 1,420-kilocycle station at Tacoma, Wash., with 100 watts power night, 250 watts day.

An amended application filed by WRTD, Richmond, asked a change of frequency from 1,050 to 590 kilocycles, following request for a change from 1,500 to 1,050 kilocycles and increase power from 100 to 500 watts, and an application filed by KTEM, Temple, Tex., asked for extension of time from day to unlimited with 100 watts power night, 250 watts day.

List Two Dismissals

The commission has dismissed, at the request of the applicants, petitions of Jonas Weiland for a new 1,500- kilocycle, 100-watt daytime station at Kinston, N. C., and Scripps-Howard Radio, Inc., for a 630-kilocycle, 1,000-watt station at Denver.

Examiners' hearings have been tentatively ordered for March 8 on the application of the National Life & Accident Insurance Co., Inc., for a 1,370-kilocycle station at Nashville, with 100 watts power night, 250 watts day, and for March 14 on the applications of Garden Island Publishing Co., Ltd., for a 1,500-kilocycle station at Lihue, Hawaii, with 100 watts night, 250 watts day; Mountain Top Trans Radio Corp., for a 1,310-kilocycle station at Denver, with 100 watts power night, 250 watts day, and WNEL, San Juan, P. R., for change of frequency from 1,290 to 590 kilocycles.

Furgason Is Named WFLA's Agent Here

Gene Furgason & Co., station representatives, have been appointed national representatives to WFLA, NBC outlet in Tampa. The station in the past has been represented in the Midwest by Furgason. New York representation, however, heretofore was by Craig & Hollingbery.

Brewing Firm in Oklahoma Deal

OKLAHOMA CITY, Jan. 25.—A 10-week contract for commercials on the Oklahoma Network for the Southwest Brewing Corp. of Oklahoma City, has been signed. Broadcasts will be from 9:30 P.M. to 10:15 P.M. from the Oklahoma City auditorium where the A.A.A.U. boxing matches will be broadcast once a week, carrying the finals of each week's bouts.

Flynn Set for Lux Program

Errol Flynn and Olivia de Haviland will appear in the Lux "Radio Theatre" production of "Green Light" Jan. 31 over CBS.

New York Stations Joined In Helping Lost Airplane

Local radio stations played a dramatic part in hunting for the Newark-to-Washington airliner lost in a storm during the early morning hours yesterday.

WOR remained on the air until 3:30 A. M., broadcasting a series of appeals asking anyone who had heard a plane to phone the station. Dave Driscoll of WOR's special features division was at the mike.

WMCA kept its transmitter open until 3:34, hours beyond its usual closing time, on the same mission. Also, WMCA, through short wave equipment, maintained contact between the pilot and the plane and Newark airport officials.

WNEW, which maintains a 24-hour broadcasting schedule, devoted most of its late night and early morning hours to the search for the plane. NBC and CBS had closed their transmitters at the usual time, 1 A. M., a half hour before the first flash of the lost plane was received.

Wayne King Program Renewed

Wayne King's music will continue to be broadcast over CBS under the sponsorship of Lady Esther Co., Mondays from 10 to 10:30 P. M. through a contract renewal effective Feb. 21. Lord & Thomas is the agency. King's music was also recently renewed on NBC.

Scott Quits Gulf Oil Program

PHILADELPHIA, Jan. 25.—Alan Scott, news commentator, has ended his Gulf Oil commercial on WFIL here. Replacing Scott at WFIL will be Charles Benford, formerly of WOL, Washington. Benford is now doing nightly news comment on a sustaining basis.

Sisson's Contract Renewed

Ken Sisson has received a renewal of his contract as musical director of "Canada, 1938" and will continue in that capacity until May. The program is heard Fridays at 10 P. M., E. S. T., over the Canadian network.

Power Failure

The first power failure in more than six years shut WEAF off the air yesterday from 1:45 to 3:11 P. M. NBC reports that 520 telephone calls were received from listeners asking the cause.

The power failure was caused when a circuit breaker in a power sub-station in Belmore, L. I., broke off and fell across the high voltage line, causing a short circuit.

To Form New Firm On Tape Disc Method

Contracts were signed yesterday between the Miller Film Corp. and the Jean V. Grombach interests for the formation of a company to introduce here the "tape method" of transcribing programs. This system, it is said, is already being used extensively in Europe, particularly by the British Broadcasting Co. in England.

The "tape" process is for high fidelity transmission. The recordings are placed on a reel of tape, similar to a film. One of its chief advantages, according to James A. Miller, is in production. In waxing a program, the entire disc is rendered useless when an error is made. By the tape method, the error is sheared from the roll, and the correction inserted. Another advantage, Miller claims, is clearer reception than is possible on wax. Miller established the tape transmission method in Europe.

Studios to provide for tape transmission are now being equipped in the Grombach studios in the Steinway Building.

Miller formerly was associated with Warners in audio engineering capacities. The Grombach interests include Grombach Productions, Inc.; Jean V. Grombach, Inc. and Advertisers Recording Service, Inc.

New Shows on the Air

"Barbasol Program"

Arthur Godfrey, that ingratiating redheaded southern gentleman from the banks of the Potomac in Washington, began a new series of stints for the Barbasol Co. over CBS Tuesday, and if Barsasol sales don't leap quickly we're out on a limb.

The lad is dynamite, and that last word should be emphasized. His informal, scriptless chats are delightful to listen to, and while his singing voice will never bring a blush of satisfaction to the cheek of a lover of vocal artistry, it has an infectious quality that is well-nigh irresistible. His numbers included "Swing Is Here to Sway," "If It's the Last Thing I Do," "Go to Sleep," "Here Comes the Sandman" and "They Cut Down the Old Pine Tree." In closing, one must not forget to tender orchids to John Selb for organ support that sparkles. The Barbasol program is presented Tuesdays and Thursdays from 7:15 to 7:30 P. M. over the CBS network, and emanates from the studios of WJSV in Washington.

Tino Rossi

Tino Rossi, who in France is a film and recording rage, began a new series of sustaining programs over the NBC-Blue Tuesday evening, with results that only partly substantiated the critical opinion of his people.

Rossi has a nice tenor voice, and he sings with much expression and feeling, but while we're positive that network listeners will like his singing, we're equally positive that he will not be the rage here that he is in his native country. His numbers included "Bie Mir Bist du Shoen," a tone poem, "Sing My Guitar," "Vieni, Vieni" and several native tunes. His schedule is Tuesdays and Fridays from 7:45 to 8 P. M. on the Blue.

BANNER

◂ Radio Personals ▸

LORETTA LEE, who has been in Hollywood for the past year, will return to New York next week to begin a series of personal appearances set by Paul Ross of CBS artists' bureau. She is booked for the Fox, Detroit; RKO Palace, Cleveland, and Palace, Chicago. . . . Bob Carter, WMCA chief announcer, will talk on radio at the Advertising Club luncheon tomorrow. . . . Maury Gaffney, CBS trade news editor, has returned from a southern cruise. . . . Mary Eastman has been set for a series of World Broadcasting System recordings, Mack Davis handling. . . . Lew Parker, vaudeville comedian, has been signed under CBS artists' bureau management. . . . Jackie Jordan, 12-year-old son of Jack Jordan of the WHN artists' bureau, has a role in "Sun Up and Sun Down," play opening on Broadway Feb. 1. . . . Norman Morrell, NBC assistant commercial program manager, left by plane last night for Hollywood to confer with west coast production officials. He will be away a month.

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Del Casino will leave tomorrow for the coast to begin his new stint in the "Hour of Romance" series over Mutual. . . . Al Evans, formerly Rudy Vallee's arranger, is now with Ben Bernie in the same capacity. . . . Dinty Doyle, radio editor of the *Journal-American,* off to Los Angeles for observations of the west coast radio scene. He will be gone two weeks.

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Bob Hope has been renewed on "Hollywood Hotel" for nine additional weeks, with options. . . Benny Venuta has enrolled in the Art Students League to study painting, Dave Alber informs. . . Mary Jane Walsh, last heard on the Barbasol series over Mutual, will be on the Schaefer Beer show tomorrow.

Renew B. T. Babbitt Series for One Year

B. T. Babbitt Co. has renewed its dramatic series, "David Harum," for 52 additional weeks of broadcasting, effective Feb. 21. The program is heard Mondays through Fridays from 11 to 11:15 A. M. on the NBC-Red, 23 stations. Blackett-Sample-Hummert, Inc., is the agency.

Garber Auditions for B & A

MEMPHIS, Tenn., Jan. 25.—Jan Garber, here for a stage engagement, today made a recorded audition for a spot on the Burns and Allen program. The recording was comedy patter. After a telephone conversation with the Hollywood office of Young & Rubicam Garber said that the only hitch in the consummation of the deal lies in the possibility that his voice may sound too much like that of Burns. He added, however, that he feels the deal will be completed about Apr. 1.

Arden Signed by Chevrolet

Victor Arden has been signed to make another series of "Musical Moments" transcriptions for Chevrolet Motor Co., after a recess of a month. Arden will start cutting the transcriptions Feb. 7 at the World studios.

Around the Country

Lincoln

Don Searle, new general manager of the Central States Broadcasting Co., is here putting his policies into effect before taking up permanent residence in Omaha to direct KOIL and KFAB there. . . . John Edwards, newscaster for KFOR, was the winner of the award for the selected play for the University of Nebraska's annual show. He wrote a piece called "Hades Ladies.". . . Harry Johnson, sports announcer on KFAB, has a new program of human interest yarns about athletic stars. . . . Barney Oldfield, columnist on the Sunday *Journal and Star,* is now on six nights weekly covering Hollywood news of the day. Lincoln Theatres Corp. is sponsoring. . . WJAG, Norfolk, points with pride to almost everything done by Congressman Karl Stefan. Reason: He was the stations's chief announcer, and the first of the radio profession to be elected to Congress.

✦

Memphis

Koeppen Hix, accordionist in the WMC staff ensemble, passed out cigars last week in celebrating the arrival of a daughter. . . Joe Towner, recently imported from Knoxville to serve as publicity director for WMPS, has been transferred to WCPO in Cincinnati. . . WMC listeners flooded the switchboard with calls recently during a 30-minute transcribed murder mystery broadcast. The wrong platter was used for the final 15 minutes and had no connection with the first portion of the show. . . WHBQ has added Jack Morgan as a staff pianist following the signing of a contract with the local musicians' union. . . WREC has signed a contract with the local musicians' union. WMC and WMPS signed last year.

✦

Omaha

Jim Faris, continuity writer for KOIL and KFAB, is recovering from an emergency appendicitis operation. . . . Creighton University has started a series of 19 weekly musical concerts over WOW with a student announcer. . . . Don Kelley, KOIL announcer, and Evodia Olsen, KOIL dramatist, were recently married. They sandwiched wedding and honeymoon between shows. . . . Glenn Flynn, WOW control room engineer, and Mildred Nelson, station vocalist, have announced their engagement. . . . Olson Rug Co. has bought five minutes daily on KFAB for "Olson Oddities.". . . . Harry Johnson, KFAB baseball announcer, is now doing the evening sports program on KOIL succeeding Bob Cunningham.

United Drug Sponsors Show

United Drug Co. will sponsor "Coast to Coast Frolics," electrical transcriptions, for five quarter-hours over WNEW, Jan. 31 to Feb. 11. Street & Finney is the agency. The Criterion Theatre will sponsor three five-minute spots and one quarter-hour commentary weekly over WNEW for 13 weeks, beginning at once.

RKO Circuit Head Will Be Chosen Soon

(Continued from page 1)

will be for a limited time only, as he will continue to take personal charge of production for the immediate future.

Numerous candidates for the theatre operating post at RKO are in the field but it is learned definitely that no definite decision has been made by Spitz, nor is likely to be until he has conferred with those in line for the post and home office officials.

No RKO Development on Coast

HOLLYWOOD, Jan. 25.—Clarification of the executive setup at RKO seems no nearer a solution than when Samuel Briskin resigned his production post several weeks ago, it became known today with the departure of Leo Spitz for New York for further conferences. Peter Rathvon, Andrew Christiansen and O. C. Doering, Jr., left town yesterday.

It is definitely known here that no successor to Briskin has been named nor has any compromise been reached between the various factions interested in the company. It has been determined, however, that the announcement concerning future plans will be made only when the company is out of receivership.

Pandro S. Berman will be in charge of the studio during the absence of Spitz.

Films Furnished 44 Song Hits in 1937

(Continued from page 1)

Hollywood and 23 of the first 50 "hits" were written for the screen.

The song, "Did I Remember?," from "Suzy," led the list of 132 "hits" with 30,442 air performances. "Melody from the Sky," from "Trail of the Lonesome Pine," was second with 29,425 performances. "Popular" sources are credited with the next two songs on the list, which are "Is It True What They Say About Dixie" and "Goody, Goody." Fifth and sixth places go to "You," from "The Great Ziegfeld," and "When I'm With You" from "Poor Little Rich Girl." In eighth place is "When Did You Leave Heaven?" from "Sing, Baby, Sing," while "popular" sources contributed the other three songs in the first 10.

Of the 44 film songs on the list, 16 were played more than 20,000 times. The entire 132 songs on the list compares with 85 "hits" recorded in 1935. Total performances for 1936 aggregated 2,237,929, compared with 1,255,269 performances for the "hit" list of the preceding year.

Delay Exchange Contract

Another meeting will be held here next Tuesday between representatives of the major distributors and the I.A.T.S.E. on a master contract for exchange workers. Yesterday's meeting failed to produce results, it was reported, but an agreement is expected shortly. John Gatelee of Boston represented the union.

"Sailing Along"

London, Jan. 25.——The new G. B. musical, "Sailing Along," starring Jessie Matthews, which was previewed here tonight, teams her with Jack Whiting in a lively story of a London waif whose one night of stardom is sponsored by an eccentric soup millionaire.

The romantic element and character comedy is enhanced by tuneful song and dance scenes and spectacular staging. The Thames River backgrounds are effective. Sonnie Hale's direction is an improvement over his earlier efforts, despite a comparatively weak story.

Toronto Bars Ballyhoo

TORONTO, Jan. 25.—The Toronto Board of Police Commissioners has adopted stringent regulations against the use of loud speakers or public address systems in front of theatres or radio stores or through the medium of advertising sound trucks. Sound from the screen or by recordings cannot now be relayed to the street front by theatre operators or from equipped vehicles.

Drive to Honor Lefton

CLEVELAND, Jan. 25.—Nat L. Lefton, Republic franchise owner, will be honored by his Cleveland and Cincinnati exchange with a 13-week sales drive in celebration of his 25 years in the independent distribution field.

New Exhibitor Group Planned in England

(Continued from page 1)

meeting of the London Branch, and the appointment of Arthur Moss, general manager of Associated British Cinemas, as vice-chairman. McCullie is said to have the support of a group in the association which has expressed its discontent with the alleged increase of circuit control of the C.E.A.

London exhibitors are planning to take action to bring about a reduction in the charity tax on Sunday shows, which now exceeds £100,000 annually.

Ricketson Lining Up Plans for Expansion

(Continued from page 1)

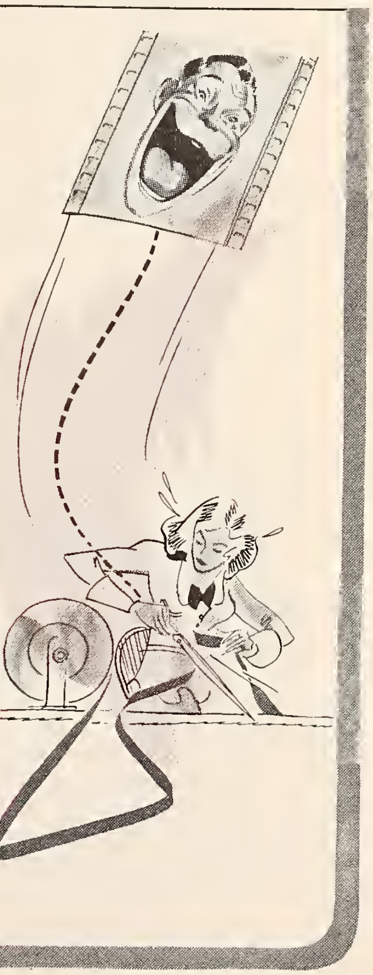
been "fairly good" in his area, which has not felt the recession as much as other sections. The farm areas in western Nebraska and eastern Colorado have been affected chiefly in his division, but in Wyoming business is good, he said.

Sign South America Deal

Star Dist. Co., S. A., with headquarters in Peru, has closed a deal to distribute in South America the Mexican, Spanish and French productions of Hispano-Mexicana of Mexico.

N. H. Union Plans Party

NEW HAVEN, Jan. 25.—Local B-41 of the New Haven Film Exchange Employes' union will hold a dinner dance at the Seven Gables, Milford, Conn., on Feb. 21.

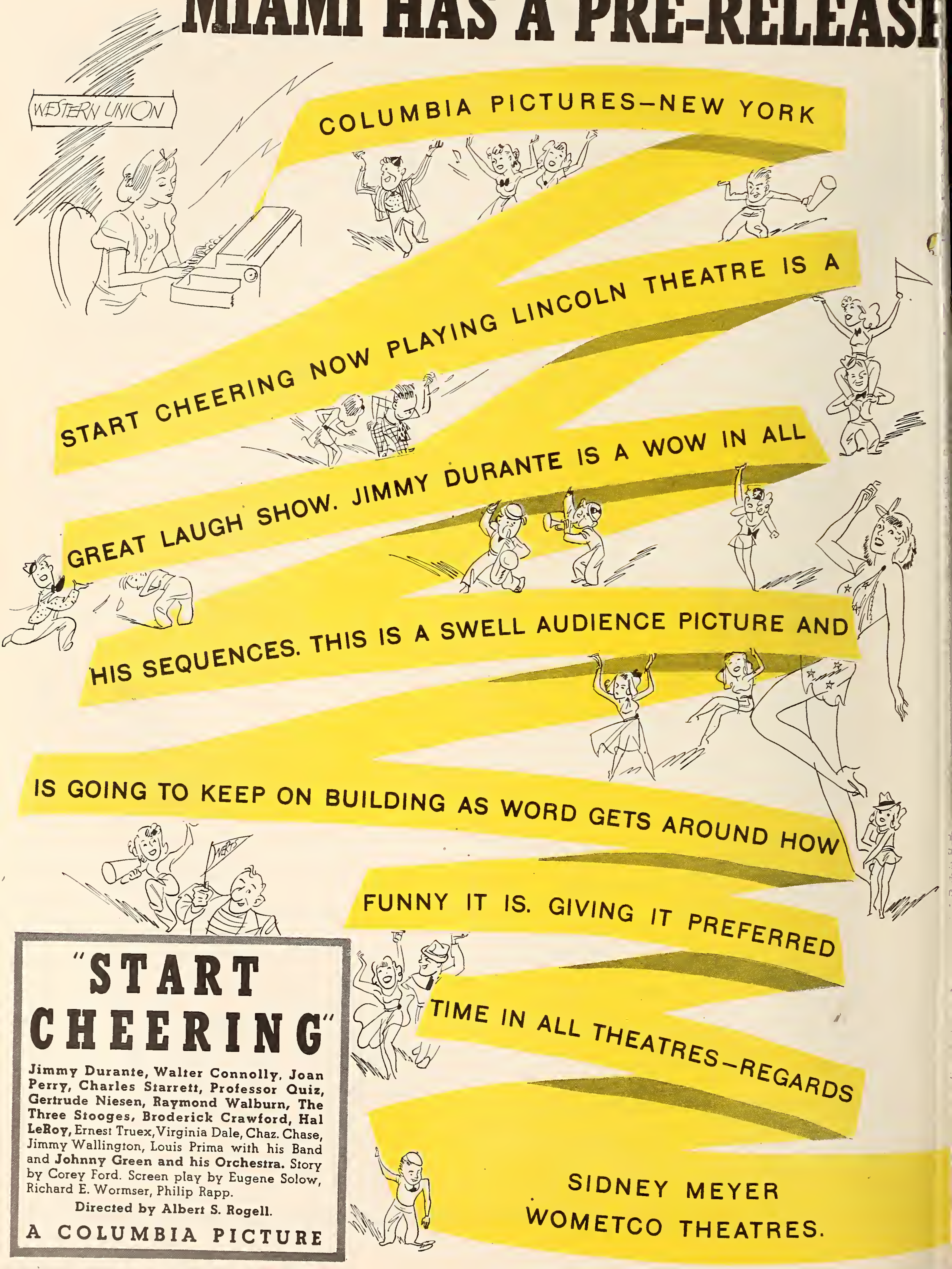


THE CUTTING ROOM says:

"Every inch of film we cut out of JOE E. BROWN'S new hit . . . WIDE OPEN FACES ...was a cut out of our own hearts! And we've slashed the best of them! We KNOW...!"

A Columbia Picture

MIAMI HAS A PRE-RELEAS



COLUMBIA PICTURES—NEW YORK

START CHEERING NOW PLAYING LINCOLN THEATRE IS A GREAT LAUGH SHOW. JIMMY DURANTE IS A WOW IN ALL HIS SEQUENCES. THIS IS A SWELL AUDIENCE PICTURE AND IS GOING TO KEEP ON BUILDING AS WORD GETS AROUND HOW FUNNY IT IS. GIVING IT PREFERRED TIME IN ALL THEATRES—REGARDS

SIDNEY MEYER
WOMETCO THEATRES.

"START CHEERING"

Jimmy Durante, Walter Connolly, Joan Perry, Charles Starrett, Professor Quiz, Gertrude Niesen, Raymond Walburn, The Three Stooges, Broderick Crawford, Hal LeRoy, Ernest Truex, Virginia Dale, Chaz. Chase, Jimmy Wallington, Louis Prima with his Band and **Johnny Green and his Orchestra.** Story by Corey Ford. Screen play by Eugene Solow, Richard E. Wormser, Philip Rapp.

Directed by Albert S. Rogell.

A COLUMBIA PICTURE

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First in
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Radio News
Brief,
Accurate
and
Impartial

43. NO. 22 NEW YORK, THURSDAY, JANUARY 27, 1938 TEN CENTS

"Goldwyn Follies"

[*United Artists*]

HOLLYWOOD, Jan. 26.—Not since Eddie Cantor was his star as Samuel Goldwyn essayed a musical film. His first color, "The Goldwyn Follies," blends all the elements that are common to the song nd dance embellished Hollywood success story. Produced at a reputed cost of $2,000,000, two hours in running time, the film is notable s the first featured screen appearance of Charlie McCarthy. It also introduces the promising Zorina nd proves that Andrea Leeds' exceptional work in "Stage Door" was not a flash in the pan.

+ +

Elaborately staged, the picture is punctuated intelligently by Charlie McCarthy's ventriloquistic antics, the Ritz Brothers' comedy specialties, Helen Jepson's classical swingings, Phil Baker's running gags and Zorina's dancing, en solo and with the American Ballet. The story tells of unknown Kenny Baker's rise to stardom under the secret sponsorship of Miss Leeds. Producer Adolphe Menjou discovers Miss Leeds is gifted with an unerring ability to predict what is suitable in pictures, particularly human interest content. She finds Baker singing while frying hamburgers in a restaurant and slyly brings him to the attention of Menjou, who gives him an opportunity to attain screen greatness, although realizing his ascendency means the blasting of his own romantic dream and the loss of Miss Leeds as a guiding influence.

+ +

As in most musicals, the plot is only a framework upon which to hang the specialty numbers of the featured players. Thus McCarthy s permitted to amuse in the same way he does on the radio and the Ritz brothers are characteristically comic as in other screen appearances. Helen Jepson is featured in operatic numbers as well as topical tunes. Zorina is given ample opportunity to display her talents as a ballet dancer with her conception of "The Water Nymph Ballet" in which she is supported by a chorus. This sequence, done in blue and gold, is the film's outstanding pic-

(*Continued on page 4*)

Para. '37 Net Estimated at $6,030,000

Fourth Quarter Profit Totals $754,000

Paramount Pictures, Inc., estimates its consolidated earnings for 1937 at $6,030,00 after all charges including taxes. The estimate does not include $620,000 of undistributed earnings of partially owned subsidiaries, nor does it include $1,650,000 received during the year from the settlement of litigation instituted during the company's reorganization, or $150,000 profit from the sale of a parcel of real estate during the year.

The last two items, representing non-recurring income of $1,800,000, was credited to a general reserve account established as of Jan. 1, 1935.

This non-recurring income, together with combined consolidated earnings

(*Continued on page 7*)

"Snow White" May Go a Fourth Week

The possibility of a fourth week for "Snow White and the Seven Dwarfs" was seen by the Music Hall management last night on the basis of a gross of $110,00 for the second week, which was $2,000 higher than the first week's $108,000. The film will enter a third stanza today.

If the picture should go a fourth week, it will be the first to be held for that period at the Music Hall.

W. G. Van Schmus, managing director of the theatre, attributed the

(*Continued on page 7*)

"Follies" Opens in Miami Friday Night

A-MIKE VOGEL

MIAMI, Jan. 26.—This southern resort metropolis will have its second world premiere of the week on Friday with the opening of "The Goldwyn Follies" at the State, unit here of the Wometco circuit. The first was "Everybody Sing" at the Sheridan in Miami Beach.

According to Wometco, the opening is being held at the subsequent run State because of the insistence of United Artists on a two-a-day reserved seat engagement at a large house. The circuit's usual procedure

(*Continued on page 7*)

NEW THEATRES IN 1937 UP TO 885

Loew's Quarterly Net Is $2,917,409

Loew's, Inc., reports a net profit of $2,917,409 for the 12 weeks ending Nov. 25 after all charges, including depreciation and taxes, but without provision for surtaxes on undistributed profits. This is $540,564 below the total recorded for the same period last year.

This year's quarterly net equals $21.34 per share on the preferred and $1.69 per share on the common. Last year for the same quarter the earnings on the preferred were $25.29 on the preferred and $2.14 on the common.

All Loew's Officers Relected by Board

All officers of Loew's, Inc., were reelected at the annual board meeting yesterday.

They were: Nicholas M. Schenck, president; David Bernstein, vice-president and treasurer; Arthur M. Loew, first vice-president; J. Robert Rubin, Al Lichtman, Edgar J. Mannix, Sam Katz, Edward A. Schiller, vice-presidents; Leopold Friedman, secretary; Benjamin Thau, Isidor Frey, H. Helborn, assistant secretaries; Jesse T. Mills, comptroller and assistant secretary; Charles C. Moskowitz, Charles K. Stern, Nicholas Nayfack, Len Cohen and R. Lazarus, assistant treasurers.

William S. McNutt , Film Writer, Dead

HOLLYWOOD, Jan. 26. — William Slavens McNutt, 52, well known screen writer, died last night of bronchial pneumonia at his home in the San Fernando Valley. He had been ill for some time, but returned to work for RKO last week after a layoff of three months.

McNutt had been conspicuous in the organization and subsequent activities of Screen Playwrights, Inc.

He was born at Urbana, Ill., in 1885, the son of a Presbyterian minister. After touring the country doing various jobs for a number of years he became a vaudeville actor. For a time he worked on the Seattle *Post-Intelligencer*, at the same time starting his career as a short story writer. He

(*Continued on page 7*)

Cost Was $27,225,000 in 37 States East of the Rocky Mountains

A total of 885 theatres was constructed or substantially remodeled in 1937 at an aggregate cost of $27,225,000 in 37 states east of the Rockies, it was reported yesterday by the F. W. Dodge Corp., a construction news service. These figures do not include equipment installations or replacements.

This is a six-year peak and indicates progressive improvement in the industry, the Dodge service said, adding that the expenditure was nearly $10,000,000 more than that reported to the Dodge Corp. for 1936, covering the same states and same character of construction work. The large increase in 1937 was due to the greater number of new theatres built.

After the construction slump of 1932 and 1933, activity spurted in 1934. Dodge figures for the 37 eastern states, referring to new construction and substantial remodeling, were $8,250,000 in 1934, $14,000,000 in 1935 and $17,500,000 in 1936.

This information is based on data gathered by the Dodge staff of several hundred correspondents in the field and was obtained from various sources including building commissioners, construction companies, subcontractors, architects and supply houses.

It was explained that the figures may be greater than actually reported because where theatres are built in combination with office buildings or

(*Continued on page 7*)

Regents Board to Review on Appeal

ALBANY, Jan. 26.—As predicted exclusively in MOTION PICTURE DAILY on Jan. 11, the N. Y. State Board of Regents today was granted the power of reviewing films denied licenses by the state censor. Rule 245 was amended to read:

"In the event that any application for license or permit is denied by the director of the division the action may be reviewed on appeal by the applicant to the Board of Regents, which appeal may be heard by the Board of Regents or a committee thereof."

The new edict was accompanied by the statement that the board on Feb. 11 and 12 will review the rejected films "Nocturno" and "Remous." It is also said that "The Birth of a Baby" may also be reviewed. The

(*Continued on page 2*)

Radio Developments on Pages 6 and 7

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MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Marceda; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

Entered as second class matter January 4, 1926, at the Post Office at New York City, N. Y., under Act of March 3, 1879.

Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

'Chicago' Home Town Opening Due Tonight

CHICAGO, Jan. 26.—The Midwestern premiere of "In Old Chicago" will be held tomorrow evening at the Apollo. The price scale will be from 75 cents to $1.50. On Saturday night the house will be closed to the general public, the entire theatre having been sold out to the Grove House Convalescents charity in Evanston. Boxes of six will sell for $75 each and other seats will be at advanced prices.

Here to exploit the opening are three press representatives. Wallace Munro and Rodney Bush from New York and Jack Cooper, studio press representative. Harry Brand, studio publicity director and Charles E. MacCarthy, director of advertising and publicity for 20th Century-Fox, arrived yesterday to assist in the preparations for the opening.

Brian Donlevy, Cesar Romero and June Lang also arrived yesterday for personal appearances and broadcasts.

"Slalom" from World

In the San Francisco box-office report appearing in MOTION PICTURE DAILY Jan. 24 it was inadvertently stated that "Slalom" was a Scandinavian release. It is being handled by World Pictures Corp.

Red Kann Gets into Center Of Wide Industry Round-Up

By J. M. JERAULD

There was a round-up and barbecue for Red Kann in the Belvedere Room of the Astor Hotel last night. They called it that because Red paid a visit to the Big-Bar-H ranch near Palm Springs last year and donned a plaid shirt, chaps and a wide cowboy hat. Nobody was allowed to wear spurs last night, and nobody tried.

It was a round-up all right. The Times Square cowboys turned out 350 strong. It may even have been a barbecue, but if it was Mrs. Astor staged it behind the scenes and added some effete eastern touches to the menu. There was also some oratorical sharpshooting led by Jack Alicoate, but nobody bit the dust.

In other words it was party and a good time was had by all—even Red, who is considerably more at ease in front of a typewriter than in front of a microphone.

Alicoate Reminisces

A gilded box-office with a flashing red light behind the microphone and 15-minute deliveries of *Box-Office Flashes* reminded the diners that the guest of honor had moved over to Fifth Avenue from the 30th floor of the RKO Building where MOTION PICTURE DAILY is located. Alicoate mentioned that he had broken Red into the film business, so even the late comers like Jay C. Flippen knew Red had received his editorial start on the *Film Daily*. Paper guns and red cowboy hats supplied the western atmosphere, and red and green goggles furnished by M-G-M made it possible for those who closed their left eye to keep the color scheme in mind.

Alicoate stepped behind the microphone at 10:40 and pointed out there was no dais, no guest table, no speakers and no toastmaster. There were even no guests, he said, because he had paid $7.50 and had "drank a good dinner." He then confided he wanted to introduce a man with high-priced principles.

A voice from the north end of the room boomed: "Louis Neezer." Alicoate corrected the anonymous announcer by saying "Nizer," with the emphasis on the "I."

Nizer in Rebuttal

"As a lawyer who earns his bread by the sweat of his brow-beats, I must reply," Nizer began. "Even lawyers are affected by the law of supply and demand, and if principles are scarce the price must be high."

He became serious. "The fourth estate," he said, "is an integral part of this industry. Red is a part of this fourth estate. He expresses himself in headlines. He is like a sponge in that he absorbs information. He sees details and maintains perspective; he is aggressive without being offensive; he is firm and he is kindly."

Nizer reached an effective peroration, but Alicoate checked the trend toward seriousness by remarking: "Nizer has the face of a Madonna and soul of a house detective." The western gaiety returned.

Red confided to the microphone that he had not expected a call for a speech and that as a result he was "abashed."

Flippen took over the speaking honors and introduced a number of acts appearing at Loew's State, including Vince Barnett.

Among those present were: C. C. Moskowitz, E. W. Hammons, W. G. Van Schmus, Gus Eyssell, Arthur W. Kelly, Harry Buckley, Ed Kuykendall, Ned E. Depinet, Gradwell Sears, A. W. Smith, Jr., E. J. Churchill, Al Adams, Paul Lazarus, Ben Shlyen, Lowell Calvert, Si Seadler, Monroe Greenthal, Herbert Crooker, Sid Silvers, E. W. Wingart, Arch Reeve, Norman Corwin, George Kann, Herman Robbins, Pat Garyn, Jules Levy, Gordon White, Bruce Gallup, L. W. Conrow, Bert Sanford, Jack Goldstein, Barret McCormick, Rutgers Neilson, Ralph Rolan, Robert Gillham, Johnny Dowd, Kenneth Clark, Joel Swensen, Harvey Day, Lee Balsly, Mort Blumenstock, Nate Blumberg, Milton Silver, Oscar Doob, Hy Daab, Elliott McManus and others.

Telegrams were read from the following: Robert H. Cochrane, Austin Keough, Sam Dembow, Jr., Harry Brand, Joseph Bernhard, Ed Schiller, Cresson Smith, Jock Lawrence, Morton Van Praag, Robert Klingensmith, Fred Ullman, Jr., Allyn Butterfield, Nat Holt, Arthur Lee, Herman Starr, Howard Dietz, Terry Ramsaye, A-Mike Vogel, Spyros Skouras, Brad Angier and George Rich.

Regents Board to Review on Appeal

(*Continued from page* 1)

controversy over the rejection of the latter film still rages, with the American Committee on Maternal Welfare, Inc., headed by Vice-chairman Dr. George W. Kosmak, submitting a new appeal to the board of regents. Dr. Kosmak is chairman of the medical board of the N. Y. Maternity Center Association.

Learning of Dr. Kosmak's appeal, a representative of Commissioner of Education Frank P. Graves stated, "In this country the birth of a baby is regarded generally as a biological experience to be accomplished in the privacy of the home or in a hospital and should not be exposed to the public gaze."

Comment here is to the effect that today's move may preage a new policy with regard to film censorship.

Moore Heads "Happen"

HOLLYWOOD, Jan. 26.—Victor Moore will draw top billing in RKO's "It Couldn't Happen Again," which was started this week. Allan Lane and Vicki Lester will have the romantic leads, and also cast are Richard Lane, Paul Guilfoyle, Leon Roberts, George Irving, Frank M. Thomas, Cecil Kellaway, Jack Carson, Ida Vollmar, Richard Bond, Kay Sutton, Bradley Page, Solly Ward, George Shelley and Billy Franey.

Christy Cabanne will direct.

Kohn to Give Up Europa

BALTIMORE, Jan. 26.—Moe Kohn will release the Europa to Leonard Janorski, who has managed it for him, Feb. 1. Janorski has purchased the lease.

Purely Personal

RUSSELL BIRDWELL, Selzni International publicity director, en route from the coast with JAN GAYNOR, who will attend the Pre dent's birthday ball in Washingt Saturday night. He then will co New York. JACKSON PARKS, ea publicity representative, was in Was ington early this week to make a rangements.

•

ANDREW CHRISTENSEN, O. C. DOE ING, JR., and PETER N. RATHVON a due in New York today after a mon of conferences at the RKO studi with LEO SPITZ and RKO financ associates. SPITZ is scheduled to arri in New York tomorrow.

•

GLADYS SWARTHOUT will leave Ho lywood Feb. 1 to fill an engageme at the Metropolitan Opera. She w be accompanied by her husband a manager, FRANK CHAPMAN.

•

CHARLES WEIL, Universal manag at Brussels, returns to Europe on t *Aquitania,* sailing today. He has be at the home office for conferences f the past two weeks.

•

WINSTON SHARPLES has resigned managing director for Filmusic, In He will do a series of musical scor for Castle Films, ANDRE LAVARRE a other producers.

•

ARTHUR A. LEE, G. B. vice-pres dent and general manager, is due return Saturday from a tour of e changes. He was in New Orlea yesterday.

•

ED KUYKENDALL, M. P. T. O. president, left for Richmond last nig and goes from there to his Columbu Miss., home.

•

JEFFERSON MACHAMER, comic arti on Educational's "Gags and Gals," ha returned from a stay of two months o the coast.

•

GEORGE J. SCHAEFER, vice-presiden of U. A., is expected to return i about a week from a vacation in th Bahamas.

•

CECILIA DEMILLE and her husban J. W. HARPER, who were marrie recently, will sail today on the *Man hattan.*

•

SIDNEY LANFIELD, who recently fin ished "Love and Hisses," will arriv in town this morning for a short vaca tion.

•

NIGEL BRUCE and Capt. PHIL ASTLEY, MADELEINE CARROLL's hus band, will sail today on the *Aquitania*

•

RICHARD GREENE, English stage sta recently signed by 20th Century-Fox arrived yesterday on the *Aquitania.*

•

ELIZABETH PATTERSON, Paramoun player, will arrive in New York to morrow for a month's vacation.

•

MURRAY SILVERSTONE leaves fo London on the *Aquitania* today afte two months on this side.

. . *The lovable Kid of 'Kid Galahad'*

THE KID COMES BACK

. . *The gallant gob of 'Submarine D-1'*

with all that glorious 'Galahad' and 'Sub D-1' patronage ow ready and primed for the first starring picture of

Wayne Morris

You get the full sock of his seat-filling personality the day you open this grand new romance from

WARNER BROS.

THE
EARS
RIVE
IS ON!

irected by B. Reeves Eason • Screen Play by George Bricker

"Goldwyn Follies"

(Continued from page 1)

torial highlight. In addition to sharing the romantic content with Miss Leeds, Baker contributes two or three song numbers. With Menjou, these are the central figures in the show, although Phil Baker, Bobby Clark, Jerome Cowan, Ella Logan and Nydia Westman contribute to the comedy content.

+ +

The film is based on a story and screenplay by Ben Hecht, with additional comedy sequences by Sam Perrin and Arthur Phillips and specialty songs for the Ritz Brothers by Sid Kuller and Ray Golden. The master score was started by the late George Gershwin and completed by Ira Gershwin, who also did the lyrics. In directing, George Marshall was careful to give proper attention to the ballet numbers staged by George Ballanchine and to allow Zorina full opportunity to exhibit her dancing ability as well as to show she has a personality auguring future screen activity.

Combining tuneful, rhythmic and light amusement elements and presenting them against picturesque settings for which the public has demonstrated its appreciation, "The Goldwyn Follies" is entertainment worthy of a place in the series of quality pictures which Goldwyn has produced during the past season.

Running time, 120 minutes. "G."

Pizor Hits Cantor Benefit Appearance

PHILADELPHIA Jan. 26.—Lewen Pizor, president of the United M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, has addressed a telegram to Eddie Cantor, protesting his scheduled appearance in a benefit show of the Artisans, fraternal organization, on March 16, at the Convention Hall here.

The show, according to Pizor's wire to the comedian, is one of nine, for which admission is sold in coupon book form, with the admission for each performance amounting to 28 cents. Pizor pointed out that the non-theatrical showings are in direct competition with theatres charging from 30 to 75 cents, and "who show your pictures at rentals demanded by 20th Century-Fox of 30 to 40 per cent." Pizor characterized Cantor's appearance as "unfair and harmful to the industry" and protested the appearance of headline names for non-theatrical shows in "direct competition with legitimate motion picture theatres."

G. B. Adds Three Men

Three additions to G. B.'s sales staff were made by Clinton M. White, assistant general manager, during his three-week trip in the field, from which he returned Tuesday. They are: Al Shepherd, Des Moines; Glenn Gregory, Omaha, and Bill Soper, Minneapolis.

Hollywood Preview

"Midnight Intruder"

(Universal)

HOLLYWOOD, Jan. 26.—If, for this or that reason, Hollywood producers ever decide to give the upper bracket stars a good long rest and open the marquee and newspaper ad space to plain merchandising copy —possibly an unthinkable thought—there will be a rush for sound story material and writers like Channing Pollock, represented by pictures like "Midnight Intruder," will be in hot demand. This is the type of picture that made films popular before the gold-lined personality became the essence of screen salesmanship, an honest job of story-telling with wide and satisfying appeal, genuine bread-and-butter amusement.

The persons engaged in this Pollock narrative, prepared for the screen by George Waggner and Lester Cole, are Louis Hayward as a young man without funds, J. C. Nugent as his middle-aged comrade in penury, Eric Linden, as a son of wealth who has been hiding out from his family, and Barbara Read, as the indispensable girl in the case. Hayward and Nugent, caught in a rainstorm, enter a supposedly deserted country house to spend the night, are mistaken by returning servants as the homing scion of the absentee capitalist and, carrying on in these mistaken roles of necessity, work out happy family readjustments and the solution of a murder mystery by the time the picture is over. Like all Pollock plots, this one is too complex and many-sided, to be synopsized briefly, although it is never confusing.

Production by Trem Carr is adequate without over-emphasis, and Arthur Lubin's direction is of the well tempered, reasonable sort that gives a story a break. A preview audience at the Hollywood Pantages enjoyed the picture immensely.

Running time, 66 minutes. "G."

(Additional Review on page 8)

Ehrlich Defends His New Admissions Bill

ALBANY, Jan. 26.—The supplementary "theatre admission" bill of Assemblyman Harold B. Ehrlich will cause no further restrictions, but on the other hand is intended to legitimatize a measure passed in 1937 allowing children over eight and under 16 to enter theatres without parents or guardians, the Erie County legislator told MOTION PICTURE DAILY today. His "chaperone" bill of 1937 permitted theatres to hire official guardians so that children might attend daytime performances, and it set up a new section, 121-B, in the General Municipal Law, allowing cities and villages to pass ordinances to this effect.

The Ehrlich bill was signed by Governor Lehman and became law, but a contradictory statute on the books makes it illegal for children under 16 to enter theatres without their parents, guardian or an authorized person. Assemblyman Ehrlich, who re-introduced his second bill last Thursday, stated he had put this measure into the hoppers last year, but it remained dormant in Codes Committee, with the industry opposing it.

Louise Fazenda at Ampa

Louise Fazenda has been added to the list of those who will appear at the Ampa luncheon at the International Casino today. Included are Edward G. Robinson, Sally Rand, "Philadelphia Jack" O'Brien and Norman Thorpe. The luncheon was to have been in honor of Regina Crewe, who has resigned as film critic of the *Journal-American*. The death of a relative has called her out of town and a luncheon to her will be given later.

Miss Fazenda will be a White House guest at luncheon in Washington Saturday, and that night will appear at the President's birthday parties in eight Washington hotels. She will also make personal appearances at the Earle and Capitol midnight shows there.

Time Reel Figures In ITOA Discussion

Exhibitors who have March of Time under contract will be obligated to pay for the current reel, "Inside Nazi Germany—1938," whether they play it or not, it was pointed out in a discussion at a meeting of the I. T. O. A. at the Hotel Astor yesterday.

It was further pointed out that no blanket exhibitor policy on the reel could be adopted since patron reaction differs.

There was some discussion of reports that RKO is asking 50 per cent of the gross for "Snow White and the Seven Dwarfs" and is insisting on its billing without a second feature.

Maurice Fleischman, chairman of the board, presided in the absence of Harry Brandt, president. A meeting is scheduled for next Wednesday.

Time Reel Big in Ohio

CLEVELAND, Jan. 26. — The local RKO exchange reports that the March of Time release, "Inside Nazi Germany—1938," is being sold to houses in opposition to the Warner circuit throughout the territory. The reel will open Friday at the RKO Palace here and will go into Keith's 105th Street Feb. 4. All Schine houses in Ohio are playing special dates on the reel, and backing them with extra advertising campaigns.

Novel "Broadcast" Book

The Paramount advertising department has turned out an odd sized press book on "The Big Broadcast of 1938," which has novel duplicate front and back covers, in yellow, red and black, printed on heavy stock. The feature of the cover is a caricature of W. C. Fields, of which the chief feature is a large red nose. The contents, with a full complement of exploitation and selling ideas, is printed on fine coated stock. It measures 18 inches wide by 15 inches deep.

E. E. Webber, Jr., Is New ITO Head at K.

KANSAS CITY, Jan. 26.—E. E. We ber, Jr., has been named president the Independent Theatre Owners' A sociation. He succeeds Ed Rolsk Webber's father, who operates t Colonial, was elected first vice-pre dent; Mrs. Rosa Baier was reelect second vice-president; Mrs. Geor A. Maloney was named treasurer John Wolfberg, son of H. P. berg, was elected secretary.

While the policy of the associati has not been definitely determined the new officers, both money and me chandise giveaways were discussed the annual meeting, and an aggre sive approach is to be made upon thos along with double bills and low admi sion prices. Another meeting has be called for Jan. 31, and at that time definite line of action will be d termined upon.

Independent exhibitors general are opposed to all forms of giveaway to double bills, and to the prevailin "too low" admission prices.

Virginia MPTO Meets Today

RICHMOND, Jan. 26.—The mi winter meeting of the M. P. T. O. Virginia will get under way here t morrow. Ed Kuykendall, nation president of the organization, is he for the sessions. Gov. J. H. Price Virginia and Mayor John F. Brigl of this city will be among the speal ers. Members of the Legislature ha been invited. W. F. Crockett, pres dent, will preside.

Bars Trenton RKO Clai

Federal Judge William Bondy o dered that the claim of Trenton Ad vertising Co. against RKO be ex punged in the U. S. District Cou here yesterday. The order approve a report of Special Master Richar B. Scandrett, Jr., who held the hear ings. The claim was based upon a alleged contract for billboard adver tising.

Wall Street

Board Closes Off Sharply

	Open	High	Low	Close	Net Chang
Col.	13½	13½	12⅜	12¾	— ¾
Cons.	1½	1½	1½	1½	.....
Cons. pfd.	5⅞	5⅞	5⅞	5⅞	— ⅛
E. K.	162	162	157	157	—5¾
G. T. E.....	11½	11½	11	11¼	—1
Loew	47⅝	47⅝	45⅜	46⅞	—2⅝
Loew pfd...	106⅛	106⅛	106⅛	106⅛	— ⅜
Para.	10¼	10¼	9¾	9¾	— ⅞
Para. 2.....	10⅛	10⅛	9½	9⅝	— ¾
Pathe	5¾	5¾	5½	5½	— ½
RKO	4⅜	4⅜	4	4⅛	— ½
20th Fox ..	23	23	21⅜	22	—1⅜
20th pfd. ..	30¾	30¾	30	30	—1
Univ., pfd.	43	43	42½	42½	—8½
W. B.	6¾	6¾	6	6⅛	— ¾
W. B. pfd.	37¾	38	37½	37½	—1

Curb Takes Dip

	Open	High	Low	Close	Net Chang
G. N.	¾	¾	¾	¾	.....
Monogram	2⅜	2⅜	2¼	2¼	— ⅛
Sonotone ..	1¾	1¾	1¾	1¾	.....
Tech.	18⅞	18⅞	17⅜	18	—1⅛
Trans-lux	2¾	2¾	2¾	2¾	— ⅛
Univ. Corp.	3½	3½	3	3	— ¼

Bonds Decline

	High	Low	Close	Net Chang
Loew 3½s '46....	98½	98½	98½	— ⅛
Para. Pict. 6s '55	93½	93¼	93¼	.....
Para. Pict. '47....	72¾	72¼	72¼	— ½
RKO 6s '41 ..	75	75	75	.....
W. B. 6s '39......	75¼	74½	74½	—1¼

(Quotations at close of Jan. 26)

THE UNION LABEL
and the
MOTION PICTURE

With more than forty organizations holding, or seeking, bargaining contracts with the makers and sellers of screen entertainment, union organization of the industry now extends from the genesis of the story idea to fruition in the theatre in which the production is exhibited. The heterogeneity of film unionism is shown for the first time in a chart translating into union terms the progress of a motion picture through five stages, Pre-Production, Production, Post-Production, Distribution and Exhibition.

Out today

MOTION PICTURE
HERALD

Drugs, Foods Lead In Transcriptions

The drug and toilet goods and food and beverage industries were tied in the number of selective broadcasting campaigns using vertical-cut wide range transcriptions in 1937. The leaders each used 26 campaigns, according to an analysis made by World Broadcasting System.

A total of 120 separate campaigns for advertisers in 14 classifications utilized the company's transcription facilities in 1937, an increase of 16.5 per cent.

The breakdown shows the number of campaigns during 1937 as follows: Drugs and Foods, each 26; Automotive, seven; Clothing, four; Farm Equipment, two; Financial and Insurance, two; Household Appliances, three; Jewelry and Silverware, two; Laundry Soaps, nine; Oil and Gasoline, seven; Paints, five; Radios, two; Miscellaneous, 21. The amount of time involved in the above campaigns totaled 52,819 station hours, an increase of 33 per cent over 1936.

Missionary Group Sets Program

MIVA, the Missionary International Vehicular Association, will release a new transcribed program, "Wings Over the World," to more than 100 stations in the United States and Canada, on a weekly basis starting Feb. 1. The programs will dramatize the adventures of Rev. Paul Schulte, founder of MIVA, who is known as "The Flying Priest." Each program will be introduced by Monsignor Fulton J. Sheen of Catholic University, Washington, D. C.

New Titles for WTAM Staff

CLEVELAND, Jan. 26.—New titles for eight members of the WTAM staff have been created. The lineup includes Fred Wilson, production director; Waldo Pooler, continuity editor; Jane Weaver, director of women's activities; Lee Gordon, assistant music director; Chester Zohn, night program manager; Russell Wise, in charge of the transcription library; and Edith Wheeler, traffic manager.

CBS Johnson Choir Agent

The Hall Johnson Choir, mixed chorus of Negro voices, will be represented for radio by the CBS artists bureau in accordance with the terms of a management contract closed by the network talent bureau through a special arrangement with William C. Gassner, manager of the group.

Carrillo on "Hotel" Program

Leo Carrillo and Edith Fellows will preview "Little Miss Roughneck" during the "Hollywood Hotel" program Feb. 4.

Kirby Hawks to Europe

CHICAGO, Jan. 26.—Kirby Hawks, radio director for Blackett-Sample-Hummert, will leave early in February for Europe, where he will spend three to four weeks on a business trip.

Extend Irene Rich Contract

Irene Rich's contract for the Welch Grape Juice Co. has been extended four weeks to Aug. 28. Her series is an NBC-Blue feature, Sundays from 9:45 to 10 P. M. H. W. Kastor & Son handles the account.

"And All's Well . . ."

Okemah, Okla., Jan. 26.—Police officials here have decreed a 9 P.M. curfew for all persons under 16 years of age, "to curb petty lawlessness."

Chief of Police W. O. Green said, "The fire whistle will be sounded at 9 o'clock each night. All persons who are under 16 years of age must be off the streets, unless, of course, they are accompanied by their parents."

Several bicycles have been stolen here in past weeks.

Kyser Show Starts Over Mutual Feb. 1

Kay Kyser's "Kampus Klass" will begin a stay on Mutual Feb. 1 from 8 to 8:45 P. M., replacing "Melody Puzzles" for the American Tobacco Co. The latter is now heard on NBC.

"Kampus Klass," like "Melody Puzzles" will feature the audience participation idea, and weekly prizes amounting to $100 will be awarded contestants. Lord & Thomas is the agency.

Kelley to Return to WOR in New Series

Andrew F. Kelley, the "horse sense" philosopher, after an extended absence, will return to WOR in a new series of programs tomorrow from 8:30 to 8:45 P. M., and Fridays thereafter at the same time. The programs will be sponsored by the Emigrant Industrial Savings Bank, through N. W. Ayer & Son. The contract is for a long term.

WHO to Sponsor Boxing Tourney

DES MOINES, Jan. 26.—Des Moines first Golden Gloves amateur boxing tournament will be sponsored here early next month by WHO, with the cooperation of the local Y.M.C.A., and with the blessing of the *Chicago Tribune,* donor of the Golden Gloves trophies. Winners in the Des Moines contest will be sent to Chicago with expenses paid to compete with winners of similar contests from other Midwest cities.

Harriet Parsons Is Re-Signed

Harriet Parsons has been signed for eight more programs by the Emerson Drug Co., which sponsors her film chats on NBC. She was originally signed for three broadcasts, following the unexpected cancellation of the Eddie Garr program. The eight additional broadcasts for which she has just been signed will carry through March 30. J. Walter Thompson is the agency.

"Big Sister" Adds Stations

"Big Sister," dramatic sketch presented Mondays through Fridays from 11:30 to 11:45 A. M. over CBS, will add 25 stations of the Canadian Broadcasting Corp., effective immediately. Ruthrauff & Ryan is the agency.

Lucy Monroe to Sing Here

Lucy Monroe has been chosen to sing the "Star Spangled Banner" at the President's Birthday Ball, to be held at the Waldorf-Astoria Saturday.

FCC Sets Dates on Broadcast Hearings

WASHINGTON, Jan. 26.—The Federal Communications Commission has tentatively assigned broadcasting applications for examiners' hearings as follows:

March 18: Applications of Orrin A. Senzel for a 1,500-kilocycle station at Rochester, with 100 watts power night, 250 watts day; WBAA, Lafayette, Ind., for authority to move to Indianapolis, and increase power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, and WIP, Philadelphia, for increase of day power from 1,000 to 5,000 watts.

March 21: Application of Peter J. Caldarone for a 1,270-kilocycle, 250-watt daytime station at Providence.

March 22: Applications of Hal Broadcasting Co., Inc., for a 1,500-kilocycle station at Camden, with 100 watts power night, 250 watts day, and Vancouver Radio Corp. for an 880-kilocycle, 250-watt daytime station at Vancouver, Wash.

Ramsdell Declares Television Far Off

PHILADELPHIA, Jan. 26.—In a reply to Charles F. Kettering of General Motors Corp., who recently said that development of television as a popular luxury would provide for the nation an industrial prosperity as great as that produced by the automobile, Sayre M. Ramsdell, vice-president of Philco Radio & Television Corp., stated here that so many obstacles confront commercial television that it will be "many years" before home reproduction of voice and image will be a profitable industry. Ramsdell also predicts a "headache" for those who believe television will supplant radio in the home.

"Television is an offshoot of the radio industry and never will supplant radio," stated Ramsdell. "It may be somewhat of a displacement industry, but it must wait until its broadcasting range can match its receiver sets on a country-wide basis. This is far away."

McClinton Is Named Ayer Vice-President

H. L. McClinton has been elected vice-president of the New York office in charge of radio program creation and production, and C. Halstead Cottingham vice-president in charge of radio plans, merchandising and station time, for N. W. Ayer & Son, Inc., of directors.

Plan Educational Programs

DALLAS, Jan. 26.—The Texas Radio Council has approved the constitution and by laws of the recently organized group. The council aims to develop at Southern Methodist University an educational laboratory, using the radio. Plans for the presentations on the air are yet to be announced, but they will be transcriptions.

Martin to Have WWSW Series

PITTSBURGH, Jan. 26.—Darrell V. Martin, radio editor of the *Post-Gazette,* has been signed by the Pittsburgh Association of Radio Dealers for a regular series of talks on WWSW under the title of "Martinets." That is one of the headings in his daily column and the feature will consist of general comment.

Station in Tulsa Is Expanding Quarters

TULSA, Okla., Jan. 26.—Tulsa's CBS affiliate, KTUL here, expanding its quarters, has leased half the 22nd floor of the National Bank of Tulsa Bldg., to be occupied by the sales and business departments. The station already occupies the entire 21st floor.

"At the present time more than [illegible]5 per cent of our programs are Tulsa-produced, so we have felt a growing need for artist's quarters and a music library as more and more of our programs are produced in our studios," William Gillespie, station manager, said in explaining the expansion move.

KTUL has applied for a 5,000-watt station for day time broadcasts and 1,000-watt night power, which would cost $65,000, employ additional staff members and give a 71 per cent increase in the day coverage and 16 per cent in night coverage.

News Broadcasts at Noon Most Popular

OMAHA, Jan. 26. — Noon news broadcasts are the most popular, 16,800 listeners from 17 states reported to WOW in a survey conducted through a 100-word letter contest tied in with Foster May's fourth anniversary as WOW's newscaster.

Contestants were asked to tell which news broadcast of six daily they liked best, and why.

The popularity in order were: 12:30 P.M., 10:30 P.M., 7:15 A.M., 6 P.M., 6:30 A.M. and 4 P.M.

Dalton Starts New Disc News Company

HOLLYWOOD, Jan. 26.—Vic Dalton, owner of a controlling interest in KMTR, has formed 20th Century International Newsreel, a service which offers transcribed interviews and reports on current news happenings.

The programs, prepared by Bud Ernst and Don McNamara, are being featured on KMTR, and are 15 minutes in duration. Plans are under way to sell the platters to other stations.

WSGN in Alabama Deal

BIRMINGHAM, Jan. 26.—With the inauguration of an Alabama network for sustaining and commercial broadcasts, WSGN here has a working agreement with WJBY in Gadsden and WJRD in Tuscaloosa, to feed them several hours each day of the studio and remote features of WSGN. Among those already featured on the new network are Frankie Reynolds and his Orchestra, the popular Duncan Sisters, Fess Whatley Orchestra and the bands from the Cotton Club.

Radio Editor Is Engaged

BOSTON, Jan. 26.—Howard W. Fitzpatrick, radio editor of the *Boston Post,* and Helen A. Delay, personal secretary to Governor Hurley of Massachusetts for the past nine years, are engaged.

"Radio Kitchen" Starts on KDYL

SALT LAKE CITY, Jan. 26.—Sponsored by American Packing & Provision Co., "Martha Lane's Radio Kitchen" has begun its 52-week run on KDYL. The disc series was placed by the L. S. Gillham Agency.

Radio Personals

AY HEATHERTON, currently at the Roxy, will be held over an-her week, the extended booking rough Paul Ross of the CBS artists reau. . . . Mack Davis of the same au has sold Lyn Murray and us on the Al Pearce Ford pro-am for the coming Tuesday. . . . onnie Bennett will guest appear on l Jolson's show Feb. 5. . . . Yella essl, harpsichordist, will join the adrigal Singers as a permanent ember of the unit Sunday. . . Jay ostyn, the Max "Tilley" of "Life Mary Sothern," is directing the alon Players in a play that will have ree performances at the Jackson eights Clubhouse early in March. . . . ndre Kostelanetz will be given that ophy designating him as the nation's o. 1 air traveler in a special broad-ast from a plane today over CBS: he four major airplane companies re donating the trophy.

+

Jean Dockenson has been renewed r 13 weeks on the "American Album f Familiar Music" . . . Tom Thomas s scheduled to make 25 Thesaurus ecordings, booked by Charles Facer f the NBC artists service . . . Radie Harris will introduce Louise Fazenda nd Alan Mowbray in an informal ross-fire interview over Mutual to-ight . . . Jean Sablon has been ooked for the "Hit Parade" Feb. 19 roadcast.

Pact Cuts WLW Broadcast Time

CINCINNATI, Jan. 26.—The new nation wide contract with union radio musicians, it is understood, will result n a 24-hour week at WLW and WSAI instead of the previous 28-hour week. There also will be an ncrease in the time-and-half heretofore paid for overtime.

The reduction in weekly hours, it is reported, probably will mean the elimination of about eight programs which have originated in the WSAI studios, and result in the substitution of a similar number of chain programs.

Hughes KOIL Program Head

OMAHA, Jan. 26.—Had Hughes, KOIL announcer for the past two years, has been named the station's program director, succeeding Bob Cunningham, resigned. L. O. Fitzgibbons, traffic manager, has been named general sales manager of the Central States Broadcasting System. Paul Hamman remains as national sales director.

New WBNX Series on Monday

The first of a new series, "Mirrors of Manhattan," will begin over WBNX Monday at 4:15 P.M. Mary C. Tinney, former professor of sociology, will be features.

Grossman on Midwest Tour

DES MOINES, Jan. 26.—Irving Grossman, head of WHO's artists bureau and fair booking department, is making a tour of midwestern and Canadian fair managers' conventions.

Shields in WCOL News Program

COLUMBUS, Jan. 26.—Bob Shields has inaugurated a news broadcast on WCOL, at 2:45 P.M. daily in cooperation with the *Columbus Citizen*.

Para. '37 Net Estimated at $6,030,000

(Continued from page 1)

and share of undistributed earnings of partially owned subsidiaries aggregates $8,450,000.

The consolidated earnings of $6,030,000 for 1937 compare with earnings of $6,012,00 for the preceding year. The 1936 net, however, included a credit of $2,000,000 applied from a special inventory reserve set up by the company on Dec. 28, 1935, but did not include a $331,000 equity in the undistributed earnings of partially owned subsidiaries.

Estimated consolidated earnings for the fourth quarter of 1937 were $754,000 after all charges, including taxes. The net for the quarter is attributable to theatre earnings exclusively, which provided dividends which were $800,000 in excess of Paramount's direct and indirect net interest as a stockholder in the combined undistributed earnings for the quarter of partially owned theatre subsidiaries. The excess represents a partial distribution of the company's share of theatre subsidiary earnings of previous quarters. The combined estimated consolidated earnings and share of earnings of partially owned subsidiaries for the quarter result in a loss of $46,000.

Earnings per common share for 1937 are estimated by the company at $1.96, exclusive of the company's share in undistributed earnings of subsidiaries and exclusive of the $1,800,000 of non-recurring income.

"Follies" Opens in Miami Friday Night

(Continued from page 1)

on road show pictures, it was explained, is to hold world premieres at the swank Lincoln, ace Wometco house in Miami Beach, then move the film to the Mayfair in Miami and then return it to the Lincoln for the first popular-priced run.

The advance campaign was extensive and was under the supervision of Sidney Meyer, Wometco circuit general manager, with Charles Ozburn, manager of the State, and Carl Erbe of United Artists cooperating. Pigeons were used to carry invitations to newspaper critics and columnists, returning with receipts.

William S. McNutt, Film Writer, Dead

(Continued from page 1)

was a war correspondent in France for *Collier's*.

His most recent screenplays have been: "Lives of a Bengal Lancer," in collaboration with Grover Jones; "Tom Sawyer," "Huckleberry Finn," "Mrs. Wiggs of the Cabbage Patch," "I Cover the Waterfront" and others.

Mrs. McNutt, a brother, Patterson, and his father, George, survive.

Cicero Alexander Dies

JOHNSON CITY, Tenn., Jan. 26.—Cicero Alexander, 38, film salesman of Charlotte, N. C., is dead here.

Without Ransom

Chicago, Jan. 26.—The Pathe Newsreel sound truck which was "kidnapped" from a garage last week has been found. Although some of the equipment was slightly damaged, the loss was not great. Police received a tip that the truck was stolen in an effort to get a means of entering the prison at Joliet.

The plan was unsuccessful, however, and Cameraman Tony Caputo now has his equipment back after several hectic days of trying to cover local events with makeshift apparatus.

"Hurricane" 2nd Week Hit On the Coast

LOS ANGELES, Jan. 26.—"The Hurricane" turned out to be a second week smash in two spots—Warners' Downtown and Hollywood. At the former the $19,000 gross was over par by $7,000 and at the latter the $14,700 take was up by $700.

"Bad Man of Brimstone," on a dual with "Love Is a Headache," made an excellent showing at Loew's State, taking $17,151, over par by $3,151, but fell slightly below normal with $12,113 at the Chinese. "In Old Chicago" was strong at $9,200 in its second week at the 4-Star.

Total first run business was $121,170. Average is $107,200.

Estimated takings for the week ending Jan. 26:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 5th week. **Gross:** $12,106. (Average, $17,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
"LOVE IS A HEADACHE" (M-G-M)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $12,113. (Average, $12,500)

"MAYERLING" (Pax Film)
ESQUIRE—(900), 55c-$1.10, 7 days. **Gross:** $4,700. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 7 days, 2nd week. **Gross:** $9,200. (Average, $8,000)

"65, 66 OCH JAG"
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,900. (Average, $1,200)

"YOU'RE A SWEETHEART" (Univ.)
"CRASHING HOLLYWOOD" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $5,800. (Average, $8,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
"LOVE IS A HEADACHE" (M-G-M)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $17,151. (Average, $14,000)

"YOU'RE A SWEETHEART" (Univ.)
"CRASHING HOLLYWOOD" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $5,600. (Average, $8,000)

"THRILL OF A LIFETIME" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. revue, Olsen & Johnson. **Gross:** $18,900. (Average, $18,000)

"HURRICANE" (U. A.)
"MISSING WITNESSES" (F. N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $14,700. (Average, $14,000)

"HURRICANE" (U. A.)
"MISSING WITNESSES" (F. N.)
WARNER BROS. (DOWNTOWN)—$3,400). 30c-65c, 7 days, 2nd week. **Gross:** $19,000. (Average, $12,000)

Heads G. B. Exchange

DES MOINES, Jan. 26.—A. J. Shepherd has replaced Jeremiah O'Connor as manager of the local G.B. office.

New Theatres Totaled 885 During 1937

(Continued from page 1)

other projects, specific data on theatres may not be supplied.

An analysis of the figures by states and cities is not available, except for the New York metropolitan area, where 60 theatres were reported as built or remodeled in 1937, according to Dodge. No figures are available for the Far Western states.

There was a falling off in construction in the latter part of last year, and this is explained by the steady rise in such projects over a period of more than the years during which the number of units built and rejuvenated caught up with the depression slack.

Construction costs, which have risen because of labor and material increases, are believed by the Dodge service to be an important factor in determining the rate of theatre construction activity in 1938. The chief boost has been in lumber, which has shown a 40 per cent increase. Some classes of theatre equipment now cost from 10 to about 40 per cent more than a year ago, while others have remained at approximately the same price level. Labor increases have varied, ranging to 20 and 30 per cent in some sections, while in other localities wages have remained about the same.

"Snow White" May Go a Fourth Week

(Continued from page 1)

large attendance not alone to the film but to the fact that "Disney has always been consistent in what he had done and we always took his product seriously."

The opening of "Every Day's a Holiday," with Benny Goodman and his band on the stage, caused great excitement at the Paramount yesterday. Bob Weitman, manager, said that all opening day records under the present combination policy were broken. Paramount reported a waiting line as early as 5 A. M., three hours before the theatre opened. Beginning today the theatre will open at 7:30 A. M., it was said at the theatre.

"Wells Fargo" and Fred Waring and his Pennsylvanians gave the Paramount $23,850 in a fourth week. "Hollywood Hotel," in its second week at the Strand, grossed $24,000.

"U" Serials Finished

The schedule of Universal serials for the 1938-'39 season has been completed. Exhibitors are being offered four groups, two based on newspaper adventure strips, one on Boy Scout activities and one a western. The newspaper strips will be Buck Rogers, in 12 episodes, and "Red" Barry, 13 issues. "Flaming Frontiers," the western, will have 15 episodes and the Boy Scout serial will be issued in 12 chapters.

Jameyson to Go South

WICHITA, Kan., Jan. 26.—Howard E. Jameyson, district manager for Fox Midwest here, will leave this week for the south where he will complete his recuperation from a recent operation.

Theatre Union Will Move in Film Field

Demands for a basic agreement and recognition as the collective bargaining agency will shortly be made to film theatres in New York by the Theatrical Managers, Agents and Treasurers Union, it was said yesterday by Jack McNevin, business agent. The union has been in the field nine years and is affiliated with the A. F. of L.

The union also has jurisdiction over all types of publicity workers in Hollywood and intends to submit demands to the studios, McNevin said.

Managers, assistant managers, press agents, box-office cashiers and home office publicity department workers are members of the union in the east, according to the union. McNevin refused to divulge the union's numerical strength in the film field, but said it had "more than the required 50 per cent" necessary to be declared the agent.

More Attention to Films

The union has been active in the legitimate theatre field, but with recognition granted by the League of N. Y. Theatres Tuesday night, which settled a strike at nine Shubert houses, it will now give more attention to film theatre, home office and studio organizations.

The agreement signed with the League provides that the union will be recognized as the sole collective bargaining agent for treasurers, press agents and some of the managers, effective Feb. 1. Theatres are to negotiate wage scales and working conditions individually, and the new terms are to go into effect on the same date.

The New York Theatrical Press Agents, a factor in the dispute, signed an agreement with the T. M. A. T. recognizing it as their bargaining agent. Members of the press agent group will be admitted individually to the union, while the organization may retain its identity.

Omaha Union Elects

Omaha, Jan. 26.—Local No. 343 of the I.A.T.S.E. has elected the following officers for 1938: Adolph Fells, president; Alvin Kostlan, first vice-president; Neil Ryan, second vice-president; Frank Pavelec, recording secretary; James Bear, financial secretary; Bayard Loomis, treasurer; Carl Krumrie, business agent.

To Oppose Midland Plan

Kansas City, Jan. 26.—Opposition to the proposed reorganization plan of Midland Investment Co., which has the Midland theatre and office building, will be made by an independent bondholders' committee formed here this week. Judge Albert L. Reeves of the U. S. District Court has set Feb. 3 for a hearing on the plan, which proposes to continue the debtor company in control and management of the property. The independent bondholders' committee, composed of Thornton Cooke, George H. Buecking, Eugene L. Young and W. K. Archer, wants an "impartial trustee" named.

Truitt to Take Electric

Kansas City, Jan. 26.—Jack Truitt, veteran theatre owner and operator, will take over supervision of the Electric in Kansas City, Kan., one of the city's two first run outlets, Jan. 31, when the lease held by A. F. Baker and George Baker, his son, will expire.

New York Preview

"Kathleen"

(J. H. Hoffberg)

The exhibitor located where there is an Irish population should profit reasonably with "Kathleen." It was produced in Ireland, has an all-Irish cast, Irish humor, plenty of brogue and serves to re-introduce Sally O'Neil. But at its best it is amateurish and stagy. Much dependence is placed on the musical content for entertainment.

The scenario is based of the well known "Kathleen Mavourneen" story. Miss O'Neil is the Liverpool orphan who supports her young brother and sister. Michael Rooney, who loves her, arranges to send her back to Ireland to her aunt. He tells her that he will follow shortly. Back on the "Ould Sod" Miss O'Neil falls in love with the young lord of the manor and gets into difficulties with his stern aunt who would place the young ones in an orphanage. This twist comes out all right later on. Meanwhile Michael comes over from England and soon discovers the romantic state of affairs. But Miss O'Neil's new lover gets a musical impresario interested in Michael and so craftily removes him from the field into a successful singing career. There is a bit of melodramatic excitement at the conclusion and the piece ends with Miss O'Neil wed to her true love.

There are a number of acts in the picture which will be familiar to Irish audiences. Except for Miss O'Neil the cast is comparatively unknown here.

Running time, 70 minutes. "G."

I. A. Claim Not Yet Presented to Green

Miami, Jan. 26.—The I.A.T.S.E.'s claim to jurisdiction over all film industry workers, including actors, has not been submitted to William Green, A. F. of L. president, yet and cannot be acted upon by the executive council in session here until it is presented in written form, Green stated today at a press conference.

However, there appears to be little doubt in organization circles that George Browne, I.A.T.S.E. president, is prepared to press his organization's claim and will have the subject in the required form before the meeting adjourns.

Frank Gillmore, president of the Associated Actors & Artistes of America, the A. F. of L. entertainers' union with jurisdiction over screen actors, is here observing developments.

Opening Is Delayed By Salary Dispute

Superior, Wis., Jan. 26.—The opening of the $100,000 Beacon here, scheduled for last week, has been held up as the result of a wage controversy between Roy McMinn, owner and manager, and Local 457 of the operators' union.

The union is seeking a wage scale of $160 per week in booth costs. On the night of the scheduled opening, McMinn read a statement from the stage announcing that he has been and is willing to make a fair compromise of the wage dispute.

M-G-M Does Novel Short

Hollywood, Jan. 26.—M-G-M has completed a film without a living object—human, animal or plant—in it. It is called "Color Poem," and is an animated picture of moving objects in color paraphrasing Franz Liszt's "Hungarian Rhapsody." The picture took six months to make and was done by Oscar Frischinger, continental artist.

David Snell, M-G-M conductor, was in charge of the 52-piece orchestra which furnished the music.

Talent Ranks Cut to 9,000, Says Thomson

Hollywood talent ranks have been reduced from the 23,000 who worked through Central Casting Bureau during the 12 months preceding the signing of the Screen Actors' Guild contracts with producers, to the 9,000 now included in the guild's membership fold, Kenneth Thomson, executive secretary of the guild, said yesterday.

Thomson declared that it was the guild's intention further to reduce the total, with an ultimate goal of 6,000 being regarded as desirable. The guild's current membership includes 2,000 senior members and approximately 7,000 junior guild members. There are approximately 350 guild members in the New York area.

Says Earnings Rose

Thomson estimated that reduction of the players' ranks had resulted in earning increases averaging about 25 per cent per year for guild members. He pointed out that approximately $2,250,000 was paid in salaries to the 23,000 who worked through Central Casting formerly; that the guild contract called for a 10 per cent wage increase and that all of the resultant salary expenditure now goes to guild members exclusively, accounting for the 25 per cent increases in earnings through increased work per person.

The maximum membership of the guild was 13,000, Thomson said.

Declaring the oral agreement entered into between the guild and March of Time here to be working out "satisfactorily" Thomson indicated that the current arrangement may be permitted to stand indefinitely. March of Time is fulfilling all guild requirements under the oral agreement, he said.

Thomson is remaining in New York pending the outcome of the A. F. of L. executive council meetings now under way in Miami, which are scheduled to hear the I.A.T.S.E.'s claim to jurisdiction over Hollywood actors. In the event the matter is argued before the council, Thomson has been assured that he will be given notice in time to reply to the I. A.'s contentions.

Milwaukee Theatres Cut Scales 5 Cent

Milwaukee, Jan. 26.—Several loca neighborhood houses, including Fox' new Varsity, have dropped their admissions an average of five cents.

Independent outlying houses hav been reported hit hard by the curren slump and there is talk that they wil seek to reopen negotiations with th projectionists' union in an effor [illegible] obtain some relief from the [illegible] agreement entered into before th holidays.

Another factor in the probable request for lower projectionists' wage is the possibility of an opinion by th state attorney general outlawing Hollywood, Bank Night and simila games, which exhibitors contend hav helped business.

Order Skouras Paymen

St. Louis, Jan. 26.—Payment of sum in excess of $40,000 by Nelso Cunliff, trustee for Skouras Bros. Enterprise, Inc., bankrupt, to the Alexander Rieger Investment Co. of thi city has been ordered by Elmer E Pearcy, referee in bankruptcy.

The sum to be paid represent slightly more than 51 per cent of $79,397 promissory note. The balanc of the principal will be paid by Cunlif to Thomas N. Dysart, chairman o the bondholders' protective committee purchasers of the bankrupt's assets.

Astor on Drive Tour

Louis Astor, circuit sales supervisor for Columbia, left last night on a two-week tour of key cities to confer with branch managers and exhibitors in connection with the Montague sales drive, now under way. He will visit Boston, St. Louis, Kansas City Omaha, Des Moines, Minneapolis Chicago and Milwaukee.

20th-Fox Adds "Moto"

Hollywood, Jan. 26.—Twentieth Century-Fox has started "Mister Moto's Chance," an added picture in this year's "Moto" series. Original plans had called for only three Peter Lorre vehicles, but the calling off of "Charlie Chan at the Ringside" is believed responsible for the added "Moto."

"Broadway" Budget Up

Hollywood, Jan. 26.—Universal has stated that it will increase the budget for "Goodbye Broadway" to $500,000 because of the picture's box-office potentialities. The large cast includes Alice Brady, Charles Winninger and Tom Brown.

Mowbray Is Party Host

Alan Mowbray, in town for a few days, gave a cocktail party yesterday in his suite at the Waldorf-Astoria for the press and friends. He is under contract to Hal Roach. He will return to the coast Sunday.

Gets Republic Post

Boston, Jan. 26.—D. B. Whalen has been named publicity director for Republic here. He resigned as publicist for the Federal Theatre Vaudeville Project to take the job.

M. E. McClain Engaged

Des Moines, Jan. 26.—M. E. McClain, district manager for Central States Theatres, has announced his engagement to Mrs. Alyce Snyder.

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43. NO. 23 NEW YORK, FRIDAY, JANUARY 28, 1938 TEN CENTS

FCC Provides Facility for Air Teaching

ets Aside Frequencies For the Purpose

WASHINGTON, Jan. 27. — Establishment of a new class of broadcasting ations and the setting aside therefor 25 frequencies in the 41,000 - 42,000 locycle band, to meet the needs of lucational broadcasting, was disposed today by the Federal Communitions Commission.

The new classification provides for non-commercial educational broadcast ations," which are to be given owers ranging from 100 to 1,000 atts, specifically to transmit educaonal programs direct to specific chools for use in connection with the egular course, but also authorized to ransmit educational and entertainment rograms to the general public. No ponsored or commercial programs of ny character will be permitted, howver.

The 25 channels, it was said at the ommission, will provide adequate acilities for service to every city and own in the country.

M-G-M Air Show Is Extended Five Weeks

M-G-M's "Good News of 1938," ponsored by General Foods Corp. on he NBC-Red, has been extended for n additional five weeks, bringing the rogram to March 3. Benton & Bowles is the agency.

The winner of the $5,000 prize for he title of an M-G-M picture was nnounced on the "Good News" program last evening. He is Roy Harris, youthful ironworker of Greenville, S. C. The winning title is "Of Human Hearts." A synopsis of the story was ead during a recent broadcast.

FWC, Para., Warner Raise Air Budgets

HOLLYWOOD, Jan. 27.—Fox West Coast Theatres, Paramount Pictures nd Warners have increased their adio advertising appropriation for the Los Angeles area, by signing new nd renewed spot announcement conracts with KFI and KECA. Warners has its own station KFWB here, lso .

Warners, through the Stodel Ad-

(Continued on page 8)

More Radio—P. 8

Warners' Net For 13 Weeks $1,685,599

Below Same Quarter in 1936 by $362,337

Warners' net for the 13 weeks ending Nov. 27 was $1,685,599.46, after deducting all charges, including amortization, depreciation and normal Federal income taxes, but before provision for Federal surtaxes on undistributed profits. Last year for the same quarter the profit was $2,047,936.28 after similar charges.

The net before deducting the above mentioned charges was $3,523,065.66. During this period a credit of $35,461.82 was made to the deficit account, reducing that account to $2,466,983.19.

The net of $1,685.46 is equivalent to $16.35 per share on the 103,107 shares of preferred stock outstanding Nov. 27, 1937. Dividends in arrears on the preferred on Dec. 1 amounted to $22.13¾ per share. On the common stock the net, after allowance for current dividend requirements on the preferred stock, the net was equivalent

(Continued on page 7)

McDonough May Be RKO Trustee Agent

Reports that James R. McDonough, former president of RKO Radio, would be named to head RKO production on the coast were not credited here last night.

The Irving Trust Co., trustee of the company, has been considering naming McDonough its financial representative at the studio pending the reorganization, it has been learned.

McDonough at his home in South Orange, N. J., last night denied all knowledge of the reports and said

(Continued on page 7)

A Family Party

The Moskowitz family is planning a celebration Sunday, the birthday of Harry Moskowitz, one of five brothers in the film industry.

Harry and Charles C. are with Loew's, Joe and Martin with 20th Century-Fox and Arthur sells furniture and carpets to the circuits. There are also four sisters.

Harry plans to have the family at a party at his home in Kew Gardens.

Study Legal Means to Ban Chicago Duals

CHICAGO, Jan. 27.—Further developments in the double bill controversy here are expected to depend on what happens to the move to end duals by ordinance. Corporation Counsel Barnet Hodes is studying Alderman Arthur G. Lindell's proposal that duals be banned as a menace to the health of children.

Hodes says he will report soon on how this can be done. The problem then will be up to the Aldermen. Lindell is chairman of the council subcommittee appointed to study the problem.

Hodes expects to have the information ready for the council within a few weeks, and it is anticipated that the independent theatre operators, who had threatened a monopoly action against Balaban & Katz as a means of causing the circuit to abandon duals, will take no action pending consideration by the council of dual bill legislation.

It is said that thousands of protests against double bills received by vari-

(Continued on page 7)

U. S. Exports Gain Sharply, States Golden

Increase 6,000,000 Feet In 1937 Reported

By BERTRAM F. LINZ

WASHINGTON, Jan. 27.—Sharp expansion of the film export trade of the United States, despite barriers erected by many foreign countries, was reported today by Nathan D. Golden, chief of the Motion Picture Division of the Department of Commerce.

Preliminary figures compiled by Golden show a 6,000,000-foot increase in 1937 to a total of 215,721,956 linear feet of negative and positive, sound and silent film, valued at $4,797,641, which compares with 209,651,404 feet, valued at $4,531,639, the totals for the preceding year.

Exports of sound negatives were three times those of silent films, totaling 9,586,631 feet, valued at $354,578, against 9,904,111 feet, valued at $362,035 in 1936, while silent negative shipments were 3,038,623 feet, valued at $113,689, against 2,143,939 feet, valued at $92,167.

In positives, sound films comprised more than 98 per cent of total shipments, totaling 200,245,663 feet, valued at $4,242,012, against 195,907,374 feet,

(Continued on page 7)

See No Benefit in Australian Treaty

WASHINGTON, Jan. 27.—Announcement tonight by the State Department that Australia is again to be accorded most favored-nation tariff treatment as a result of her announcement Dec. 7 that import restrictions would be abolished, is not expected to aid American film exporters doing business in that market.

Australian restrictions on American merchandise were adopted in 1936,

(Continued on page 7)

Industry's Ad Technique Wasteful, Says Nathanson

By A-MIKE VOGEL

MIAMI BEACH, Jan. 27. — N. L. Nathanson, president of Famous Players Canadian Corp., charges the industry with gross and wasteful extravagance in selling to the public.

The industry, in Nathanson's opinion, is spending far too much in advertising individual shows and much too little, or in fact nothing, in selling the screen in behalf of the permanent prosperity of the theatre.

Over the cocktails in his Pine Creek Drive winter home here today, Nathanson was decided in his opinion that the usual six to eight per cent of gross devoted to newspaper and other theatre advertising of changes

(Continued on page 7)

Postoffice Concludes Bank Night Hearing

WASHINGTON, Jan. 27.—Postoffice Department officials today concluded a lengthy investigation of the methods pursued by Affiliated Enterprises, Inc., of Denver in the making of contracts with exhibitors for Bank Night, and took under consideration recommendations of its attorneys that the mails be closed to the company on the

(Continued on page 7)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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COPENHAGEN: Vesterbrogada 20; Kris Winther, Representative.
HELSINKI: Fredriksgatan 19C; Charlotte Laszio, Representative.
LONDON: 4 Golden Square, W. 1; Cable address, Quigpubco, London; Hope Williams, Manager.
MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Lou Lusty Is Given RKO Producer Pact

HOLLYWOOD, Jan. 27.—Lou Lusty today was given a contract as producer at RKO. Formerly he was assistant to Samuel J. Briskin prior to the production head's resignation from the company.

Lusty will act as associate to Lee Marcus on certain pictures and will have full producing authority on others.

Gene Autry Enjoined

NASHVILLE, Jan. 27.—Judge R. B. C. Howell in Chancery Court today granted an injunction barring Gene Autry from appearing in films, vaudeville, on the air, or in any other kind of show during the life of his Republic contract. The stay was sought by Republic. Autry has refused to report for work for several weeks, Republic asserted.

Warner Ball March 12

The ninth annual banquet and ball of the Warner Club will be held in the grand ballroom of the Waldorf-Astoria March 12. The committeee includes A. W. Schwalberg, Max Blackman, Sam Schneider, Harry Mayer and Harold Rodner.

◂ Purely Personal ▸

RED KANN will be guest of honor tomorrow at a cocktail party at Tony's to be given by publicity women. His hostesses will be HORTENSE SCHORR, PEGGY GOLDBERG, RUTH SCHWERIN, AILEEN BRENON, BLANCHE LIVINGSTON, JEANNETTE SAUER, TESS MICHAELS, ESTELLE SCHROTT, RUTH WEISBERG and HAZEL FLYNN.

•

A. P. WAXMAN, director of the Will Rogers Memorial campaign, will leave tomorrow for Hollywood to supervise production of the annual short subject in connection with the Will Rogers National Theatre Week.

•

JOHN D. CLARK, vice-president of 20th Century-Fox, will leave today for a two-week vacation in Florida. SIDNEY R. KENT is there now. Both plan a trip to the studio early in March to set new season plans.

•

ZORINA, dancer featured in "The Goldwyn Follies," left last night for Washington to attend the President's Birthday Ball Saturday. She will also attend MRS. ROOSEVELT's tea on Friday.

•

IRVING DASHKIN, manager of the Savoy, Jamaica, will sail today on the *Rex* for Rio de Janeiro. L. B. ALTMAN and SOL STRAUSBERG of the Interboro Circuit also are in the party.

•

BERNARD HYMAN, M-G-M associate producer, and MRS. HYMAN left by train for the coast yesterday. HYMAN will start work soon on "The Great Waltz."

•

JUDY GARLAND is scheduled to make a personal appearance at Loew's State in connection with "Everybody Sing," which will open Feb. 10.

•

RICHARD GREEN, English player under contract to 20th Century-Fox, arrived yesterday on the coast by plane from New York.

•

HARRY BRAND, 20th Century-Fox studio publicity head, will leave Chicago for the coast today.

•

LOUIS DE ROCHEMONT, producer of the March of Time, has gone south for a short vacation.

•

L. MARX, Universal sales representative in Europe, is here for home office conferences.

Dufaycolor Host Today

Dufaycolor, Inc., now under new management, this afternoon will hold a reception for publishers at the Rockefeller Center Club for the purpose of describing recent developments in color photography. The subject will be discussed by Dr. T. Thorne Baker.

Gold Town for Premiere

Warners have chosen Weaverville, Cal., as the site for the world premiere of "Gold Is Where You Find It." It is a small mountain village of 750 souls, situated in Trinity County, the only county in the state where hydraulic mining is still permitted.

Worker Group Hits Alternative Quota

By AUBREY FLANAGAN

LONDON, Jan. 27.—The National Association of Theatrical Kine Employes, representing workers in theatres and engaged in general studio labor, has criticized the alternative quota plan of Oliver Stanley, president of the Board of Trade, in a reply to Stanley's request for reactions to the proposal.

The group declared its belief that the plan would aggravate present production difficulties unless it was accompanied by a drastic increase in the quota percentages. The organization also supported the demand of the technicians that the British labor cost minimum in production be increased to 85 per cent.

Norton Joining New Producing Company

LONDON, Jan. 27.—Capt. Richard Norton, former head of the Pinewood Studios, has become associated with the new production company, Pinebrook, Ltd., which is planning to produce six pictures at Pinewood.

The films will be budgeted at £20,000 each and will be designed for release by C. M. Woolf's General Film Distributors. The first to go before the cameras will be "A Spot of Bother," comedy in which Robertson Hare will be starred.

Jackson Nominated As Reed Successor

WASHINGTON, Jan. 27.—Robert H Jackson, assistant attorney general in charge of anti-trust enforcement, today was nominated by President Roosevelt to be solicitor General of the Department of Justice. He would succeed Stanley Reed, recently appointed a member of the Supreme Court.

Strike at Garden

With Madison Square Garden completely sold out for last night and tonight for Sonja Henie's skating show, Col. John Reed Kilpatrick, head of the corporation, said he was little worried yesterday by the strike of 14 box-office treasurers, called by the Theatrical Managers, Agents and Treasurers Union. Seven treasurers remained on the job while pickets patrolled on the sidewalk. The union demands recognition.

Loew's Boston Net Up

Loew's Boston Theatres Co. has reported net income for the year ending Aug. 31, last, of $319,267, equal to $2.06 each on 155,249 capital shares, which compares with $176,004, equal to $1.13 per share, in the preceding year.

"Chicago" Opening Big

CHICAGO, Jan. 27.—City and state officials were among those attending the opening here of "In Old Chicago" at the Apollo, which received more preliminary attention than any opening in the city in recent years.

Remodel Hartford House

HARTFORD, Jan. 27.—The former Cameo, 1,400-seat house, is being redecorated and reequipped for opening as a film theatre.

Steffes Silent on Allied Meet Plans

MINNEAPOLIS, Jan. 27.—W. A. Steffes, president of Allied Theatres Owners of the Northwest, refuses to predict what action will be taken by the 150 exhibitors who will meet here in their 25th anniversary convention for three days starting Jan. 31.

"I never make predictions in reference to what a convention of theatre owners will do," Steffes said.

It is certain that block booking, improved methods of merchandising, relations with producers and similar matters will come before the convention for discussion and possible action.

Also of importance will be a discussion of the North Dakota divorcement bill, the constitutionality of which is now being challenged by the Minnesota Amusement Co., Paramount affiliate.

Abram F. Myers will attend and will consult with former Chief Justice of Minnesota John P. Devaney, an Allied attorney, on the North Dakota statute litigation.

Sally Rand Critical Of Exploitation Men

Sally Rand stole the show at the Ampa luncheon at the International Casino yesterday with an exposition of what is wrong with home office exploitation.

The advertising and publicity men sitting in New York, she said, direct their efforts too much in behalf of Broadway and the large key city theatres, paying too little attention to the smaller towns. Sales campaigns are too stereotyped, she charged, and they should be planned to suit individual pictures. At the conclusion of her 15-minute talk, she was accorded a vote of thanks for "the most constructive talk" Ampa has heard in a long time.

Edward G. Robinson indulged in a bit of kidding, "Philadelphia Jack" O'Brien made a lusty talk on the manly art of self-defense, and other things, and Norman Thorpe, a seven-year-old Canadian, entertained with a dramatic song routine. Paul Lazarus, Jr., presided.

The M-G-M program, which was postponed some time ago, is now scheduled for some time in March. There will be no meeting next week.

"Happy Landing" Is $52,000 Hit at Roxy

"Happy Landing" ended its first week at the Roxy last night with a take of $52,000, which was the biggest in some time. Irving Lesser, manager of the Roxy, said Sonja Henie's personal appearances this week at Madison Square Garden are proving a great help to the theatre.

While the opening last Friday was no record-breaker, it was big, and business began building last Sunday, and has maintained an upward trend since. Wednesday was reported to have given the Roxy the biggest week-day gross in its history. Matinee shows this week have been sellouts.

The Roxy, and the Music Hall, with "Snow White and the Seven Dwarfs," are doing the best business on Broadway. At the Capitol, "Mannequin" wound up its first stanza with about $30,000. The Rialto was considerably off with a take of $5,000 on "She Loved a Fireman."

M-G-M FAN-FARE!

he girl friends and the boy friends who buy the ckets that pay the rent are flocking to the box-ffices of M-G-M showmen. One great entertainment fter another from Leo, that idol of the fans!

CRAWFORD TRACY
MANNEQUIN
Robert Taylor
A YANK AT OXFORD

WOW! BEERY!
"BAD MAN OF BRIMSTONE" is terrific. Beats Big Ones like "Good Earth" and other top hits.

"PARADISE FOR THREE" DELIGHTS
Big M-G-M Cast delivers socko B.O. hit! The fans are screaming with merriment!

AND NOW GET READY FOR "EVERYBODY SING"!

It Broke House Record at Sheridan Theatre, Miami!

We told you it was a honey! We promised you TWO NEW STARS . . . JUDY GARLAND and FANNY BRICE (*as "Baby Snooks"*). It took a record-breaking World Premiere at Miami Beach, Florida, to confirm our raves and the tip-off of unanimous trade critics. Get ready for a clean-up! And keep your dough on Leo because you'll soon hear the loudest ROARS he ever ROARED!

MILLIONS OF EARS!

Last night throughout the nation they listened to the Announcement of the $5,000 Prize-Winning Title in M-G-M's Great "Benefits Forgot" Contest!

"OF HUMAN HEARTS"

is the glorious new title that will flash from 200 Marquees in nation-wide Day & Date launching of M-G-M's superb motion picture! A great ballyhoo for a sensational attraction!

A CLARENCE BROWN PRODUCTION

THE CAST

WALTER HUSTON · JAMES STEWART
BEULAH BONDI · GUY KIBBEE
CHARLES COBURN · JOHN CARRADINE

Directed by CLARENCE BROWN

Screen play by BRADBURY FOOTE · *Produced by* JOHN W. CONSIDINE, JR.

Bids Received for Government Films

WASHINGTON, Jan. 27.—Bids for furnishing motion pictures exploiting the Government's housing activities were opened today by the Federal Housing Administration.

Bids were asked for production of 35mm. sound film in lengths up to 1,000 feet, 1,000 to 3,000 feet, and 3,000 to 5,000 feet; 35mm. silent film in the same lengths; optical reduction of 35mm. sound film to 16mm. film in the same lengths, and reduction of 35mm. silent film to 16mm. film in the same lengths.

Proposals received were as follows:

Lauks & Norling, New York: 35mm. sound film, $5 per foot up to 1,000 feet, $4.75 to 3,000 feet, $4.50 to 5,000 feet; silent 35mm. film, $4.60 per foot to 1,000 feet, $4.40 to 3,000 feet, $4.20 to 5,000 feet, with an alternate bid that if no new material not incorporated in the sound film was required, silent could be furnished at 75 cents, 65 cents and 60 cents, respectively, in the three lengths; reduction of sound film, 7 cents per foot up to 1,000 feet, 6.75 cents to 3,000 feet, 6.5 cents to 5,000 feet, with the same prices for reduction of silent film.

Ruby Films, New York: Sound film, $4.50 per foot to 1,000 feet, $3.50 to 3,000 feet; $3 to 5,000 feet; silent film, $3.50 to 1,000 feet, $3 to 3,000 feet, $2.50 to 5,000 feet; reduction of sound film, 2½ cents per foot to any length; reduction of silent film, 2 cents per foot to any length.

Pathe Bids Listed

Bray Studios, New York: Sound film, $6 per foot to 1,000 feet; $5.45 to 3,000 feet, $4.75 to 5,000 feet; silent film, $4 to 1,000 feet; $3.60 to 3,000 feet, $3.25 to 5,000 feet; reduction of sound film, 16½ cents to 1,000 feet, 16 cents to 3,000 feet, 15½ cents to 5,000 feet; reduction of silent film, 16 cents to 1,000 feet, 15½ cents to 3,000 feet, 15 cents to 5,000 feet.

Pathe News, Inc., New York: Sound film, $4.90 per foot to 1,000 feet, $4.80 to 3,000 feet, $4.70 to 5,000 feet; silent film, $3.90 to 1,000 feet, $3.80 to 3,000 feet, $3.70 to 5,000 feet; reduction of sound or silent film, 9/10ths cent per foot in any length.

Stark Films, Baltimore: Sound film, $2.25 per foot to 1,000 feet, $2.15 to 3,000 feet, $2 to 5,000 feet; silent film, $1.75 to 1,000 feet, $1.60 to 3,000 feet, $1.50 to 5,000 feet; reduction of either sound or silent film, 3½ cents per foot up to 3,000 feet, 3 cents to 5,000 feet.

Sound Masters, Inc., New York: Sound film, $4.52 per foot to 1,000 feet, $4.10 to 3,000 feet, $3.64 to 5,000 feet; silent film, $1.00 per foot less than for sound film; reduction of sound film, 3 cents per foot to 1,000 feet, 2.75 cents to 3,000 feet, 2½ cents to 5,000 feet; reduction of silent film, 2.75 cents to 1,000 feet, 2½ cents to 3,000 feet, 2.25 cents to 5,000 feet.

De Frenes & Co., Philadelphia: Sound film, $8 per foot to 1,000 feet, $7.30 to 3,000 feet, $7 to 5,000 feet; $6 if without European scenes.

Heads Portland Union

PORTLAND, Me., Jan. 27.—George Gould has been elected head of the Projectionists' Local 458. Lester Bragdon has been named Vice-president; Earl Hamm, treasurer; Leslie Way, secretary; Frank Smith, sergeant-at-arms.

The Newsreel Parade

Movietone News
Vol. 20, No. 40
(20th Century-Fox)

A regulation assortment of interest-holding material went into the makeup of this reel. It moves along breezily; it is serious when the occasion arises and it spices the whole with a few laughs. The items are not necessarily vivid news, but they are treated with live comment and edited for their utmost.

Niagara Falls takes first place with the ice threatening the nearby Falls View Bridge. It is followed with shots of the *Samoan Clipper* at Auckland on one of its last flights. The recent harrowing experience of the two passengers on a Washington-bound plane which landed in Hartford is re-enacted and comes off well, with sighs of relief breathed by all concerned. Names in the News offers the Princess Baba and her wrestler-husband being greeted by the Ranee of Sarawak, King Ghazi of Iraq making an airplane flight, King Farouk of Egypt about to be married and Bruno Mussolini preparing for his flight to South America. Ed Thorgersen vividly describes the Golden Gloves tryouts, vocally grows mellow with fine scenes of yachting in Australia and pulls a few nifties as Southern California bathing girls fool around with bowling balls and get themselves photographed from many interesting angles. Lew Lehr has a lot of laughs for a good finish. Two chimpanzees are the butt of his dialect. They play with various musical instruments and supply hilarious sound effects.

Running time, 8½ mins. P.

News of the Day
Vol. 9, No. 238
(M-G-M)

An average issue. The material involved is currently interesting and the personalities and events pictured get deserved attention. The clips are nicely varied. In the case of the sailing of the *Leviathan* for the Scotch scrap heap they are tastefully handled.

The "lost" transport 'plane provides a theme for the re-enactment of the plight of the passengers and crew while they were buffeted by a storm. The sequence is a good bit of documentation in spite of the dramatics. News Snapshots offers glimpses of the kidnapper of Charles Ross in the custody of G-men and shots of Chinese troops and civilians in preparation for military invasion. The *Leviathan* sequence follows. The ship is seen in a number of fine camera compositions against the background of lower Manhattan and standing off down the bay. The library was combed for war-time scenes which are blended into the footage. The Woman's Page offers the well known Olga Celeste and her wild animals and the Princess Baba and her wrestler-husband arriving on the *Manhattan*. The sporting end offers the Golden Gloves three-ring slugfest and a thrilling ski-meet in the Italian Alps.

Running time, 8 mins. P.

Paramount News
No. 51
(Paramount)

Paramount uses the technique of reenactment effectively in presenting a visualization of the plane lost in the air during the big blow last Monday night. The dramatization is very effective. A Douglas airliner is shown in flight, the two passengers sit beside each other and converse, radio announcers ask for information, listeners respond, a switchboard gets busy, the plane comes down to Hartford and the pilot and passengers tell how glad they are to have landed.

Gabriel Heatter waxes eloquent over a description of the work of fortifying Hong Kong. Some subjects just don't lend themselves to this type of vocal effort.

Shots of the departure of the *Leviathan* are good. Prime Minister Eamon de Valera's proposal for uniting Ireland and Ulster is timely. The arraignment of John Henry Seadlund in the Ross kidnapping case and the arrival of the Princess Baba with her wrestler husband are human interest news.

Some excellent cutting has been done in presenting views of Georgia's new prison, with Governor Rivers explaining the abolition of chain gangs, and the introduction of closeup shots of prisoners, one of whom sings. The narration by Joseph Boley is handled effectively.

Running time, 9 mins. J.

Pathe News
Vol. 9, No. 55
(RKO)

There is a combination of routine news coverage, a clip of the feature type and a sporting thrill in this issue of the reel.

The first category includes the transfer to Chicago of John Sealund, confessed murderer of Charles Ross, whom he kidnapped; the departure of the *Leviathan* from New York on its final voyage; Justice Reed expressing appreciation of the Senate's action in confirming his Supreme Court appointment; the ice jam which destroyed the Falls View Bridge over Niagara, with excellent pictorial results; Chinese girls in Canton, training for war as nurses and soldiers; Bruno Mussolini's takeoff on a Rome-to-Rio Janeiro flight.

The second group includes the Milwaukee ex-engineer who says he "is still going strong" at the age of 100, after 83 years of service with the railroad; typical scenes in the coal mining town of Dakota, W. Va., indicative of the major problem which faces the country in the coal mining industry, and the Maine University students who live in a cabin colony to cut expenses.

The thrill lies in a fast dirt track automobile race in California, with skids and danger much in evidence.

Running time, 9 mins. A.

Universal News
Vol. 10, No. 636
(Universal)

The opportunity for beautiful scenic effects afforded by the ice jam about Niagara Falls, which destroyed the Falls View Bridge, results in unusually effective pictorial material. The rest of reel is routine coverage, showing the *Leviathan* leaving New York on its voyage to the junk yard; the capture of the Ross kidnapper and his transportation to Chicago; small children in their own "night club" in Miami; the honoring of the unknown soldier at Arlington by a women's group.

Mussolini's son is seen on the takeoff of a flight across the ocean to Brazil, and the central figures in the most recent French Cabinet crisis are shown chatting with reporters in Paris, that being the extent of the foreign material. The Sarawak Princess Baba arrives in New York with her English wrestler husband, to be greeted by her mother, but he should have rehearsed his speech. The sp[illegible]ing division is handled actively with pictures of the Golden Gloves preliminary bouts in New York, and an exciting moment on the bobsled run at Lake Placid.

Running time, 9 mins. A.

Schwartz Reelected By Cleveland Unit

CLEVELAND, Jan. 27. — Ernest Schwartz was elected president of the Cleveland M. P. Exhibitors' Association today for the sixth consecutive term. Other officers elected were: Albert E. Ptak, vice-president; M. B. Horwitz, treasurer; George W. Erdmann, secretary.

Elected to the board of directors to fill unexpired terms were: Morris Berkowitz, John Kalafat, Meyer Kaplan, Frank Porozynski. The board members whose terms have not expired are: Henry Greenberger, P. E. Essick, L. D. Baldwin and Frank Gross.

Virginia M. P. T. O. Hears Tax Warning

RICHMOND, Jan. 27.—The possibility that a tax on amusements may be instituted in this state was voiced by Charles J. Somma, chairman of the legislative committee of the Virginia M.P.T.O., which held its mid-winter convention here today at the John Marshall Hotel. Somma conceded that there are no theatre bills in the Legislature at the present time, but he pointed to the fact that the state beer tax has just been increased from one to two cents a bottle.

Wall Street

Board Generally Off

	Open	High	Low	Close	Net Change
Col.	12¾	12¾	12¾	12¾	.....
Col. pfd.....	32¼	32¼	32¼	32¼	+ ¼
Cons. pfd...	6	6	5⅞	5⅞	.....
E. K.	155½	155½	155½	155½	—1½
G. T. E....	12	12	11¼	11¼	.....
Loew	45½	47	45½	45¾	—1⅛
Para.	10	10⅜	9⅝	9¾	.....
Para. 1.....	86	86	86	86	—4
Para. 2.....	9⅝	10⅛	9⅝	10	+ ⅜
Pathe	5⅝	5⅝	5½	5½	.....
RKO	4	4¼	4	4¼	+ ⅛
20th Fox ..	21¾	22¾	21¾	22½	+ ½
20th pfd. ..	30⅛	30⅛	30	30	.....
W. B.	6¼	6⅜	6	6	— ⅛
W. B. pfd.	37½	38	37½	37½	.....

Curb Dips Fractionally

	Open	High	Low	Close	Net Change
G. N.	11/16	¾	11/16	11/16	—1/16
Sonotone ..	1⅝	1¾	1⅝	1⅝	— ⅛
Tech.	17¾	18¼	17¾	17⅞	— ⅛
Trans-Lux	2¾	2¾	2½	2¾	.....
Univ. Corp.	3	3	3	3	.....

Bonds Decline

	High	Low	Close	Net Change
Loew 3½s '46......	98⅛	98	98⅛	— ⅝
Para. B'way 3s '55	60	60	60	.....
Para. Pict. 6s '55	93	93	93	— ¼
W. B. 6s '39......	74½	74½	74½	— ¼

(Quotations at close of Jan. 27)

See No Benefit in Australian Treaty

(*Continued from page* 1)

and, among other things, included the adoption by New South Wales and Victoria of a quota system which in five years was to raise from four to 15 per cent the ratio of Australian films to be shown with imported pictures. Due to the inability of the Australian industry to produce its quota, the premier of New South Wales last month announced that the ratio for 1938 and 1939 would be three per cent.

However, since in 1936 domestic studios produced only six features while 453 were imported, it is not believed that even this percentage will be reached.

The quota regulations do not allocate imports by countries and in 1936 the United States accounted for 76 per cent of the films shown in Australia, according to figures of Nathan D. Golden, chief of the Motion Picture Division of the Department of Commerce.

Doyle Predicts Gain In Australian Films

HOLLYWOOD, Jan. 27.—The new Australian quota act will triple Anzac feature production, Stuart Doyle said here today upon his arrival to sign Hollywood writers and directors for his contemplated six features for 1938. Denying that he was seeking technicians, Doyle said the real need in the Australian industry was writers and directors.

Since quitting direct theatre affiliations last year Doyle has turned to radio, and one of the objects of his trip here is to look into the local radio field for ideas and possible transcription deals. He recently closed a reciprocal deal between Atlas and his Fidelity Radio for transcriptions, Atlas to supply American platters for distribution in Australia and Fidelity to supply Anzac waxes for distribution in America. Atlas platters have already been set for the Commonwealth Broadcasting network composed of 16 stations.

Doyle also will confer with film industry leaders concerning general problems. He denied he contemplated building theatres, saying that his only theatre interest was in a house now under construction in London.

U. S. Export Gain Is Sharp—Golden

(*Continued from page* 1)

valued at $4,025,767 in 1936, while silent films amounted to 2,851,039 feet, valued at $87,363, gainst 1,695,980 feet, valued at $51,670.

Argentina was the best market in point of footage, taking a total of 17,213,406 feet of sound film valued at $337,638, but the United Kingdom was our best revenue-producing market, taking 15,432,385 feet of film with a value of $396,627.

Equipment exports also continued to rise, Golden reported. Shipments of sound recording and reproducing equipment reached a total of $2,280,000, against $2,105,288 in 1936.

Now "Fools for Scandal"

HOLLYWOOD, Jan. 27. — Warners have changed the title of "Food for Scandal" to "Fools for Scandal."

Industry's Ad Technique Wasteful, Says Nathanson

(*Continued from page* 1)

of program could be cut in half without impairing admissions. Proof of this is offered, he said, by recent experiments at one of the circuit's Toronto first-run houses, when the usual large advance advertising was reduced to mere announcement copy, without resulting in any falling off in grosses.

"What is as important as the selling of single attractions, if not more so, is the merchandising of pictures as entertainment," Nathanson contended. "We are neglecting to tell the large film audience of the high merit of our regular programs, the moderate prices charged, the comfort and convenience of the modern theatre."

They should be told, he said, of the fact that pictures offer more in wholesomeness and pleasure for the entire family than any other institution today.

To sell the screen on behalf of the 200 theatres of his circuit extending from coast to coast, the Canadian executive, in discussing the selling with J. J. Fitzgibbons, vice-president and general manager, set aside $3,000 weekly from the circuit advertising budget for this purpose. Nathanson hopes that the major concerns will participate in the movement to the same amount, since he feels the campaign will benefit them as well. Other industries, notably insurance, railroads and steel, find good reason to use advertising of this nature in addition to copy devoted to direct selling, he said.

There is every reason why the film industry should so sell itself, Nathanson concluded.

Affirm "Zombie" Decision

ALBANY, Jan. 27.—The N. Y. State Court of Appeals today unanimously affirmed the lower court decision granting to Amusement Securities Corp. judgment in the amount of $10,878 and assessed costs on all defendants in the action against Academy Pictures, Edward Halperin, Producers Laboratory, Amer-Anglo Corp., Midtown Theatres and Melbert Pictures. The defendants were also enjoined from using the title, "White Zombie." Al Krellberg represented the complainant.

Rites for W. S. McNutt

HOLLYWOOD, Jan. 27.—Private funeral services for William Slavens McNutt, writer, who died Tuesday night, will be held at noon tomorrow at the Forest Lawn Memorial Park.

Col. Seth Heywood Dies

GARDNER, Mass., Jan. 27.—Lieut. Col. Seth Heywood, vice-president of Heywood-Wakefield Co., is dead here at the age of 50 from a heart attack. He was the fourth member of his family in the business founded by his grandfather.

Miss Baker at Col. Ball

Belle Baker will headline the floor show for the formal dinner-dance of the Columbian Club in the ballroom of the Waldorf-Astoria Feb. 12. Henny Youngman will em cee and Dick Mansfield's orchestra will furnish the music.

Bring on Amnesia

Detroit, Jan. 27.—Here's a new angle on advertising.

The following want ad appeared in the *Sunday Detroit News*:

"FOUND—The most interesting movies in town, so interesting that folks walk off without all their belongings. We have the following on hand:

"41 hats and caps, 15 scarfs, 10 pairs of gloves, one sweater, 15 odd gloves, four belts. Owners please claim above at Century Theatre, 14th and West Grand Blvd.

Postoffice Concludes Bank Night Hearing

(*Continued from page* 1)

ground that it was operating a lottery.

Formal proceedings were initiated by the department last October, with issuance of a citation charging that the company was violating the lottery prohibition of the postal laws.

Representatives of Affiliated Enterprises appeared before postal officials several times to defend their methods, it being contended by Emmet Thurman, general counsel for the company, in final argument today, that it was a legitimate advertising medium for theatres.

In the past, the Postoffice Department has invoked the lottery prohibition against newspapers carrying exhibitor advertising of Bank Night. In the case now under consideration, however, the issuance of an order would, it was said, put the company out of business for all practical purposes, since it would not be permitted to send or receive mail concerned in any way whatever with Bank Night.

International Seat Meet Starts Jan. 31

UNION CITY, Ind., Jan. 27.—Home office executives of the International Seat Corp. and representatives from 15 cities will gather at the company's plant here Jan. 31 for a three-day annual sales convention.

Those expected to attend are: C. C. Koontz, president; W. A. Fannin, vice-president; E. J. Fitzmaurice, secretary; John T. Beasley, Chicago; P. F. Masucci, New York; Jack Dauses, Baltimore; J. E. O'Brian, Boston; P. S. Guss, Salt Lake City; G. W. Carr, Detroit; Louis Phillips, New Haven; E. W. Foster, Minneapolis; N. P. Fleisher. Philadelphia; J. E. Maguire, Los Angeles; Nash Weil, Atlanta; George P. O'Rourke, Dallas; J. G. Riley, San Francisco; William J. Wells, St. Louis; W. D. Burford, Buffalo.

Pinky Tomlin to Marry

HOLLYWOOD, Jan. 27.—Pinky Tomlin will wed Joanne Alcorn Feb. 17 at Santa Barbara, according to present plans.

McDonough May Be RKO Trustee Agent

(*Continued from page* 1)

that he had not conferred with officials of the bank or the company.

Leo Spitz, RKO president, is due to return here today from the coast for further conferences on the reorganization. Andrew Christensen, Irving Trust Co. vice-president, and O. C. Doering of the law firm representing the trustee, returned yesterday from the coast.

Leo Spitz Is Silent

CHICAGO, Jan. 27.—Leo Spitz, president of RKO, passed through this city today en route to New York.

He refused to make any statement regarding the company's theatre or studio activities. He did say, however, that he did not know whether he would return to Hollywood to continue in charge of the studio, as these problems would be decided at conferences in New York.

Warners' 13-Wk. Net Totals to $1,685,599

(*Continued from page* 1)

to 42 cents per share on 3,701,909 shares.

The board of directors has authorized officers of the company to formulate a plan for offering new debentures in exchange for existing debentures and for offering common stock in exchange for preferred stock. It is not anticipated that any definite plans will be approved before summer.

The consolidated balance sheet lists total assets and liabilities at $178,772,593.76.

Study Legal Plan to Ban Chicago Duals

(*Continued from page* 1)

ous council members have stirred that body's interest in the problem. It is understood that Lindell has received a large number of letters from women's organizations urging council action. The double bill policy was started here about a year ago by B. & K., despite the objections of independents and other circuit operators.

At Evanston the fight on duals is continuing, with the *Evanston News-Index* taking a major part in the fight.

New Massachusetts Censor Measure Up

BOSTON, Jan. 27.—Another censorship bill has been introduced in the Legislature. This one is by Senator Thomas Burke. It calls for a five-man commission, $3 tax per 1,000-ft. reel and $2 per reel on additional prints used in the state. Similar bills have been defeated in the past.

Newsreels, charitable, scientific and educational films would be exempted. Films shown in the state are now censored for Sunday showing and these are generally observed other days in the week in all but first run houses.

Swarthmore Bars House

SWARTHMORE, Pa., Jan. 27.—The citizens of this college town have voted 563 to 37 against an amendment to the zoning laws to permit the erection of a theatre.

Canada Moves For Fee Boost Meet Attack

Montreal, Jan. 27.—Incensed at the move of the Canadian Broadcasting Corp. in boosting radio receiving licenses 50 per cent this year, Jacques N. Cartier, member during the Bennett regime of the then Canadian Radio Broadcasting Commission, yesterday declared the corporation was forcing an "intolerable" policy on Canadians and Canadian business.

Cartier insisted CBC must either live on its advertising revenues and abolish all radio license taxation or quit the advertising field and go back to the original idea of state radio wholly for entertainment and education paid for by radio licenses.

Because the CBC is competing with private stations which up to the present have been self-supporting there is no justification for the increase in the radio license fee, he said.

Charges Link with NBC

He accused CBC of being a "little brother of NBC, shortly to become a full-fledged member of the RCA family." Already, he said, 15 per cent of the CBC transmitting time is made up of programs and American production piped across the line and this soon will be boosted to 50 per cent, he added.

Private Canadian stations, he said, have been refused permission to increase power and to organize into regional chains, yet, had this been allowed they would have given all the coverage Canada needed at no cost to the Canadian listener. Today, he said, these private stations find themselves stripped of revenue to meet unfair competition from a state-owned radio chain which "apparently cannot run its business and balance its budget on advertising, but also has to reach into Canadian listeners' pockets for more taxation."

Cartier suggested as "an easy way out" the appointment by the Government of a supervisor or "czar" to see that all parts of the country get proper radio entertainment, to see that due attention is given Canadian talent and to make certain that programs are not objectionable or advertising off color.

FWC, Para., Warners Raise Air Budgets

(*Continued from page* 1)

vertising agency, has signed with KFI on a year's contract calling for an announcement, weekly. Fox West Coast has renewed with KECA on a year's contract for two announcements, Mondays and Wednesdays, and has given KFI a pact calling for four announcements a week for a year.

A year's advertising contract has been signed by Paramount on KFI.

Name Cast of Richmond Show

The cast of "Famous Fortunes," new dramatic series for the Richmond Shoe Co., starting Feb. 8 over Mutual, has been selected. It includes Neil O'Malley, Jean Colbert, Ray Wright, Tom Dillon, Tom Tully, Arthur Austin, Douglas Chandler and Mark Hawley as narrator. John Bates will produce.

FCC Grants Power Increase to KSOO

Washington, Jan. 27.—Increase of power from 2,500 to 5,000 watts has been granted KSOO, Sioux Falls, S. D., by the Federal Communications Commission.

The commission dealt with a number of renewal applications from television stations, granting renewal for three portable stations operated by RCA Mfg. Co., Inc., and to W6XAO, operated by the Don Lee Broadcasting System at Los Angeles, but gave one month temporary extensions only to W9XAL, First National Television, Inc., Kansas City; W8XAN, Sparks-Withington Co., Jackson, Mich.; W9XAT, Dr. George W. Young, Minneapolis, and W9XK, University of Iowa, Iowa City, pending receipt and determination of renewal applications.

Hearings were ordered held on applications of P. W. Spencer for a 1,500-kilocycle, 100-watt daytime station at Rock Hill, S. C.; Cuyahoga Valley Broadcasting Co. for a 1,200-kilocycle, 100-watt station at Warren, O.; King-Trendle Broadcasting Corp. for a 1,440-kilocycle, 250-watt station at Pontiac, and WHBF, Rock Island, Ill., for change of frequency from 1,210 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts.

Examiners Report on Three

The commission announced receipt of examiners reports recommending the granting of applications of the Evening News Press, Inc., for a new 1,500-kilocycle station at Port Angeles, Wash., with 100 watts power night, 250 watts day, and of KTUL, Tulsa, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, and KCMO, Kansas City, for change of frequency from 1,370 to 1,450 kilocycles and increase of power from 100 to 1,000 watts.

Other reports received recommended denial of applications of Shirley D. Parker, Yakima, Wash.; Colonial Broadcasting Co., Morristown, N. J.; L. L. Coryell & Son, Lincoln, and W. H. Hartman Co., Waterloo, Ia., for new stations, and KFOR, Lincoln, for change of frequency from 1,210 to 1,450 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 5,000 watts day.

Harmonica Group Is Signed on WOR Show

Cappy Barra's "Harmonica Rascals" have been signed for a new commercial series starting some time in March on WOR. The unit recently completed work in the Deanna Durbin picture, "Mad About Music." Sponsor of the program is Gre-Solvent. A feature of the program will be harmonica lessons for listeners.

Extend Signing Off Time

Shawnee, Okla., Jan. 27.—KGFF here has changed its signing off time two nights a week so listeners may hear the better bands of the nation provided by the MBS. On Saturdays the Mutual station here does not leave the air until 1 A. M., Sunday morning. Monday nights KGFF signs off at 12:30, carrying in its last hour "Kay Kyser's Kollege of Musical Knowledge."

Order Inquiry Into Industry in Canada

Ottawa, Jan. 27.—The Tariff Board has been instructed by Finance Minister Dunning to make a complete investigation of the radio industry in Canada.

The investigation, which will take months, will embrace production, distribution and sale of receiving sets, radio tubes and parts of sets. In addition the board will study the bearing of the patent law upon the manufacture, use and importation of radio tubes and sets, and particularly the effect upon the importation, cost and use of radios in Canada of the alleged pooled control of patent rights.

The pooling of patent rights has been the subject of Parliamentary debates several times in the past. It has been charged that Canadians were prevented from importing radios not made here because Canadian manufacturers held the patents and threatened to take action for patent infringement.

Lennen & Mitchell Get Nestle Account

Lennen & Mitchell, Inc., has been appointed as advertising agency to service the Nestle Milk Products chocolate and dairy accounts. Plans for advertising campaigns are now in process, with a network radio program for Lyons Brand Evaporated Milk being considered. This product is currently being serviced via radio with a script show, "The Mad Hatterfields," over WLW and WHN.

William T. Hamilton has joined Lennen & Mitchell in an executive capacity, primarily to service the new account. He was formerly with Lord & Thomas, which agency formerly handled the Nestle account.

Renew "Interviews" Show for 52 Weeks

Cummer Products Co., sponsors of "Sidewalk Interviews" with Wally Butterworth and Parks Johnson, have renewed the program for 52 weeks, to Jan. 24, 1939. The series is presented Tuesdays on the NBC Basic Red and Red Mountain networks. Stack-Goble, Inc., is the agency.

Several Deals Closed by WHO

Des Moines, Jan. 27.—New business signed by WHO includes: Zanol Products Co., Cincinnati, for 24 periods of 15 minutes each, musical clock, Monday through Friday, 8:15 A.M.; Holland Furnace Co., Holland, Mich., 40 periods of one minute each, through Ruthrauff & Ryan; Fellows Medical Mfg. Co., 312 30-word periods, through Nelson Gilliam Co.; Gamble Stores, Minneapolis, six 30-word periods per week, indefinite period, through Batten, Barton, Durstine & Osborne; Paxton & Gallagher (Butternut Coffee) Omaha, 208 periods of 30 words each, through Buchanan-Thomas.

RCA to Cancel Two Programs

RCA will cancel both of its evening musical spots on WEAF and WJZ. The WEAF program, Thursdays from 11 to 11:30 P. M., will go off Feb. 3; the WJZ show, Saturdays from 8 to 8:30 P. M., will close March 5. The shows were instituted some 13 weeks ago.

Radio Personals

FRANCIA WHITE will return here from Hollywood Feb. 25 to make recordings for Rexall, through a deal consummated by 'phone yesterday by agent Ben Lipset. . . Bette Davis will be the feature [illegible] on "Your Hollywood Parade" Fe[illegible] 2 . . . Constance Keene, 16-year-old protege of Abram Chasans, will be presented on the latter's NBC show Feb. 5. . . . Enrico Caruso, Jr., son of the famous singer, will make a guest appearance on the "For Men Only" program Monday. . . . Wilbur Stark, WMCA salesman, leaves for Philadelphia tonight for business.

◆

William A. Hillpot, manager of broadcast bookings at NBC, was married yesterday to Rosita Reachi, the original Rosita of the dance team Ramon and Rosita. . . Kreuger Beer is auditioning talent for a new program. No time or network has been selected yet. Frank Novak's band, however, is believed to have been signed for the show. . . Dick Wallace and Arthur Scanlon, script writers have been signed by Louis S. Marchiony, president of the ice cream company, to pen a series of stories for radio transcriptions. . . Dorothea Lawrence has been awarded the Jane Manners Medal for Good Diction. . . Charles Shonnesy, city editor of the *Atlanta Georgian,* who captured a murderer last July, will be the guest of Charles Martin in the "Front Page" presentation of the "Johnny Presents" show tomorrow. . . Jack Dempsey will speak on the "People's Medical League Program" over WOV-WBIL Jan. 31.

Riley Heads WJAS Orchestra

Pittsburgh, Jan. 27.—Luke Riley, veteran Pittsburgh musician and pianist, has been signed by WJAS-KQV to direct the new staff orchestra at the combined stations, under the new agreement with the musicians' union. The other stations signed their leaders several weeks ago, Maurice Spitalny at KDKA, Earl Truxell at WCAE and Ken Martin at WWSW.

Barber South on Baseball

Cincinnati, Jan. 27.—Red Barber, WLW and WSAI sports announcer, will leave Feb. 12 for Tampa, to spend the training season with the Cincinnati Reds and other major league clubs. While there, Barber will make a series of transcriptions to be broadcast over both the local stations.

Trexler Joins WCPO Staff

Cincinnati, Jan. 27.—Lawrence Trexler, recently with WNOX, Knoxville, CBS outlet, has been added to the staff of WCPO, local *Cincinnati Post* station, as news commentator.

Perry to Join General Mills

Cincinnati, Jan. 27. — Norman Perry, Jr., sports announcer on WLW and WSAI, will leave the Crosley stations Feb. 1, to go with General Mills as baseball announcer.

Hamaker Promoted at WKY

Oklahoma City, Jan. 27.—George M. Hamaker, formerly assistant continuity director at WKY, is now director, succeeding E. C. Sutton, who retired because of illness.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 43. NO. 24 NEW YORK, SATURDAY, JANUARY 29, 1938 TEN CENTS

New Season's Selling Gets Earlier Start

Obtain Commitments on Past Performances

Selling of contracts for 1938-'39 product has been under way since last month, which is considerably earlier than usual and intensifies a trend that has been apparent in recent years, it was learned yesterday.

Some of the major companies have been obtaining commitments for next season on the basis of past performance, this particularly applying in cases where circuits and exhibitors have made purchases of 1937-'38 product several months after the season started. In such instances the deals also may include contracts covering the new season.

Indicative of the trend is that 20th

(Continued on page 2)

Film Import Duties Increased in Mexico

Mexico City, Jan. 28.—Film apparatus and raw stock are heavily affected by increased import duties on many luxury and socalled non-essential articles, now in effect for the announced purpose of reducing purchases abroad and to strengthen Mexican currency at home and in relation with the American dollar. The new duties are for two periods—one very high until April 30, the other from May 1 until further notice. The tariffs which particularly affect the film industry are:

All apparatus, each piece of which

(Continued on page 4)

Dawes, Dunn Named To RCA Directorate

General Charles G. Dawes and Gano Dunn, the latter president of the J. G. White Engineering Corp., were elected to the board of directors of RCA at a regular board meeting held yesterday. They will fill vacancies created by the deaths of Frederick Strauss and Newton D. Baker.

General Dawes and Dunn also were elected as directors of NBC at a meeting of the NBC board held yesterday. Elected also as a member of the NBC board was Dr. James Rowland Angell, former president of Yale University and now in charge of educational program development for the company.

Radio—Page 4

"All Right, Harvey"

Oklahoma City, Jan. 28.—Frank McCabe, manager of the Criterion, won dismissal in Police Court on a charge of tacking signs on city property, to wit: "Stop" signs advertising a picture.

McCabe was arrested over the telephone by Sergeant Harvey Housh. The sergeant said: "Frank, you're under arrest. Be in court at 9 A.M. tomorrow."

He was.

Form Council for Film Advertising

Colorado Springs, Jan. 28.—Sixteen prominent advertising men and theatre executives have accepted membership in a newly-organized National Advisory Council for Screen Advertising, formed to develop the full possibilities of the screen medium.

The council was formed by J. Don Alexander, president of the Alexander Film Co. here, and chairman of the board of General Screen Advertising, Inc., to align commercial film operations with the needs and desires of advertisers and exhibitors.

The council, which will have a rotating membership, will pass judgment from time to time on current national screen campaigns, appraising them in terms of audience and merchandising appeal. Opinions also will be rendered on trends in screen advertising.

Initial members of the council are: John K. Turner of the James H. Turner Co., Chicago; C. C. Cheadle of the Ford Motor Co., Detroit; Ralph Locke of Tracy-Locke-Dawson, Inc., Dallas; Robert T. Ranking of the William H. Ranking Co., New York, and T. T. McCarty of the McCarty Co., Los Angeles, all advertising men, and E. C. Beatty of the Butterfield

(Continued on page 4)

Stars to Entertain At Waldorf Tonight

Among the entertainers scheduled to appear at the President's Birthday Ball at the Waldorf-Astoria tonight are: Sonja Henie, George M. Cohan, Lucy Monroe, Bill Robinson, Ed Wynn, Jane Pickens, Ethel Merman, Jack La Rue, Ruth Gordon, Milton Berle, Ben Bernie, Stoopnagle & Bud, Cab Calloway, Al Sheehan, Kitty Carlisle, Vince Barnett, Benay Vonuta, Arthur Tracy. The Music Hall Glee Club, Richard Himber, Stuart Allen, Alice Marion, Genevieve Rowe.

Also, June Lang, Alice Coronet,

(Continued on page 4)

Dufaycolor Plans Large Plant Here

A plant costing $500,000 equipped to handle color film will be built this year in New York, according to present plans of Dufaycolor, Inc., it was said yesterday by Pierpont Morgan Hamilton, president.

Hamilton, who is a nephew of J. P. Morgan, said economy and simplicity are the chief advantages of the Dufaycolor process. The company wants to be assured that it can provide adequate service to the industry before it approaches film companies, despite demands from Hollywood producers that it make its color process available, Hamilton declared. Hamilton, who obtained practical experience in production, spent two years with RKO in Hollywood.

Dufaycolor, Inc., is a subsidiary of Dufay Chromex, Ltd., in London. When the American company starts operations it will be a separate or-

(Continued on page 4)

Film Leaders to Be At O'Shea's Dinner

Buffalo, Jan. 28.—A number of out of town guests will attend the testimonial dinner at the Hotel Statler here Monday night in honor of E. K. (Ted) O'Shea, recently appointed M-G-M eastern district head, and Ralph Maw, new branch manager, who succeeded O'Shea here. The party is sponsored by the Variety Club of Buffalo.

Among those expected are: W. F. Rodgers, T. J. Connors, Jack Bowen, New York; Ralph Pielow, Moe Silver, Max Friedman, Ralph Crabell, Albany; E. M. Booth, Cincinnati; J. E. Flynn and F. J. Downey, Detroit; F. D. Drew, Dave Miller, Cleveland; J. J. Maloney, Nick Dickson, Pittsburgh; John Nolan, Col. Spiegel, Scranton; Tom Walsh, Binghamton; Eddie McBride, Syracuse; Meyer Schine, Gloversville; Myron and S. J. Kallet, Oneida; Jack and Harry Bernstein, Ithaca.

"Boy of Streets" Up To $10,800 1st Week

"Boy of the Streets" grossed $10,800 in its first week at the Globe, which is more than 100 per cent better than the theatre's usual business, according to the management. The Globe is billing it as "Boys of the Streets." It will conclude a second week next Friday.

"The Hurricane," in its first popular price run following the Astor roadshow, continues strong at the Rivoli. It garnered $28,000 in the second week, following a $35,000 first week. The picture will go a third stanza at the Rivoli and has been held

(Continued on page 4)

Expect Action On RKO Posts In a Few Days

Spitz Favors Berman for Studio Head, He Says

RKO theatre and studio management appointments are expected to be decided during conferences here within the next 10 days or two weeks, Leo Spitz, president of the company, said yesterday on his arrival in New York after two months of studio supervisory work and four weeks of conferences with financial and Federal court associates of the company on the coast.

Spitz indicated that Pandro S. Berman, who is in charge of the studio in Spitz's absence, is favored for production head of the company, and that "someone from within RKO theatre ranks" is preferred for the post of operating head of the circuit. He made it clear, however, that no decision on appointments to either post has been made yet and that the designations are subject to the results of the conferences which have been transferred from the coast to New York.

Official sources other than Spitz indicated that Berman continues to be

(Continued on page 4)

Detroit First Runs Reduce Price Scale

Detroit, Jan. 28.—Four local first run houses, the Fox, Madison, United Artists and Michigan, have lowered their evening prices by 10 cents, from a 75-cent top to 65 cents. The State and Adams are retaining their top of 50 cents. Business has been generally weak here for some weeks.

The higher prices were adopted about three months ago, but in view of the number of automobile workers out of employment here, it was decided to lower the admission in an effort to stimulate business. It was indicated that a number of subsequent run houses, which followed the first runs in raising admissions five to 10 cents, will be forced to return to the former levels.

T.M.A.T. Ultimatum Has Feb. 15 Deadline

Demand for recognition has been submitted to theatres in the Times Square district and to the Loew and RKO circuits, it was stated last night by the Theatrical Managers, Agents and Treasurers Union. Gustave A. Gerber, attorney for the union, said that Feb. 15 has been set as the dead-

(Continued on page 4)

MOTION PICTURE
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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
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Board of Censors for Omaha to Be Named

OMAHA, Jan. 28.—A city welfare board for censorship of films, books and stage plays will be appointed soon by Mayor Dan Butler, who has been in the spotlight the past year for his active censoring of pictures, literature and shows.

Butler said he would revive the welfare board after he clashed with prominent club members over a marihuana picture at Augie Herman's Muse Theatre. The club approved the film, but Butler ordered it not shown. Later welfare officials approved the film and it was shown.

In an announcement in newspapers, Butler said, "Theatre ads had better be more circumspect or I can extend my censor powers to them, too."

Seek "Ecstasy" Ban Stay

PORTLAND, Ore., Jan. 28.—An injunction suit to restrain the Portland censor board from interfering with the exhibition of "Ecstasy" has been filed here by W. G. Smith of Jewel Productions Co. It is alleged that the censor board refused to permit the City Council to view the picture as required by city ordinance.

Purely Personal

AL WHEELER, M-G-M branch booker, will arrive today in Boston to handle the booking there. He is replaced by HARRY MARGOLIES, formerly manager in Charlotte, who is succeeded by W. A. LEWIS.

•

TOMMY KELLY, Selznick International's "Tom Sawyer," tomorrow will return to New York, his home town. Tonight he will attend the President's Birthday Ball in Washington.

•

ROY HARRIS of Greenville, S. C., winner of the $5,000 prize for naming M-G-M's "Of Human Hearts," is en route to the studios to receive the award.

•

JACK ELLIS, recently elected president, and other new officials of the Motion Picture Associates will be installed at a luncheon at the Hotel Astor next Tuesday.

•

EVELYN COLEMAN, secretary to AL ADAMS at Republic, left yesterday for a vacation in Havana, to return in two weeks.

•

LEON SCHLESINGER is here for Warner conferences which are said to concern his making a feature length cartoon for the season 1938-39.

•

HENRY FONDA on Tuesday will leave by train for the coast where he is scheduled for a starring role in "The River Is Blue."

•

GARY and MRS. COOPER and DOLORES DEL RIO and her husband, CEDRIC GIBBONS, will sail today on the *Roma*.

•

BARNEY BALABAN, Paramount president, left yesterday for a Nassau vacation, to be gone about three weeks.

•

GEORGE PRATT, Erpi west coast manager, left for Hollywood last night after a 10-day visit here.

•

HARRY GOLDBERG, Warner theatre advertising head, was in Washington yesterday.

•

ALAN MOWBRAY will leave for the coast tomorrow. His next picture for HAL ROACH is not yet set.

•

MEL HEYMANN of M-G-M will return tomorrow from Washington.

•

A. C. BLUMENTHAL arrived in New York from the coast yesterday.

•

JUNE LANG arrived on the Century from Hollywood yesterday.

•

FLOYD ODLUM is expected back from Boston today.

Hunter to Study Films

Hunter College will launch a new course, "A Survey of the Motion Picture Field," on Feb. 7. The material to be studied includes the history and development of films, photography, public relations, technicians' problems and production. Experts in the various fields have been invited to discuss their respective specialties.

New Season's Selling Gets Earlier Start

(*Continued from page 1*)

Century-Fox has been selling in advance of next season and that it has set its national sales convention for around April 1, more than a month earlier than is customary with the company. The meeting will be held in Kansas City. This company has been holding its national conventions late in May.

John D. Clark, vice-president of 20th Century-Fox in charge of distribution, said yesterday that the company has no set season for selling, that this activity is always under way and that early selling has been a practice with the company for the last five years.

"There is no particular reason, except our reputation with exhibitors on the basis of their experience with us in prior years," Clark asserted. He said that details of the new season program would not be divulged prior to the convention. The company is expected to schedule 57 features, the same as currently, in addition to a program of one-reelers, probably 52. Educational's releasing contract with 20th Century-Fox will expire next August and the distributing company will have its own shorts.

Franchises, 2 to 5 Years

W. J. Kupper, 20th Century-Fox western division manager, said product franchises are being made for periods of from two to five years.

Ned E. Depinet, president of RKO Radio, said that while his company has not launched any selling for next season, he could see a definite reason why some companies would be inclined to do so at this time.

"When business is off, the distributors like to assure themselves of sales for next season," he said. "When conditions are good, they are more disposed to wait, feeling that the business will be obtained anyway."

Depinet did not think that the companies selling early, such as 20th Century-Fox, would have a great advantage over the others, for the reason, he said, that comparatively few exhibitors switch their playing time to companies other than those with which they have dealt in previous seasons. The exhibitors who switch do so because of some dissatisfaction with their deals or because they are "disgruntled," he said.

Depinet Cites Early Selling

"The trend in recent years has been to sell early," Depinet continued, "And why not? If an exhibitor is satisfied with a company's product performance, why should he not make early commitments for the next year?"

He pointed out that exhibitors can buy with a certain degree of assurance since each company knows pretty much in advance the numerical strength of its new season program, this ordinarily changing little from year to year.

Depinet also said that in cases where exhibitors hold off buying until late in the season, the tendency has been to sell them the future year's program as well as the current one. program in addition to the current one.

Commons Committee To Resume Thursday

By AUBREY FLANAGAN

LONDON, Jan. 28.—The House of Commons Committee on the Films Bill will reconvene next Thursday, at which time a decision is expected on the controversial alternative quota plan as proposed by Oliver Stanley, president of the Board of Trade. The proposal is believed virtually dead alr[illegible] as a result of the coolness of the pro[illegible] toward it, and the strongly voiced opposition from many quarters.

Grahame White has proposed a tax on foreign films which would vary in accordance with the number of showings of the films. Awaiting approval by the Commons committee are clauses determining the labor costs of films produced, specifying the legal commitments of distributors, defining the terminology of the act, and the like.

It is understood that the Board of Trade has expressed a willingness to consider representations made as a result of the present film shortage and the inability of distributors to meet their present quota requirements. It is suggested the difficulty might be met if the quota is reckoned for 12 months, instead of six months of the first year of the act as stipulated.

Kansas Session Called

KANSAS CITY, Jan. 28.—A special session of the Kansas Legislature was called on Tuesday by Gov. Walter A. Huxman for Feb. 7. Revision of the social security laws and the two per cent sales tax in order to provide more relief funds is the purpose of the session. However, the Governor has no power to limit legislators.

Kansas to Levy Penalty

KANSAS CITY, Jan. 28.—Beginning in February, the Kansas Tax Commission will invoke the 10 per cent penalty on sales tax returns not filed by the 20th of the month. The penalty has been waived until retailers became accustomed to the routine.

Wall Street

Board Closings Uneven

	Open	High	Low	Close	Net Change
Col.	12⅝	12⅝	12	12⅜	— ⅜
Col. pfd.	32¼	32¼	32¼	32¼	.....
Cons.	1⅝	1⅝	1½	1½	.....
Cons. pfd.	5¾	5¾	5¾	5¾	— ⅛
E. K.	156	156	155½	156	+ ½
G. T. E.	11	11	10⅝	10⅝	— ⅝
Loew	46	47	45½	46¼	+ ½
Loew, pfd.	105	105	105	105	+ ½
Para.	9⅞	10⅛	9½	9⅞	+ ⅛
Para. 1	85	85	85	85	—1
Para. 2	10	10	9⅞	9⅞	— ⅛
Pathe	5½	5½	5½	5½	.....
RKO	4⅛	4⅛	4	4⅛	— ⅛
20th Fox	22¼	22½	21¾	22	— ½
20th, pfd.	30¼	30¼	30¼	30¼	+ ¼
W. B.	6⅛	6¼	5⅞	6	.....

Light Curb Movement

	Open	High	Low	Close	Net Change
G. N.	11/16	11/16	⅝	11/16	—1/16
Sentry	5/16	5/16	5/16	5/16	.....
Sonotone	1⅜	1⅜	1⅜	1⅜	— ⅛
Tech.	17½	17½	16¾	17½	+ ¼
Trans-Lux	2½	2½	2½	2½	.....
Univ. Corp.	3	3	3	3	.....

Para. Bonds Gain

	High	Low	Close	Net Change
Loew 3½s '46	98⅝	98¼	98¼	+ ⅛
Para. B'way 3s '55	59½	59½	59½	— ½
Para. Pict. 6s '55	72⅛	71⅜	72	+ ⅝
W. B. 6s '39	74	73¼	73¾	— ¾

(Quotations at close of Jan. 28)

"TEN BEST" ON EASTMAN FILM EXCLUSIVELY

EVERY one of the "Ten Best Pictures" selected in the 1937 critics' poll of the *Film Daily* was "shot" on Eastman Super X Panchromatic Negative .... Release prints for all ten were made on Eastman Positive .... An impressive double demonstration of Eastman's current contributions to motion picture quality. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *Positive* and *Super X Negative*

▸ Radio Personals ◂

HAROLD J. ROME, "Pins and Needles" lyricist, will be the guest of Doris Smith over WNEW Tuesday at 4:30 P. M. . . Lee Grant has signed Brook Martin to sing with his orchestra on WMCA's "Grandstand and Bandstand." . . Lawson Zerbe, of many script shows, has been signed by Carleton Alsop. . . Milton Douglas and Priscilla have been signed to make a Warner short. They've been heard on the networks as guests on the Vallee and other shows. . . Frankie Basch of WMCA has been elected an honorary member of the Women World War Veterans.

✦

Frank Parker has been set for a singing date on the Al Pearce show Feb. 8. Fanchon & Marco arranged the deal. . . . Tony Gale, arranger for Jack Miller's band on the Kate Smith hour, became the father of a baby boy yesterday. . . . Maurice M. Boyd, station sales manager; Betty Goodwin, fashion editor, and J. K. Mason, merchandising manager, all of NBC, will speak at the National Dry Goods Convention Feb. 3 at the Hotel Pennsylvania.

Named WCKY Music Director

CINCINNATI, Jan. 28.—Staff changes in local studios, occasioned by the recent settlement with radio musicians, include appointment of Johanna Gross, former theatre and radio organist, as director of music at WCKY. Ruth Lyons has been transferred from program director to director of music at WKRC, CBS wholly-owned affiliate. J. Fielden, accordionist, has been added to the staff, with another musician scheduled to join shortly. WCPO, Scripps-Howard station, operated by the *Cincinnati Post*, has taken on Harry Ogden, organist. WLW and WSAI, Crosley stations, employ musicians considerably in excess of the number stipulated by the union.

Union Oil Renews KGO Program

SAN FRANCISCO, Jan. 28.—"Thrills," half-hour music and dramatic show sponsored by Union Oil Co., has been renewed for 52 weeks over KGO. "Hollywood Reporter" has been extended 13 weeks for Howe's Hand Lotion. Other new KGO accounts include General Cigar Co., Inc., M. J. Breitenbach Co., Regal Amber Brewing Co., and Procter and Gamble for Dash Soap Powder.

F. & M. to Represent Healy

Fanchon & Marco radio department has been retained by Capt. Tim Healy, former network star, and Johannes Steel, commentator now on WMCA, to represent them in radio.

Write Book on Broadcasting

"Both Sides of the Microphone," new book on radio broadcasting written by John Hayes and Horace Gardner, will be published Feb. 17. Hayes is assistant production manager at WOR; Gardner is author of books for children.

Scott Joins NBC Sales Staff

Walter D. Scott, formerly of the Hearst Radio, Inc., sales staff, has joined NBC as an eastern division salesman.

Speech Campaign

Montreal, Jan. 28.—The stir caused recently by public protests against the diction of Canadian radio announcers has prodded the Canadian Broadcasting Corp., into action and on Feb. 1 it will inaugurate a campaign for better English, with a radio address by W. H. Brodie, coach to announcers, to be heard over the national network from 7:45 to 8 P.M.

Horner Heads 2GB, Australia Station

SYDNEY, Jan. 6.— (*By Air Mail via London*).—H. G. Horner, N. S. W. manager, has resigned from the Australian Broadcasting Commission to become general manager of 2GB, Sydney, and the controlling company, Broadcasting Services Association. Horner has replaced A. E. Bennett, resigned. Since the latter's departure, 2GB affairs have been handled by a management committee consisting of R. E. Denison and Frederick Daniell. Daniell then acted on behalf of Sir Hugh Denison, chairman of Broadcasting Services Association, Ltd., and Australian film producing interests.

Horner is an outstanding figure in Australian broadcasting. Other changes in the personnel of 2GB and 2UE (also controlled by B. S. A.) are the appointment of D. R. Armstrong from 2UE to be assistant manager of B. S. A. Reg. Kelly, former publicity manager of Paramount, has assumed similar duties with the Broadcasting Services Association.

Renew Show Over KFSD

SAN DIEGO, Jan. 28.—"The Spelling Bee," a half-hour Sunday afternoon contest sponsored by the Davis Optical Co., has been renewed for an additional 13 weeks over KFSD, NBC affiliate, beginning Jan. 30. The Walter Biddick Agency of Los Angeles handles the account.

The Consolidated Gas & Electric Co., through the Ed Davidson Agency, will start a new 13-week series of 15-minute transcribed programs over KFSD, beginning Feb. 7.

Oneida Signs WGY Contract

SCHENECTADY, Jan. 28.—Oneida, Ltd., has signed with WGY for 13 weeks of daily electrical transcriptions, 15-minute periods, through Batten, Barton, Durstine & Osborn.

Other WGY accounts include Ocean Spray Co., transcriptions for 13 weeks, through Harry M. Frost agency; Thesaurus transcriptions for Harvey Whipple Co., through Willard G. Myers, and spot announcements for Gude's Pepto-Mangan, through Morse International.

Italy Air Listeners Doubled

ROME, Jan. 16.—The number of radio listeners in Italy has doubled since 1933. Official statistics reveal that there are 795,000 licensed radio receiving sets in Italy, as compared to less than 400,000 in 1933.

Warners Sponsor Organ Program

ALBANY, Jan. 28.—Warner theatres are sponsoring studio organ recitals by Floyd Walter Thursday mornings over WOKO.

Expect Action On RKO Posts In a Few Days

(*Continued from page 1*)

a preferred choice for the studio post, but that his own unwillingness to assume the added responsibilities in addition to his personal production work remains a barrier. Berman's views are reported to have sympathetic support in official quarters which feel that his production commitments require his undivided attention.

All Candidates Considered

The coast conferences which were participated in by Floyd B. Odlum, head of Atlas Corp.; Peter N. Rathvon, financial associate of Atlas; John D. Hertz of Lehman Bros.; Andrew C. Christensen, representative of Irving Trust Co., RKO trustee; O. C. Doering, Jr., of counsel to the trustee; Edwin Weisl, Atlas attorney, and Spitz, canvassed the entire field of available possibilities for the studio post and narrowed the list of eligibles down to the smallest possible number. The choice will be made from those remaining on the list.

Because of the general nature of the discussions in exploring all possible candidates for the post, no decision was possible during the coast sessions, it was stated.

Of the theatre operating appointment, Spitz said only that several candidates were under consideration and that, other factors permitting, he preferred an appointee from the ranks.

To Discuss Reorganization

Reorganization affairs will also be discussed here. Spitz said that the reorganization of RKO appeared at this time as though it would be "a long-drawn-out affair," but declined to predict a date for its completion. He said that reports that J. R. McDonough would assume a studio post were news to him and applied the same phrase to other reports that he contemplated withdrawing from RKO to resume his law practice in Chicago.

Spitz was met at Grand Central station by Barney Balaban, president of Paramount; Spyros Skouras, and Abe Lastvogel of the William Morris office.

Stars to Entertain At Waldorf Tonight

(*Continued from page 1*)

Walter Cassel, Sylvia Froos, Cesar Romero, Blanche Ring, Tony Wons, Jack Whiting, June Clyde, Bob Schaeffer, Doris Rhodes, Hollace Shaw, Frank Parker, Vera Brodsky, Gabriel Heatter, Haven MacQuarrie, Phil Regan, Lou Holtz, Orson Wells, Nadino Conner and Danzi Goodelle.

The box holders include Lenox R. Lohr, Alfred J. McCosker and William S. Paley, and Mrs. J. Cheever Cowdin is one of the patronesses.

"Boy of Streets" Up To $10,800 1st Week

(*Continued from page 1*)

in 103 of the 105 current engagements, according to U. A.

Business at the Astor for the two-a-day showing of "In Old Chicago" was reported as bigger this week tha the second.

"Bordertown," Warners' reissue garnered $9,000 at the Criterion.

March of Time's "Inside Nazi Germany—1938" is a second week holdover at the Embassy and at the Newsreel Theatre in Newark, both operated by the same management. This is the first time in the history o these theatres that a film has bee held. Public interest resulted in ne attendance and gross records.

Form Council for Film Advertisin

(*Continued from page 1*)

Theatres, Inc., Detroit; H. F. Kinc of Wilby-Kincey Theatre Enterprise Charlotte, N. C.; Harry Brandt Brandt Theatres, Inc., New Yor Verne Taylor of the T. & D., J Enterprises, San Francisco; Fr Wehrenberg, president of the M.P T.O. of St. Louis; George Ma Redwood Theatres, Inc., San cisco; O. K. Mason of Commonweal Amusement Corp., Kansas City; R. Isley of Southwestern Theatre Inc., Tulsa; Frank D. Rubel Pioneer Theatre Corp., Des Moine E. H. Rowley of Robb & Rowl Theatres, Inc., Dallas, and Willia Boxer of Johannesburg, South Afric Alexander Film Co. distributor.

Dufaycolor Plans Large Plant Her

(*Continued from page 1*)

ganization, Hamilton said. To da the company has been devoting i chief attention to still color photog raphy, but has been experimentin with motion picture color. Two motio picture shorts and the newsreel of th coronation were made with Dufaycolo in London.

In addition to Hamilton, the off cers are: Alton A. Brody, vice-pres dent and general manager; Dr. Thorne Baker, research director Carl L. Oswald, technical sales co sultant; William A. Smith, treasure These constitute a new managemen

Film Import Duties Increased in Mexic

(*Continued from page 1*)

weighs up to 20 kilograms, forme rate, 28 cents the net kilogram; rat up to April 30, 83 cents the net kilo gram; from May 1, 70 cents.

Blank films, even those for to machines, former rate, 14 cents th gross kilogram; up to April 30, 4 cents, and from May 1, 21 cents.

Radio receiving sets, with cabine 34 cents (net kilogram), until Apri 30, 98 cents; from May 1, 70 cents without cabinet, 11 cents, 56 and 28 transmitters, 11, 28 and 22 cents bulbs, 1.5 cents (each), eight cents four cents.

T. M. A. T. Ultimatum Has Feb. 15 Deadlin

(*Continued from page 1*)

line for the acceptance of agreement granting recognition and that theatres refusing to accept by that tim will face a walkout.

The strike of 14 box-office treasurers at Madison Square Garde called by the union on Thursday wa settled last night.

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and
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Picture
Industry

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Branch Fire Loss $4,447 In 12 Years

MPPDA Report Indicates High Safety Record

The loss from fire in major com- ny film exchanges during the past years amounted to only $1 in ch $48,000 of print value handled the exchanges in that length of ne, it was shown in a report com- eted on Saturday by the M. P. D. A.

In the 12-year period a total of ly 11 fires occurred in the more an 250 exchanges covered by the port. The aggregate fire loss was ly $4,447, whereas the print value the films handled by the exchanges conservatively estimated at $218,- 0,000. The exchanges estimate that

(Continued on page 2)

Half of Canadian Programs from US

TORONTO, Jan. 30.—Examination of e program schedule of the leading overnment-owned broadcasting sta- ons in Canada reveals that 44.5 per ent of all programs offered Canadian steners originate in the United States

Additional radio developments on pages 6-7.

n the form of commercial "time" hrough hookups with NBC, CBS or Mutual.

The largest percentage of American rograms on the Canadian air is found

(Continued on page 6)

It Never Rains . . .

It all happened to Larry Menkin, the CBS writer-director on the "Tish" program, based on the Mary Roberts Rinehart stories.

Menkin had ptomaine; orchestra leader Leith Stevens was ill; the arranger had a conflicting schedule and worked another program, which meant that the second violinist led the band, and cast changes were effected an hour before air-time because an actor got the jitters and went up in his lines continuously. By the time they went on the air, there was more than ptomaine disturbing Menkin.

Film Duties Will Figure in Canada Trade Treaty Talks

WASHINGTON, Jan. 30.—Films and theatre equipment will be included in discussions of a new reciprocal trade agreement with Canada on which public hearings are scheduled to begin April 4.

Negotiation of a trade treaty between the United States and Great Britain makes necessary a revision of the Canadian treaty which has been in effect for the past two years. Briefs and requests to be heard must be filed in Washington by March 12.

The present Canadian trade treaty did not affect the three-cent-per-foot tariff on film sent into Canada, which has been in effect for many years. The Canadian tariff on film brought in from the United Kingdom is only one and one-half cents per foot. Due to the fact that it has been possible to have prints made in Canada, the three-cent tax has not been an undue burden on American film companies in the past, but the increasing number of color productions, the prints of which must be made in the U. S. due to the lack of Canadian color printing facilities, is making the three-cent tariff increasingly costly.

The present treaty reduced the former 30 per cent Canadian ad valorem tariff on raw stock to 25 per cent. The old tariff on theatre equipment varied according to specific items. The trade treaty set a uniform 15 per cent tariff, effecting a total reduction of about 29 per cent. The Canadian tariff on advertising and printed matter formerly was 15 per cent, then was reduced to 12½ per cent, on the basis of pounds sterling, by the trade agreement.

All or most of these items may be involved in readjustments in the negotiation of a new treaty with the Dominion Government. Canada does not have a quota law on films.

Four A Board Meets Today on Guild Tilt

The board of directors of the Associated Actors & Artistes of America will convene again today in an effort to resolve internal strife which threatens the continued affiliation with it of both the Screen Actors' Guild and the American Federation of Actors.

The guild, on the point of settling its differences with the parent organization last week, found them renewed and intensified after an eight-hour meeting of the board last Friday. The same meeting brought to a head recent jurisdictional problems of the A. F. A. and ended with the disclosure that that organization is prepared to withdraw from the Four A's and seek an I. A. T. S. E. affiliation if its claims to jurisdiction over night club and presentation house entertainers do not receive what it regards as fair treatment within the Four A ranks. Cho-

(Continued on page 7)

Cravens to Discuss Broadcasting on Air

The study of the social and economic aspects of broadcasting, prepared by Commander T. A. M. Cravens while he was chief engineer of the F. C. C., will be discussed by its author over the CBS network Feb. 5, from 10:45 to 11 P. M. The report was made public recently by Frank R. McNinch, chairman of the F. C. C.

The report reaffirms faith in the American system of broadcasting, emphasizes the need of retaining free speech and stresses the value of preserving competition among stations and networks. It will be Commander Craven's first broadcast.

20th-Fox to Repeat Sales Meets Abroad

Annual European and British sales conventions in Paris and London are planned by 20th Century-Fox, as last year. The meetings will be held late in April or early in May.

Sidney R. Kent, president, is expected to attend and there is a possibility that Darryl F. Zanuck will also be present to outline the production schedule for next season. Zanuck's plans are indefinite but he may visit Europe next spring while on an extended vacation prior to starting next season's production.

While in London Kent will confer with Robert T. Kane, head of New World Productions, on the British pictures to be released through 20th Century-Fox.

Rogers Fund to Help Many Philanthropies

A percentage of the fund collected during the Will Rogers National Theatre Week will be devoted to the aid of handicapped children in institutions throughout the country and other philanthropies will also share in the proceeds. The policies in this connection will be decided by the Will Rogers Commission after the collections have been made in theatres during the week of Apr. 29.

The chief beneficiary of the Rogers fund to date has been the Will Rogers Memorial Hospital at Saranac Lake, N. Y. The commission also has endowed a ward in the French Hospital, New York, and has purchased a tract in Kensico Cemetery, Westchester County, N. Y.

Warners Plan To Refinance Next Summer

Debentures and Part of Preferred Included

Warners plan to make application to the Securities and Exchange Commission next summer for approval of a refinancing program which will include the outstanding $30,700,000 of optional six per cent convertible debentures and a substantial part of the preferred stock.

The debentures, according to the plan, will be replaced by an issue of new debentures and the holders of the preferred stock will be offered common stock in return for the redemption value of their holdings, plus the accumulated dividend.

Details of the plan will not be made known until shortly before the application is submitted to the S.E.C., the company said Saturday. The 10-year debentures were issued in 1929 and will mature Sept. 1, 1939. They were issued in denominations of $500 and $1,000.

The exchange of common stock for preferred will be to meet arrears in dividends on the preferred, which totaled $22.13¾ per share on Dec. 1, 1937. There were 103,107 shares of

(Continued on page 7)

Recession Blows Up For Broadway Spots

Signs of prosperity were evident at some of the theatres on Broadway Saturday, particularly at the Music Hall, where "Snow White and the Seven Dwarfs" was reported to have garnered $32,000 in the first two days of the third week, higher by $5,000 and $4,000 than the first two days of the preceding weeks, respectively.

It was decided on Saturday that the

(Continued on page 7)

Westward Ho!

S. Charles Einfeld, in a formal statement issued over the weekend, confirmed reports he would spend half of each year on the coast supervising publicity, advertising and exploitation from the studios.

It was definitely stated that no other east to west moves were contemplated by Warners.

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DAILY
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Legion Approves 9 Of 10 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved nine of the 10 reviewed, classing four as unobjectionable for general patronage, five as unobjectionable for adults, and calling one objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"The Daredevil Drivers," "Everybody Sing," "Hawaiian Buckaroo," "Love on a Budget." Class A-2, Unobjectionable for Adults—"Bordertown," "Happy Landing," "Look Out for Love," "Penitentiary," "Swing Your Lady." Class B, Objectionable in Part—"The Rat."

Film "American Way"

The National Defenders, non-partisan national organization, have produced a film called "The American Way," dealing with the system of banking checks and balances. The one-reel picture is available without charge.

World Takes "Illusion"

World Pictures has acquired the American distribution rights to "Grand Illusion," French film.

Purely Personal

Henry Fonda, who will co-star with Madeleine Carroll in the Walter Wanger film, "The River Is Blue," will leave for the coast tomorrow. Leo Carrillo has been signed for a featured comedy role. William Dieterle will direct.

•

Ben Miggins, Continental European representative for 20th Century-Fox, will leave Wednesday on the *Berengaria* for Paris after several weeks here. C. V. Hake, assistant foreign manager, is due to sail from the coast on Thursday for Australia. W. J. Hutchinson, general foreign manager, is now in Cuba on the first leg of a Caribbean and South American tour.

•

John D. Clark, 20th Century-Fox vice-president in charge of distribution, plans to return here March 10 from Florida prior to leaving for the coast with Sidney R. Kent to set the new season's plans.

•

Rick and Mrs. Ricketson departed for the west Saturday night after more than a week in N. Y. Ricketson planned to stop over in Nebraska before proceeding to his headquarters in Denver.

•

Tom Connors, M-G-M division manager, is due to return from a tour of southern exchanges today and will attend the Ted O'Shea-Ralph Maw testimonial dinner in Buffalo tonight.

•

Leon Schlesinger, Warners cartoon producer, is due on the coast today. He left here over the weekend after home office conferences.

•

John Henderson has been appointed casting director of Jam Handy Picture Service. He was formerly with Rockwell-O'Keefe.

•

Joe Weil and Sidney Singerman are collaborating on "Leviathan," a story based on the last voyage of the famous ship.

•

Les Whalen of the 20th Century-Fox foreign department is expected back from the coast about the middle of February.

•

Arthur A. Lee, G. B. general manager, returned yesterday from a business trip to New Orleans and Atlanta.

•

Darryl F. Zanuck has purchased the screen rights to Peter B. Kyne's story, "Corncob Kelly's Benefit."

•

Janet Gaynor arrived from the coast yesterday and will stay at the Waldorf during her visit.

•

Nancy Carroll arrived on the coast yesterday from New York by TWA plane.

•

. . . Omaha

Meyer L. Stern of Capitol Pictures has been in New York on business. His brother, Joseph L. Stern of Minneapolis, accompanied him.

A. "Ted" Mendenhall, ill for the past four and a half months, is back at his desk. George Hinton, who has been acting as Paramount exchange manager, will stay here for a while.

Walter M. Green was visited by Ted and Mrs. Lending of the Kirkwood, Kirkwood, Mo. The Lendings are recovering from an auto accident.

Ernest N. Epley, Western Theatre Supply official, will be out of the hospital by Feb. 1 and back at his desk by April 1, doctors say, after an auto crash last October.

Walter Branson, RKO; Phil Dunas, Columbia, and J. D. Goldhar, U.A., district managers, visited Omaha exchanges in connection with current drives.

Leo McCarthy, once U.A. branch manager here and uncle of Danny McCarthy, U.A. salesman, is now a producer and was in Omaha arranging for the showing of one of his pictures.

Academy Recognizes Editors for Awards

Hollywood, Jan. 30.—The Academy of M. P. Arts and Sciences through the Research Council has taken official recognition of the Society of M. P. Film Editors, which holds a collective bargaining agreement with producers. Harold J. McCord, chairman of the Academy film editor award committee, joined with Edmund D. Hannan, president of the society, to name a joint committee to handle the Academy film editors' award selection.

Members of the committee are: Anne Bauchens, Phillip Cahn, William Holmes, Harold J. McCord and Gene Milford, representing the Academy film editors' section, and Martin G. Cohn, George Hively, Otto Meyer, Conrad Nervig and Louis Sackin of the society.

"Follies" Gets Big Premiere at Miami

Miami, Jan. 30.—The "Goldwyn Follies" had its world premiere at the State here on Friday. The opening was handled elaborately and the wintering celebrities and notables made up an interesting cross-section of sport, politics, society and the theatrical and film industry.

Among those present were: Nicholas M. Schenck, Jack Cohn, N. L. Nathanson, William Pine, Cecil B. DeMille, Arthur Unger, George J. Schaefer, Mitchell Wolfson, Vernon Duke, Georgie Price, N. B. Shanberg, James A. Farley and Beth Leary.

Expect 300 at Dinner

Buffalo, Jan. 30.—Approximately 300 reservations have been made for the testimonial dinner tomorrow night in honor of E. K. O'Shea and Ralph Maw, newly appointed M-G-M eastern district and branch managers, respectively. The dinner is sponsored by the Variety Club and will be held at the Hotel Statler.

Among others who plan to attend the dinner are Si Fabian, Dick Kearny, Sam Rosen, H. M. Addison, Lester Pollock, William Carodet and Dean Rondull.

Promote Ruth Waterbury

Ruth Waterbury, editor of *Photoplay*, has been named supervising editor for films of all Macfadden publications, including *Liberty*. She will continue actively on *Photoplay* and *Movie Mirror*.

Branch Fire Loss $4,447 In 12 Year

(*Continued from page 1*)

they receive, store or ship 27,000 fe of film daily.

Estimates of the fire losses in e changes are based on records whi show that the major company e changes handled an average of 400 fe tures annually for the past 12 yea and that an average of 200 prints each feature were in use or a tot of 80,000 prints annually. At an a erage print cost of $175, the tot print value averaged $14,000,000 p year, or $168,000,000 for the peri covered by the report. In the sar period, the print value of shorts, new reels and all other productions handl by the major exchanges is estimat at $50,000,000. Thus, of the $21 000,000 aggregate value of the prin handled, there was a loss of on $4,447 attributable to film exchan fires.

List Losses by Years

The fire loss record for the 1 year period is as follows—1926, o fire, $3,000 loss; 1927, none; 192 one fire, $25 loss; 1929, one fire, $1 200 loss; 1930, one fire, $15 los 1931, none; 1932, three fires, $ loss; 1933, none; 1934, one fire, $1 loss; 1935, two fires, $8.00 loss; 193 none; 1937, one fire, $10 loss.

The unusual record of the exchang is credited to the conservation activ ties of the M. P. P. D. A. and t constant precautions taken in indivi ual exchanges. Monthly fire inspe tions and periodic fire drills for en ployes are held, and supervisors of e change operations of member comp nies designate a branch manager each distributing center to direct e forcement of conservation measur for a six-month period, with a ne director being designated at the er of that time.

Foresee Rejection Laws in Australi

Sydney, Jan. 8.—(*By Air Ma via London*)—Industry circles are the opinion that legislation permittin a 25 per cent rejection on films bougl under contract will be passed by t Governments of Queensland, Sout Australia and Western Australia, fo lowing passage of such legislation i Tasmania, and the expected action i New South Wales.

Distributors estimate the rejectio privilege for exhibitors in New Sout Wales, Victoria and Tasmania woul cost distributors from £100,000 t £150,000 a year. The Tasmania mea ure makes no provision for qualit and does not cover British or Au tralian films. The legislation was e acted despite vigorous opposition.

Cinesound Plans Five

Sydney, Dec. 27.—Cinesound Pr ductions plan to work two units s multaneously during 1938. The pr gram covers a minimum of five fea tures and 52 newsreels. Ken G. Hal director of all the Cinesound Produc tions, has been given complete charg of the company's studio activities.

EXCLUSIVE!

SCENES OF THE ACTUAL COLLAPSE OF NIAGARA'S FAMED "HONEYMOON BRIDGE"

at no extra cost to you

in accordance with Movietone's traditional policy!*

Napoleon said, "God is on the side of the heaviest artillery." Similarly fortune favors Movietone News, whose unexcelled world coverage, personnel and equipment enable it to get all the news, better, more quickly and completely—and get it on your screen *first!* Movietone News carries on in 1938, just as in 1937—unchallenged leader in newsreels!

**** Remember the Panay? Remember***
the Coronation? Remember
the Hindenburg disaster?

MOVIETONE NEWS

Distributed by

20th CENTURY FOX

Charters in January Total 15 Companies

Albany, Jan. 30.—Recent incorporations of concerns connected with the film industry, filed with Secretary of State Edward J. Flynn, are:

National Pictures Corp., capital stock $20,000, shares $100. Directors and subscribers: Sara H. Thim, Madeline Passero and A. Joseph Handel, New York.

Number Twenty Theatre, Inc., 100 shares, no par value. Directors: Samuel S. Allan, Herbert S. Keller and Melvin A. Albert, New York.

Casey Jones, Inc., 200 shares, no par value. Directors and subscribers: Ann Victor, Peter A. Lewis, Henry R. Danziger.

Paradise Advertising Corp., 200 shares, no par value. Directors and subscribers: Pincus Weinshenker, Louis J. Weinshenker and Abraham Rosenblum, New York.

Felix Jacoves, Inc., capital stock $25,000, shares $100. Directors and subscribers: Eliot Cabot, Agnes Cabot, Felix Jacoves, New York.

Publicity Group Files

Outdoor Screen-Ad, Inc., capital stock $10,000, shares $100. Directors and subscribers: Nelson K. Scherer, Lillian Tell, Bessie Weiner, New York.

Motoflex Camera Corp., 200 shares, no par value. Directors and subscribers: Gladys Barnett, Muriel N. Gross, Mabel R. O'Shaughnessy, New York.

Foster Display Advertising, Inc., 200 shares, no par value. Directors and subscribers: Marie A. Scher, Leo Solomon, Irving M. Getnick, New York.

Opera Theatre Co., Inc., 100 shares, no par value. Directors: Malcolm Kingsberg, Leon Goldberg and L. E. Thompson, New York.

Grant William Anson, Inc., capital stock $20,000, shares $100. Directors and subscribers: Grant W. Anson, Ruth Anson and Margaret M. McCormack, New York.

Drama Associates, Inc., 100 shares, no par value. Directors and subscribers: Rose Lader, Jacob L. Steisel, Geraldine Weiss, New York.

Producing Firm Listed

Joman Productions, Inc., 200 shares no par value. Directors and subscribers: Jennie Kaplan, Joseph Hyman, Edward E. Cohen, New York.

I. C. I. Cinema Industries, Inc., 200 shares, no par value. Directors and subscribers: Sophie Feuer, Ida Rubinstein, Charles O'Conner, New York.

Myron Selznick, Ltd., 100 shares, no par value. Directors: Rose Leder, William Bratter, Jacob Steisel, New York.

Foreign Cinema Arts, Inc., capital stock $25,000, shares $100. Directors and subscribers: Lawrence S. Timen, Lester Baum, Mildred Feltmann, New York.

Statement and designation has been filed with Secretary of State Edward J. Flynn in Albany by Imperial Pictures, Inc., to deal in films. Capital stock of $1,000,000 is shown, with shares priced at $1.

Dissolutions of two firms incorporated in Delaware have been filed with the Statetary of State in Albany. They are the National Picture Theatres, Inc., and National Film Distributing Co., both of Dover, Delaware.

Hollywood Preview

"Start Cheering"

(Columbia)

Hollywood, Jan. 30.—A quick way to describe this picture is as the one in which Jimmy Durante comes back with a bang. It may also be called a college comedy or, more accurately, another highlighting of what must by now be coming to be known as movie madness, but perhaps the easy way is to bill it as a musical comedy about a screen star who insists upon going to college, which certainly is novel and might prove provocative. Any billing selected for use may be decked out with positive adjectives.

Durante is the star of the picture, although playing what would be a minor role as a dimwitted assistant to Walter Connolly, agent of Charles Starrett, a Hollywood hero who tries to hide from his public and acquire a spot of education in a jerkwater college. Joan Perry is the lovely daughter of Dean Raymond Walburn and Gertrude Niesen a singing co-ed. Louis Prima and his band, Johnny Green and his orchestra, Hal LeRoy, Jimmy Wallington, Charlie Chase, Professor Quiz, Ernest Truex and the Three Stooges are among the merchandisable many who spread their stuff before the camera and microphone before everything comes out even.

Eugene Solow, Philip Rapp and Richard E. Wormser cooked up the screenplay from a story by Corey Ford, who is tops in the frisky fiction field, and Albert S. Rogell directed the production with a stopwatch in one hand and an applause meter in the other. Consequently it flows along like a hasty mountain brook to what is likely to be the immense amusement of the peasantry. It didn't cost a million dollars, but many pictures half as entertaining have cost twice as much. People ought to like it a lot.

Running time, 75 minutes. "G."

(Additional Reviews on Page 8.)

Out Hollywood Way

Hollywood, Jan. 30.—**Lou Forbes** has been named musical director for Selznick's "The Adventures of Tom Sawyer."

Bobby Breen will do a week of personal appearances Feb. 10 to 17 at the Cleveland Food Show. . . . **Erik Wolfgang Korngold** has been signed by Warners to write an original musical score for "The Adventures of Robin Hood." . . . RKO having dropped her from its contract list, **Harriet Hilliard** has been signed by Paramount for the lead opposite **Fred MacMurray** in "Cocoanut Grove." . . . M-G-M will release "Pipe Dreams," Harman-Ising cartoon, Feb. 5. . . . **Lola Lane** has been stricken with the flu, and is temporarily out of the cast of Warners' "Torchy Blane in Panama." . . . **Harry Kalmine**, Pittsburgh zone manager for Warners, is in town for a vacation.

+

Casting—**Connie Moore, David Oliver, William Lundigan** and **Larry Blake** to "State Police," recently called "State Trooper," Universal. . . . **Binnie Barnes** and **Alan Dinehart** to "Wooden Wedding," M-G-M. . . . **Olivia de Havilland** and **Walter Connolly** to "All Rights Reserved," tentatively titled Warners' feature. . . . **Anna May Wong** in the feminine lead of "When Were You Born?," Warners. . . . **Dick Foran** in "Boy Meets Girl," Warners. . . . Dominguez Brothers, Mexican marimba players, in "Tropic Holiday," Paramount.

To Remodel Theatre

Merrill, Wis., Jan. 30.—All outstanding bonds on the building occupied by the Cosmo have been paid, and plans are under way for modernizing the house, according to A. L. Robarge, president of the Merrill Theatre Co. At Kaukauna, William Van Dyke has opened his new 500-seat Vaudette.

Title Next Henie Film

Hollywood, Jan. 30.—"They Met in College" will be the title of the next—the fourth—musical which Sonja Henie will make for 20th Century-Fox. It will start in March.

Three Add Giveaways

Denver, Jan. 30.—Giveaways have been added at the Gem, Colorado and Tivoli.

FAMA Plans Two Films

Mexico City, Jan. 30.—Two class feature pictures are to be produced between now and spring by FAMA (Films de Artistas Mexicanas Asociadas), newest Mexican producer. One is "Santana, His Private Life," first film biography of the Mexican president at the time of the war with the United States. The other is "Asuncion," story of a Spanish civil war girl spy.

Manages Three Houses

Wewoka, Okla., Jan. 30.—Melvin Blackledge, former manager of the Griffith Brothers theatres in Kingfisher, Okla., which were sold recently, has been placed in charge of three former Terry Brothers houses here in which the Griffith circuit recently purchased a half interest, The Key, Paramount and State here.

Short Subjects

"Jimmy Fidler's Personality Parade"

(M-G-M)

There is much in this two-reeler t
stir the memories of the older an
the younger members of the audienc
It is a tastefully arranged and fre
reminiscence of days gone by. P
parade of names and incidental dat
which is narrated by Fidler starts i
the early Chaplin days and with brie
snatches from appropriate films i
comes almost up to date somewha
in the form of an obituary. A lot o
material went into its making and i
should have enthusiastic reception
Running time, 20 mins. "G."

"The Stupor-Visor"

(RKO)

Jack Norton is nominated for
political office. So is his wife. The
do their utmost to blacken each other'
reputations in the ensuing campaigns
running afoul of the law and generall
getting into many embarrassing situations. Eventually Norton is show
up by his wife as an impostor and
fake. The comedy is the usual domestic humor somewhat strained fo
laughs. Running time, 17 mins. "G.

"Alibi Time"

(Vitaphone)

A rather silly plot in this short furnishes backgrounds for a number o
interesting vocal imitations by the wel
known Radio Ramblers. The mimicr
shines above the script in entertainment value. The trio becomes involve
with gangsters seeking an alibi a
they are about to steal a valuable pear
necklace. They coerce the boys int
doing their stuff but are exposed whe
a fake radio program is broadcast
Running time, 11 mins. "G."

"Jungle Juveniles No. 2"

(M-G-M)

That cute blonde youngster who was seen in the first of this series is again on view here with his two hilarious chimpanzee companions and an elephant. The film has a lot of appeal for every segment of the audience. The chimps get drunk on hair tonic, the child is photographed from many clever angles and Pete Smith supplies adequate narration. Running time, 9 mins. "G."

"Vitaphone Pictorial Revue No. 5"

(Vitaphone)

The three topics in this reel should serve adequately to satisfy the audience. The first two documenting the manufacture of ice cream and the training of jockeys are in black and white and the third, a display of feminine negligees is in color. Running time, 11 mins. "G."

"Natural Wonders of the West"

(Fitzpatrick-M-G-M)

The Bryce Canyon, Indian dances, badlands of South Dakota and the Mount Rushmore memorial plus superb Technicolor compositions furnish the audience-pleasing ingredients in this latest addition to a top-ranking series. Running time, 9 mins. "G."

TWINS

National Screen Service...eighteen years a-growing and known far and wide as "the prize baby of the industry."..National Screen Accessories... eighteen months in the making, not yet three years old...yet already they're known as the "theatre advertising twins"...

They get them in...they sell them hard...they bring them back...

Lobby posters with the magic touch of showmanship...color...eye appeal...selling fire... breathing life into your lobby...

And prevues, that for eighteen years, have been the one sure-fire, hard-hitting, sincere, convincing screen advertisement...used in more than 11,000 theatres...

Twin service...twin selling punch...that's why the new slogan is "double your theatre advertising punch with...

National Screen Service

National Screen ...the magic touch of showmanship!

Hearings for Week Are Set ByCommission

WASHINGTON, Jan. 30.—Broadcast hearings of the Federal Communications Commission for the current week are as follows:

Jan. 31, before an examiner: Applications of KVOD, Denver, for change of frequency from 920 to 630 kilocycles and increase of power from 500 to 1,000 watts; KFEL, Denver, increase of power from 500 to 1,000 watts; WFIL, Philadelphia, increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

Feb. 3, before the commission: Oral argument on applications of The Metropolis Co. for a 1,290-kilocycle, 250-watt station at Jacksonville; Ann Arbor Broadcasting Co., Inc., for a 1,550-kilocycle, 1,000-watt station at Ann Arbor; Bellingham Publishing Co., for a 1,420-kilocycle, 100-watt station at Bellingham, Wash.; Curtis Radiocasting Corp., for a 1,500-kilocycle station at Indianapolis, with 100 watts power night, 250 watts day; WSOC, Charlotte, N. C., for change of frequency from 1,210 to 600 kilocycles and increase of power from 100 watts night, 250 watts day, to 250 watts night, 1,000 watts day; WKBV, Richmond, Ind., for increase of time from specified hours to unlimited.

Brooklyn Pleas Scheduled

Feb. 4, before the commission: Argument on applications of Lillian E. Kiefer for a 1,500-kilocycle, 100-watt station at Brooklyn, taking facilities of WMBQ; Paul J. Gollhofer, Brooklyn, for facilities of WMBQ, 1,500 kilocycles, 100 watts, and WMBQ, Brooklyn, for renewal of license, and application of KDON, Del Monte, Cal., for change of frequency from 1,210 to 1,400 kilocycles and increase of power from 100 watts to 250 watts night, 1,000 watts day.

New WMCA Show For Brooklyn Eagle

The *Brooklyn Daily Eagle* will sponsor a new program over WMCA, titled "Movie Money," starting tomorrow from 7:45 to 8 P. M. The program will test the mathematical ability of listeners, with weekly cash awards of several hundred dollars.

The game is divided into three parts, testing both visual and memory ability in adding figures. The first part is simple addition of certain newspaper features announced on the air; the second is the sum total of figures which the listener is told to watch for in a reading on the broadcast; the third is the sum total of telephone numbers from sources announced on the program.

CHAB Takes Star Program

CHAB, Moose Jaw, Saskatchewan, has just signed for "The Morning Bulletin Board," a variety show syndicated by Star Radio Programs, Inc. The Canadian station is also broadcasting Star's "Good Morning Neighbor," and is a Star commercial subscriber. Latest stations to take the latter service are WIL and WSAL. WIBX, Utica, is airing Star's special comedy series, "Howlers."

Seeks New Station Permit at Dallas

WASHINGTON, Jan. 30.—Application for authority to construct a new 1,500-kilocycle, 100-watt daytime broadcasting station at Dallas has been asked of the Federal Communications Commission by Eugene DeBogory.

Other applications filed with the commission included requests of KATE, Albert Lea, Minn., for extension of time from day to unlimited with 100 watts power night, 250 watts day, and KFSO, San Francisco, for increase of night power from 1,000 to 5,000 watts.

The commission also disclosed that, acting on examiner's reports, it had denied the following applications: *Asheville Daily News,* for a new 1,370-kilocycle, 100-watt station at Asheville, N. C.; WMBH, Joplin, Mo., for change of frequency from 1,420 to 1,380 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts; WBOW, Terre Haute, Ind., for change of frequency from 1,310 to 1,290 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day; Glenn E. Webster, for a new 1,290-kilocycle, 250-watt daytime station at Decatur, Ill.; Hickory Broadcasting Co., for a new 1,370-kilocycle, 100-watt daytime station at Hickory, N. C., and Broward Broadcasting Co., for a 1,370-kilocycle station at Fort Lauderdale, Fla., with 100 watts power night, 250 watts day.

Haskell Horse Show Head

Amory L. Haskell, president and owner of WBNX, leading foreign language station in New York, has been elected president of the Horse Show Association. He succeeds J. Spencer Weed, resigned. Haskell is one of the most active horsemen in Metropolitan circles, and is an officer in many other associations.

"Ballroom" Show on WNEW

Fort Lee Roofing Co. has signed the "Make Believe Ballroom," three quarter-hours per week, on WNEW. The contract was handled direct. The same program has been signed by Zonite Products Corp., six quarter-hours per week for eight weeks, starting April 4, through McCann-Erickson.

Half of Canadian Programs from US

(*Continued from page* 1)

on Saturday when eight and one-half hours out of the total of 16 hours are devoted to programs which are "piped" from the United States. This represents 53.1 per cent of the total time that the big Canadian stations are operating on that day. The lowest percentage of U. S. commercials is found on Wednesday when the schedule includes five and three-fourth hours of American programs. This represents 35.9 per cent of the 16-hour schedule for that day.

The interesting aspect of the situations, to many Canadians, is that the avowed purpose of the Canadian Broadcasting Corp. is to encourage Canadian programs of a non-commercial nature, but listeners are getting U. S. commercial programs during the best hours for which they pay a license fee each year while the same programs are available in the United States without such a levy.

Hanna Leaves Ayer; Will Be Consultant

Jay Hanna, for eight years a radio director with N. W. Ayer & Son in New York, has resigned from the organization, effective Feb. 1. He plans to act as consultant on radio production.

Among Hanna's broadcasts have been Eno "Crime Club," "Buck Rogers," "Billy and Betty," "Singing Lady" and others. Prior to his broadcasting work he was on the stage.

Brewery Signs for Atlas Show

Schmidt Brewery has just signed "Ports of Call," an Atlas Radio production, on WTCN, Minneapolis, for 52 weeks. This is the second Atlas show that WTCN, which leases Atlas' 28 shows, has sold. Twin City Savings and Loan Association sponsors "Captains of Industry."

KASA to Quit Oklahoma Net

ELK CITY, Okla., Jan. 30.—Effective this week, KASA of Elk City will no longer be affiliated with the Oklahoma Network. This move will leave only seven stations in the network, according to Joseph W. Lee, manager of KTOK, Oklahoma City.

Mutual Gives 22% of Time For Cultural Broadcasts

According to a breakdown prepared by the Mutual network's statistical department, 22.3 per cent of all programs offered over that network are devoted to educational and serious musical programs. Out of a total of 102¼ network hours a week, 22¾ hours are devoted to programs on literature, education, public affairs and serious music.

Programs listed under these classifications originate from 11 Mutual stations, WOR, WGN, WLW, WFIL, WIRE, WHKC, WHK - WCLE, WAAB, WCAE and KHJ, thus giving listeners a cross-section of the nation's cultural and educational tastes, rather than confining these broadcasts to a few major cities.

The statistics outlined above do not include programs devoted to religious music or religious talks. Many are presented in cooperation with educational and civic groups, including universities, the Government and various educational and cultural groups.

Among the network's outstanding programs fitting into the above classifications are "Sinfonietta," the Chicago, Indianapolis and Bamberger symphonies; Gilbert and Sullivan operettas, Dr. Charles M. Courbein, "Epic of America," "This Wonderful World," Hancock Ensemble, Forum Hour, Raymond Gram Swing, Theatre Digest, International House, New Poetry Hour, Wallenstein's "Impressions," Radio Garden Club, Gotham String Quartet, "World Neighbors" and others.

New Shows On the Air

"Sinatra's Moonlight Rhythms"

A pleasant half-hour of well-orchestrated music, interspersed with songs and entertaining novelties. It's an international exchange program broadcast in cooperation with the Canadian Broadcasting Corp. The music consists of popular numbers. The initial airing of the program featured a few of last year's hits and they proved attractive. Jack Arthur and Arlene Daniels handled the vocal end effectively. The program is heard over the coast-to-coast hookup of MBS and also on a Canadian hookup. It is heard on Thursday from 8 to 8:30 P. M. P.

CBS Studies Radio Habits of Students

A study of radio in the nation's colleges and of the listening habits of the undergraduates has been completed by CBS and the results placed between covers in a book titled "Radio Goes to College."

CBS covered 18 colleges, 14 of them coeducational, in 16 states. The studies were made in the name of "Radio Research Bureau" New York.

Interviews obtained numbered 2,487. Asked if they had a radio set in their own rooms, 66.6 per cent of all students interviewed reported in the affirmative. The study revealed that 64.4 per cent of all men have radios in their rooms; 54.3 per cent of all women have radios in their rooms, and 95.8 per cent of the students reported having regular access to radio.

The men average three hours of listening per day, the women, two hours, 57 minutes daily. The students showed that they believe in "balanced" listening, the report showing 65.3 per cent listening "frequently" to light programs, 25.5 "occasionally," 7.2 "seldom," and 1.0 "never." Listening "frequently" to serious programs were 33.5 per cent; "occasionally," 40.9; "seldom," 19.3, and "never," 6.3 per cent. The normal network schedules divided approximately into 35 per cent for "serious" programs, and 65 per cent for "light" programs.

The 2,487 students named more than 700 different programs as "favorites." Of the first 25 favorite college programs, 15 are on CBS.

To Broadcast Time Signals

Webster Eisenlohr, Inc., will resume their spot broadcasting campaign with time signal announcements over WJSV, Washington, and WCAU, Philadelphia. The broadcasts will begin Feb. 7 in both cases, seven nights a week. N. W. Ayer & Son is the agency.

Johnson to Do Aces' Script

Don Johnson, of the "Senator Fishface and Professor Figgsbottle" program, will take over the script writing for the Easy Aces program Feb. 2 while the Aces take a month's vacation in Florida.

Lambert to Join KYW

Burt Lambert, formerly of the national sales department of Hearst Radio, Inc., will join the sales department of KYW, Philadelphia, Feb. 1.

Radio Personals ◂

PAUL WHITEMAN and troupe are due in New York from Hollywood Wednesday to continue the Chesterfield cigarette program from here for the rest of the season. . . Whiteman, incidentally, is the author of an article on the "Big Apple" in the March issue of *College Humor*. . . Morton Gould has written a new rhumba which he will introduce soon on his Mutual series. . . Eugene S. Thomas, assistant sales manager of WOR, attended the meeting of the New York state radio stations in Albany Saturday. The meeting, an informal gathering as a preliminary to the N. A. B. convention, was held at the Hotel Ten Eyck. . . Helen Morgan will go to Australia to make films and radio appearances. . . Herbie Kay's orchestra will leave the Drake within the next two weeks to start a tour of theatres and one-night stands.

Delay Oklahoma Football Decision

OKLAHOMA CITY, Jan. 30.—Awarding of the University of Oklahoma contract for football broadcasts will be held up until after the Big Six conference meets and rules on football broadcasts are decided. The Big Six conference includes Oklahoma, Nebraska, Missouri, Iowa State, University of Kansas and Kansas State University. During the 1937 season WKY here contracted for all home games played on the Oklahoma University schedule.

Embargo on Mexican Station

MEXICO CITY, Jan. 30.—The Ministry of Finance has embargoed the radio station at Villa Acuña, on the border, which is American operated, because the management failed to pay a tax of about $8,500 on the export of currency. Manager Walter Wilson of the station has asked the local Federal District Court to lift the embargo.

CBS to Air Santa Anita Race

HOLLYWOOD, Jan. 30.—CBS will air the $100,000 Santa Anita Handicap March 5 in a broadcast arranged by Fox Case's western CBS department of public affairs. Gary Breckner will assist in describing the program, with Joe Hernandez calling the race. The program will start at 4 P. M., P.S.T.

Newscaster to Study in England

IOWA CITY, Jan. 30.—Merle Miller, University of Iowa student and news broadcaster of the university station, WSUI, has been awarded a scholarship for four months of study with the British Broadcasting Co., to be financed by a Chicago radio station official who noticed his ability.

Rehearse New WOKO Orchestra

ALBANY, Jan. 30.—WOKO's new studio orchestra has gone into rehearsal under the leadership of Tom Kiefer. Beginning Feb. 7, it will be heard regularly.

Gomez Is Signed by NBC

Vincente Gomez, guitarist who recently appeared as a guest on "Magic Key," has been signed to a two-month contract by NBC for future broadcasts.

Warners Plan To Refinance Next Summer

(*Continued from page 1*)

preferred outstanding on Nov. 27, last. On this basis the accumulated preferred dividends amounted to about $2,300,000.

The preferred stock has no par value, but a liquidating value of $55 a share and is entitled to cumulative dividends at the rate of $3.85 a share.

That portion of the common offered and not taken by the preferred stockholders will be underwritten for a public issue by Hayden Stone & Co.

There is a possibility that there may be a bonus above the value of the preferred in order to make the issue attractive, but it was said at Warners that this has not been decided. Details of the refinancing plan depend on a number of factors, it was said.

The debentures were issued for a number of purposes. The first lot of $19,000,000 was offered Sept. 1, 1929, to meet bank loans and provide working capital. Another offering later was made to acquire properties, including $12,000,000 for the purpose of acquiring the Brunswick-Balke-Collender Co.

Kleckner to Attend White House Talks

Joseph B. Kleckner, president of Motiograph, Inc., will attend White House parleys of heads of smaller business enterprises on business recovery policies this week.

Kleckner, the only industry representative to be called for the President's conferences with business men, has several proposals for the aid of enterprises of the category he represents at the coming parley.

Start Charge on Passes

LINCOLN, Neb., Jan. 30. — Starting this week a service charge of five cents is being charged on all passes issued by the Stuart, Lincoln, Orpheum, Sun and Liberty. The fund will be used as an employe benefit.

Wall Street

Universal Drops 8½ Points

	Open	High	Low	Close	Net Change
Col.	13	13¼	13	13	+ ⅝
Cons. pfd...	5½	5½	5½	5½	— ¼
E. K.......	157	157	157	157	+1
G. T. E....	11	11	11	11	+ ⅜
Loew	46⅜	46½	46⅛	46⅛	— ⅛
Para.	9¾	9¾	9½	9⅝	— ¼
Para. 2.....	10⅛	10¼	10⅛	10¼	+ ⅜
Pathe	5⅜	5⅜	5⅜	5⅜	— ⅛
R. K. O....	4	4	4	4	— ⅛
20th Fox....	22	22	21¾	21¾	— ¼
Univ. pfd...	35	35	34	34	—8½
W. B.......	6	6	5⅞	5⅞	— ⅛

Fractional Curb Activity

	Open	High	Low	Close	Net Change
G. N.......	⅝	⅝	⅝	⅝	—1/16
Technicolor.	17⅞	17⅞	17⅛	17¼	— ¼
Trans-Lux.	2¾	2¾	2¾	2¾	+ ¼
Univ. Corp.	3	3	3	3	.....

Bonds in Light Decline

	High	Low	Close	Net Change
Loew 3½s '46.....	98⅛	98⅛	98⅛	—⅛
W. B. 6s '39......	73¾	73½	73½	— ¼

(Quotations at close of Jan. 29.)

Recession Blows Up For Broadway Spots

(*Continued from page 1*)

film will be held for a fourth week, the first time any film has played longer than three weeks in the history of the theatre.

Saturday noon there was a line, two and three abreast, extending from the box-office around on 50th St. to Rockefeller Plaza and around on 51st St. Morning and matinee business was bigger than any day since the start of "Snow White." Children accompanied by parents were much in evidence.

"Every Day's a Holiday" plus Benny Goodman and his band drew unusually large crowds to the Paramount on Thursday, Friday and Saturday, and from present appearances the combination may be held three weeks.

"Swing Your Lady" will go a second week at the Strand.

Three thousand crippled children attended a special showing of "Snow White and the Seven Dwarfs" at the Center Saturday morning, and 3,000 more packed the house for a second show in the afternoon. The house was donated by the Rockefeller interests and the film by RKO. The shows were under the sponsorship of Edwin M. Hydeman.

Drop Troy Vaudeville

TROY, Jan. 30.—Proctor's, jointly operated by Warners and Fabian in a pool, will drop vaudeville today for double features. Prices will be 25 and 40 cents for matinees and evenings, respectively.

Four A Board Meets Today on Guild Tilt

(*Continued from page 1*)

rus Equity Association has had jurisdiction over the night club field. A vote of the Four A board on the jurisdictional question was put over to next Friday by the last meeting.

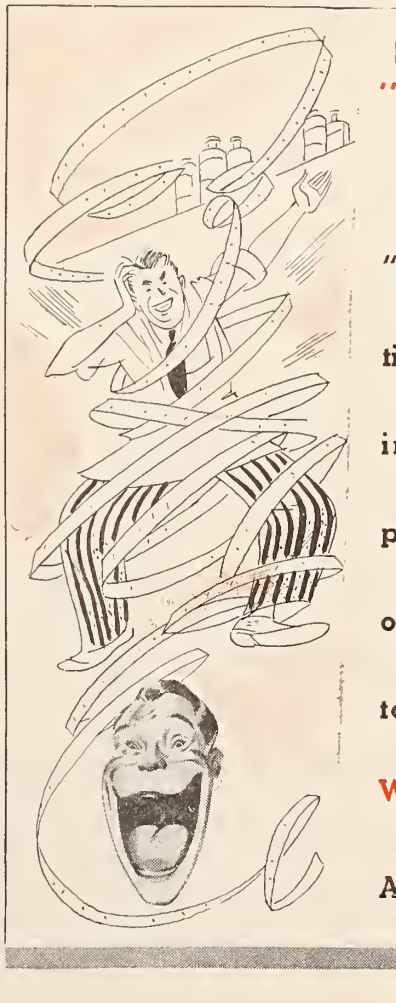
The Screen Actors' Guild is seeking changes in the bylaws of the parent organization which it believes will insure harmony in place of internal bickering within the union and is understood to have threatened withdrawal from the Four A's if its cooperative program is rejected.

Union Demands General

Demands for recognition and a basic agreement made on the large circuits are not only for the New York metropolitan area, but cover the entire country, a spokesman for the Theatrical Managers, Agents and Treasurers' Union said yesterday. The union's extension of the deadline to Feb. 15 for acceptance of the terms by the circuits was made at the latter's request. The union is a federal group under the A. F. of L. It has no locals, but maintains territorial branches and field organizers.

Start Sunday Vaudeville

WORCESTER, Jan. 30.—Loew's will inaugurate Sunday vaudeville at the Elm Street on Feb. 6. This will be the only vaudeville in the city. Admission scale has not yet been fixed. Erle Wright, publicity head at New Haven, is in charge. Loew's started vaudeville at the Lyric and Globe, Bridgeport, this fall, and recently at the Poli, Meriden.



THE "LAB" MAN says·

"Here's something positive. I'll eat my weight in raw stock if your patrons don't go wild once you expose 'em to JOE E. BROWN in WIDE OPEN FACES...!"

A Columbia Picture

Detroit Takes Slip as Motor Plants Reduce

DETROIT, Jan. 30.—Grosses hit the skids so badly here last week that only one first run, the Fox, with "Manhattan Merry-Go-Round" and a stage show, went into the profit column. The $21,300 take was over average by $1,300.

One other house, the State, with "Hollywood Hotel" in its second week and "Born to the West" as the other half of a dual bill, reached average, which in this case was $5,000. "Mannequin," in its second week at the United Artists, took $8,000. A slump in automobile operations and the weather were blamed.

Total first run business was $64,400. Average is $70,000.

Estimated takings for the week ending Jan. 27:

"MURDER IN GREENWICH VILLAGE"
(Col.)
"SOME BLONDES ARE DANGEROUS"
(Univ.)

ADAMS—(1,770). 15c-50c, 7 days. **Gross:** $4,100. (Average, $5,000)

"MANHATTAN MERRY-GO-ROUND"
(Republic)

FOX—(5,100). 15c-75c, 7 days. Stage: Mary Dees, Monte Blue, Richard Skelton, Bert Frohman, Robbins family, Gali-Gali, Teresa Rudolph. **Gross:** $21,300. (Average, $20,000)

"EVERY DAY'S A HOLIDAY" (Para.)

MICHIGAN—(4,100). 15c-75c, 7 days. Stage: Clyde McCoy orchestra, Bennett Sisters, Wayne Gregg, Fred Sanborn, Le Ghezzis, Early, Pope & Dea Lang. **Gross:** $14,500. (Average, $20,000)

"HOLLYWOOD HOTEL" (F. N.)
(2d week)
"BORN TO THE WEST" (Para.)

STATE—(3,000). 15c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"MANNEQUIN" (M-G-M)

UNITED ARTISTS—(2,070). 15c-75c, 7 days, 2nd week. **Gross:** $8,000. (Average, $10,000)

"TOVARICH" (W. B.)

MADISON—(2,000). 15c-75c, 7 days, 2nd week. **Gross:** $7,500. (Average, $10,000)

Ask Shorter Credits

LONDON, Jan. 20.—According to the Cinematograph Exhibitors' Association, British audiences are becoming tired of overlong credit titles. As a result, and following branch protests, the exhibitor body plans to approach the Kinematograph Renters' Society (distributors), and the film group of the Federation of British Industries (producers), and will suggest they be condensed. It is claimed that not only are they of no interest to the public but they are a source of extreme annoyance.

Writers' Guild to Dance

HOLLYWOOD, Jan. 30.—The Screen Writers' Guild of the Authors League of America will hold its third annual winter frolic and dinner dance at the Biltmore Bowl Feb. 17. John Grey has been appointed chairman of the arrangements committee which consists of Charles Brackett, Albert Hackett, Allen Rivkin and Anthony Veiller.

Lowers Spokane Prices

SPOKANE, Jan. 30.—H. D. McBride has lowered prices at the Grenada, independent house, from 20 and 30 cents to 15 and 25 cents. Prices had been raised only few months ago.

New York Preview

"The Purple Vigilantes"

(Republic)

The Three Mesquiteers, Bob Livingston, Ray Corrigan and Max Terhune, take a turn for serious drama in this western. The story soft pedals their usual tongue-in-cheek brand of humor. Western fans should nevertheless find it highly enjoyable. Excitement, in the form of shooting, spectacular riding and the mysterious activities of a secret society are well tried elements and should not fail here. However, the producers should build some new scenery and props. They are being filmed too often and are easily recognizable.

The town of Trail's End is terrorized by an underworld element. A vigilante band is formed and cleans up the place. But a few unscrupulous members decide to keep the outfit alive for racketeering purposes. This eventually frames an innocent man who is accused of murder and faces hanging. Much activity by the Mesquiteers as they pursue various angles takes place and eventually the gang is unmasked. There is the usual thwarted romantic fadeout in which Livingston is made the butt of his companions' harmless teasing.

Joan Barclay supplies a sketchy romantic lead. Earl Dwire, Earle Hodgins, Francis Sayle, George Chesebro, Robert Fiske and Ernie Adams supply the support. George Sherman directed. Ernest Miller turned in a fine photographic job.

Running time, 58 minutes. "G."

"Wife of General Ling"

(G. B.)

Perennially satisfying melodrama is again offered in "Wife of General Ling." It is an Oriental spy drama produced in England. There are modern touches to give relation to the present Chinese situation. Inkijinoff, a well known continental player, has a featured role. The film has been given a colorful production background with much pictorial and atmospheric appeal.

The general drift of the story concerns the efforts of the British intelligence staff in Hong Kong to track down smugglers of arms to a war lord on the mainland. They manage to veil their activities with the aid of the colonial government. Griffith Jones, an operative, gets a number of leads on Inkijinoff, the war lord, who also runs a business in Hong Kong under a different name. There is considerable killing, undercover conversation, slinking Chinese and display of the British character in the ensuing developments. Eventually, after his most valuable contact has been killed, Jones, with the aid of Adrienne Renn, Inkijinoff's wife, manages to conclude the career of her husband. They, it seems, are old sweethearts, and the film ends with the pair sailing for home.

The direction was smartly handled by Ladislaus Vadja to keep the action interesting. The dialogue attempts to be sparkling. The supporting cast offers Alan Napier, Anthony Eustrel, Jino Soneya, Hugh McDermott, Gibson Howland, Lotus Fragrance and Marion Spencer.

Running time, 72 minutes. "G."

"Voice of India"

(J. H. Hoffberg)

The usual collection of scenes of Indian life, architecture, customs and a tiger hunt are offered here. There is a semblance of a story that concerns Paul Hoeffler, the leader of an Asiatic expedition, who is after scenes of a colorful revue that is to be put on by a native prince. The photography seems to have suffered from the effects of the heat.

From Bombay Hoeffler motors to Rajputana, where he gets his shots of elephants on parade, sacred crocodiles, religious customs, a tiger hunt and various natives and architecture. The climax arrives when a native and one of Hoeffler's assistants are attacked by a tiger. This stuff may be the real thing, but the sequence is blurred and jerkily presented. The picture concludes when Hoeffler gets a cable from his company telling him to hurry back with his negative because two other companies are planning a similar film.

Running time, 40 minutes. "G."

Wolfberg Back to Duals

KANSAS CITY, Jan. 30. — After a week's trial of single features, John Wolfberg, operator of the Strand here, has returned to a two-feature policy. He said results did not justify any further continuation of the one-picture plan, since 99 per cent of the city's theatres are using double, and, in some cases triple, bills.

Rushing Joins Monogram

DES MOINES, Jan. 30. — Everett Rushing, formerly with Republic Pictures-Midwest, has joined Monogram as salesman for the southern Iowa territory. L. O. Ringler, Monogram franchise holder for Iowa and Nebraska, has moved to Omaha and will make the office in that city his headquarters.

"Wells Fargo" Big in Denver For 4th Week

DENVER, Jan. 30.—"Wells Farg demonstrated remarkable st powers last week by grossing $ at the Aladdin. This topped norm by $1,500. The take was remarkab because this picture had previous played three weeks at the Denhan It was the first feature here to b moved to an opposition house afte such a run.

"Mannequin," on a dual wit "Crashing Hollywood," went to $10 600 at the Orpheum, thereby passin par by $3,100. All the other first ru were in the profit column.

Total first run business was $41,60 Average is $33,250.

Estimated takings for the week end ing Jan. 27:

"WELLS FARGO" (Para.)

ALADDIN—(1,400). 25c-40c, 7 days, aft three weeks at the Denham. **Gross:** $5,00 (Average, $3,500)

"HOLLYWOOD HOTEL" (F.N.)

BROADWAY—(1,500). 25c-40c, 7 day after a week at the Denver. **Gross:** $3,00 (Average, $2,500)

"EVERY DAY'S A HOLIDAY" (Para.)

DENHAM—(1,392). 25c-35c-40c, 7 day **Gross:** $7,500. (Average, $5,500)

"DEAD END" (U.A.)

DENVER—(2,525). 25c-35c-50c, 7 day **Gross:** $9,000. (Average $8,500)

"MANNEQUIN" (M-G-M)
"CRASHING HOLLYWOOD" (RKO)

ORPHEUM—(2,600). 25c-35c-40c, 7 day **Gross:** $10,600. (Average, $7,500)

"TARZAN'S REVENGE" (20th-Fox)
"THANK YOU, MR. MOTO" (20th-Fox

PARAMOUNT—(2,096). 25c-40c, 7 day **Gross:** $4,500. (Average $4,000)

"STAND-IN" (U.A.)
"UNDER SUSPICION" (Col.)

RIALTO—(878). 25c-40c, 7 days. **Gross** $2,000. (Average, $1,750)

Discuss Paramount Driv

KANSAS CITY, Jan. 30. — Paramount's new sales contest, "Paramount on Parade," which will begi Feb. 27 and run 13 weeks, was th principal topic of discussion by som 30 branch managers, salesmen, an booking and ad sales managers fron Kansas City, Des Moines, St. Loui and Omaha at the Hotel Muehlebacl here.

Charles Reagan, Western divisiona sales manager, and R. C. LiBeau, district manager, conducted the meeting Branch managers who attended wer Maurice Schweitzer, St. Louis; R M. Copelwand, Des Moines; A. Mendenhall, Omaha, and Joe Manfre Kansas City.

Infringement Is Charged

Ira B. Arnstein, song writer, filec suit in the U. S. District Court on Saturday against Warners and Harms Inc., for alleged infringement of his composition, "A Mother's Prayer," in the song "Bei Mir Bist Du Schoen." Arnstein said that he wrote "A Mother's Prayer" in 1899 and recopyrighted the work in 1926 and 1931. It is alleged that the song was infringed in the Warner picture, "Love, Honor and Behave."

Averill in Dual Deal

HOLLYWOOD, Jan. 30. — Anthony Averill has been signed by Warners and Selznick International under a joint agreement. He is scheduled to make two films for Selznick while under contract to Warners.

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J.S. Supreme Court Grants Dallas Review

istributors Win Test On Contract Prices

By BERTRAM F. LINZ

WASHINGTON, Dec. 31.—A review the decision of the Dallas Federal strict Court in the Government's ti-trust suit against the major disbutors, Interstate Circuit and Texas onsolidated Theatres, involving ense restrictions on admission prices d double features, was granted by e U. S. Supreme Court today.

With a heavy calendar already nding, the court is not expected to ach the case for argument before pril.

The Government's suit was based on arges that the two Texas circuits ad insisted that the distributors inrt in their contracts with subsequent in theatres provisions requiring ch houses to adopt a minimum ght admission price of 25 cents when owing any picture which had pre-

(Continued on page 12)

ish Is Invited To Repeat Speech

Following a disturbance at Caregie Hall Sunday during Congressan Hamilton Fish's address at an nti-Hitler meeting, WMCA, which ad been carrying the broadcast, cut from the air. Yesterday Donald lamm, president of WMCA, deplored e necessity for the action, declaring at "WMCA exercises no censorship consistent with good taste" and exnded to Congressman Fish an invitaion to repeat his speech from a studio.

The disturbance occurred when Fish,

(Continued on page 11)

Education Office To Aid Radio Move

WASHINGTON, Jan. 31.—Foreseeing he eventual operation of 1,250 or more ocal educational stations on the 25 requencies set aside by the Federal ommunications Commission for such roadcasting last week, Commissioner f Education John W. Studebaker toay announced that the Office of Edcation at once will begin the collecion of the information necessary to

(Continued on page 11)

More Radio—P. 11

100% Increase

Cincinnati, Jan. 31.—Despite the business recession, near-zero weather and other competitive factors, theatre business and grosses were 100 per cent higher in Cincinnati during January of this year than for the same month of 1936, according to Mike Spanagel, assistant to Maurice White, head of the Libson-White theatres.

Reason: Cincinnati theatres were closed in January, 1936, when the floods cut off power and light.

Studio Activity Up; 31 in Work

HOLLYWOOD, Jan. 31.—Productions in work increased this week by three over last week's total, making 31 features shooting. Ten were started and eight were finished, leaving 15 being prepared and 63 being edited.

Those starting are: "Tropic Holiday" and "Cocoanut Grove," Paramount; "It Couldn't Happen Again," RKO; "King of the Newsboys" and "Prison Nurse," Republic; "Kentucky Moonshine," "Island in the Sky" and "Mr. Moto's Gamble," 20th Century-Fox, and "Little Lady Luck" and "Crime School," Warners.

The tally by studio:

Columbia finished zero, shooting

(Continued on page 12)

G. N. to Resume Its Production Schedule

Grand National is to resume production in Hollywood in a few days, with two Tex Ritter westerns scheduled immediately, according to word received by the home office yesterday.

The two Ritters will be "Rollin' Plains," using the same title as the song, and "Utah Trail." Two in the series have already been delivered on this season's contracts, and with the two in production there will be four more to be made.

Ed Finney, advertising and publicity director, who also produces the westerns, will remain on the coast permanently, directing his department from there. Edward Peskay, vice-president

(Continued on page 12)

Lohr, Hanson Leave For Hollywood Visit

Lenox R. Lohr, president of NBC, left with Mrs. Lohr last night for a three-week stay in Hollywood in connection with the network's new studios now under construction there.

O. B. Hanson, NBC chief engineer, also left for the coast last night for the same purpose.

J. R. GRAINGER TO BE REPUBLIC HEAD

"Snow White" Pace Beating 1st Week

The first four days of the third week of "Snow White and the Seven Dwarfs" at the Music Hall exceeded the corresponding periods in the first two weeks, it was reported yesterday. Indicative of the building power of the Disney film is that it grossed $72,000 from Thursday to Sunday, inclusive, while the same period in the first week tallied $65,000 and the first half of the second week $68,000.

The picture will enter a fourth stanza on Thursday and will not be moved thereafter to the Center, as has been reported. No other film has played four weeks at the Music Hall.

The two-a-day run of "In Old Chicago" garnered $17,000 in its third full week at the Astor, ending Sunday night. A gross of more than $9,000 was reported for the picture from its opening Thursday night to Sunday night at the Apollo, Chicago.

A fourth week is assured for "The Hurricane" at the Rivoli, where it grossed $13,000 on Saturday and Sunday, which topped the second weekend figure.

"Chicago" Test Runs To Determine Policy

The extent to which in "In Old Chicago" will be roadshown nationally depends on the results from present two-a-day engagements and those to start in a few days, it was said by 20th Century-Fox yesterday.

In addition to the New York, Los Angeles and Chicago engagements, the picture will start an indefinite run on Feb. 10 at the Erlanger, Philadelphia. On Feb. 13 it will open for two weeks at the Nixon, Pittsburgh, and the following day will start at the Colonial, Boston, for four weeks. The Astor run here has been set for eight weeks, with three already played.

These engagements and a few dated

(Continued on page 12)

Start Federal Drive Against Lewd Films

HOLLYWOOD, Jan. 31.—A strong move to rid Hollywood of those who have been producing lewd films for use at stag parties was launched today by Federal and postal authorities. The drive against this traffic which has been reported on the increase will

(Continued on page 12)

Will Be Named President Next Week, According To H. J. Yates

HOLLYWOOD, Jan. 31.—James R. Grainger, general sales manager of Universal up to Dec. 3, will be elected president and a director of Republic Pictures Corp. at its next board meeting. Grainger will be in charge of sales and will advise on production.

J. R. Grainger

Official announcement came from H. J. Yates here today. Yates said Grainger, who will join Republic on or about June 1, has made an "extensive investment" in the company. This will not affect the production company, Republic Productions, Inc., of which Moe Siegel is president.

The deal consummates negotiations

(Continued on page 12)

Plan Projectors For Use in Bars

HOLLYWOOD, Jan. 31.—The latest threat of competition to exhibitors from outside the industry is expected to come within two months from bars and cocktail lounges, with the manufacture of 16 mm. sound projection machines designed especially for cocktail lounges. The production of shorts, to be played upon the insertion of a coin, will start shortly.

The apparatus will be produced by

(Continued on page 12)

Cold Delays Start of N. W. Allied Meeting

MINNEAPOLIS, Jan. 31.—With cold weather preventing numerous delegates from arriving on time, the 25th Anniversary Jubilee of Northwest Allied opened this afternoon with only a short session at which Al Steffes named committee members. Officially, the meeting will get under way tomorrow when it is expected that 300 delegates will attend.

The committees appointed by Steffes

(Continued on page 5)

MOTION PICTURE
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SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken: H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Kleckner Seeks Theatre

A proposal to make cheap capital available to small business enterprises, including theatres and equipment companies, will be broached by Joseph B. Kleckner, president of Motiograph, Inc., at the "little" business men's conference on business recovery which gets under way in Washington tomorrow. Kleckner is said to be the sole industry representative to attend the session with the President. He arrived in New York from Chicago yesterday and goes to Washington tonight.

Tampa Suit Off to 1939

A one-year postponement of trial of the anti-trust suit brought by the Rivoli, Tampa, Fla., against United Artists and other major distributors was granted at a recent hearing in Federal court at Tampa. Ed Raftery, of United Artists counsel, said yesterday on his return to New York. The theatre charges that inability to obtain product forced it to close in 1931. The defendants contend that the theatre was insolvent.

No Pathe Meeting

A meeting of the Pathe board of directors was adjourned yesterday for lack of a quorum.

◂ Purely Personal ▸

Y. FRANK FREEMAN, Paramount theatre head, is in Minneapolis to attend the 25th anniversary convention of Northwest Allied and to confer while there with L. J. LUDWIG and JOHN J. FRIEDE, heads of Minnesota Amusement Co., on Paramount's attack on the North Dakota theatre "divorce" law, which was sponsored by Northwest Allied.

•

EDGAR HAYES, and his orchestra, will sale Feb. 19 on a continental tour that will take them to Norway, Sweden, Holland, Belgium, France and Switzerland. The deal was set by HAROLD F. OXLEY.

•

CHARLES E. FORD is expected back from Miami today and will spend the next two weeks completing his work with Universal before leaving for the coast to enter production.

•

AL ALTMAN, M-G-M talent scout, was married Sunday in Chicago to DORITA DAWE, a non-professional. They will honeymoon on the coast three weeks.

•

JACK COHN, Columbia vice-president, is due back from a Miami vacation at the end of the week. He will leave on a visit to the studio shortly thereafter.

•

TOMMY KELLY and ANN GILLIS of the cast of "Tom Sawyer" will make a personal appearance at the opening of the picture at the Music Hall Feb. 17.

•

MORRIS KINZLER, AL MARGOLIES, MORRIS HELPRIN, MEYER BECK, LOUIS BERG and ARTHUR JEFFRY started the new lunchtime "ghosts" at Lindy's yesterday.

•

WILLIAM PHILLIPS of United Artists Theatre Circuit left Saturday on a Mediterranean cruise. He will return in a month.

•

RUSSELL BIRDWELL, Selznick International publicity director, will leave for the coast tomorrow with JANET GAYNOR.

•

WILLIAM A. SCULLY, Universal sales manager, is due to return today from a trip to Cleveland and Cincinnati.

•

W. J. MERRILL, Atlas Corp. adviser on RKO, is expected back from a vacation trip to Utah late this week.

•

WILLIAM POWERS of National Theatres is attending the Northwest Allied convention in Minneapolis.

•

M. L. SIMONS, editor of M-G-M's *Distributor,* has been at the Indianapolis exchange.

•

DAVID BERNSTEIN, Loew's, Inc., vice-president is spending a month in Florida.

•

WALTER VINCENT is in Miami Beach. He will return in about six weeks.

•

GEORGE J. SCHAEFER will arrive tomorrow from Miami by plane.

•

HENRY FONDA will leave for the coast today on the Century.

NATE BLUMBERG, Universal president, who was confined to his home with a cold yesterday, may postpone his planned coast trip until next week. BLUMBERG was scheduled to leave tomorrow or Thursday on his first visit to the Universal studio.

•

EDYTHE PHILIPS is handling negotiations for the sale of distributing rights to "Adventures of Chico," Mexican wild life feature, produced and directed by STACY and HORACE WOODWARD.

•

. . . Oklahoma City

W. T. CLARK, 20th Century-Fox office manager and head booker, is in Oklahoma City General Hospital recovering from an operation.

MORRIS LOEWENSTEIN, operator of the Majestic, is having the theatre front remodeled.

J. FRANK SHEA, manager of the Dallas United Artists office, was in Oklahoma City last week. He left for Mexico to join T. B. NOBLE, JR., and L. L. DENT on a fishing expedition.

•

. . . Pittsburgh

BILL and MRS. BARRON have adopted a baby girl.

BILL LEWIS has returned to his desk at the *Sun-Telegraph* after two months on the sick list.

BEN JAFFEE is back on the job at the Casino from a Miami vacation, 10 pounds heavier.

TONY and MRS. STERN aren't permitting anybody to have a look at their daughter until she's three months old.

JACKIE HELLER has sent his parents to Florida for the winter.

GEORGE JAFFE will leave soon for annual winter visit to Hot Springs.

ROY ROWE'S wife has gone back to North Carolina after being in a hospital here for observation.

IRA and MRS. COHN have returned to town from their trip to Europe.

DAVE BARNHOLTZ is leading the country in Universal's current sales drive.

"Hurricane" Canada Hit

"The Hurricane" is being held over for a total of 24 weeks in six engagements throughout Canada. The film has played six weeks in Montreal and Vancouver, five at Winnipeg and is going over for a third in Toronto and Ottawa and a second week in London, Ontario.

Show "Chicago" in K. C.

KANSAS CITY, Jan. 31.—The Fox Uptown, suburban first run here, will roadshow "In Old Chicago" for a week beginning Feb. 4. The reserved seats for the two-a-day policy will be 65 cents to $1.65.

ITOA to Welcome Brandt

The ITOA will meet at the Astor Hotel tomorrow to welcome home Harry Brandt, president, who returned yesterday from a Caribbean cruise with his brother, Bernard.

Kalmines to Coast

PITTSBURGH, Jan. 31.—Harry Kalmine, zone manager for Warners here, and Mrs. Kalmine have gone to Hollywood and Palm Springs for a month's vacation. They plan to return by boat.

Stockholder Sues to Enjoin Loew's Pacts

A stockholders' action to enjoin Loew's, Inc., from ratifying and placing in effect the profit-sharing contracts for 11 company executives, which were overwhelmingly approved at the annual meeting of Loew's stockholders last Tuesday, was filed in N. Y. Supreme Court yesterday.

The action was brought by [illegible] nard Epstein, owner of 10 shares [illegible] preferred and 13 shares of Loew's common stock. Justice Peter A. Schmuck is scheduled to hear arguments today on Epstein's application for a temporary injunction restraining the company from putting the contracts into effect pending trial of his suit. In addition to the injunction, he asks "an accounting for acts of mismanagement, waste and extravagances, resulting in the loss of many millions of dollars to the defendant corporation and its stockholders."

The suit originally was brought in advance of the Loew's stockholders' meeting, it was disclosed, but was adjourned by consent of both sides. Named as defendants in the action are Nicholas M. Schenck, David Bernstein, Louis B. Mayer, J. Robert Rubin, Isidore Frey, Leopold Friedman, John R. Hazel, George M. Armsby, William A. Parker, Thomas N. Perkins, William A. Phillips, Charles C. Moskowitz, David Warfield and Loew's, Inc.

Trailer Firm Files Bankruptcy Petition

Theatre Trailer Corp. filed a voluntary petition in bankruptcy in the U. S. District Court here yesterday.

Mark Block, president, listed assets of $71,295 and liabilities of $47,171. Liabilities listed were: $27,700 in secured claims, $19,010 in unsecured debts; taxes $345, and wages $115.

Assets listed were stock in trade consisting of trailers, negatives and prints, $53,837; machinery, subject to a chattel mortgage, $11,007; amounts receivable, $5,030; cash in hand, $650; deposits, $650. Principal unsecured creditors shown were Block, $13,000; Producers Film Laboratories, $1,494, and Mercury Film Laboratories, $1,308.

Charity Drive Extended

With $175,000 of the amusement division's $200,000 quota collected or pledged to date, the New York-Brooklyn Federation of Jewish Charities drive, which officially ended yesterday, is being held open a few days for the receipt of sums still out. The total amount sought in the campaign is $6,250,000. Albert Warner and David Bernstein are co-chairmen of the amusement division.

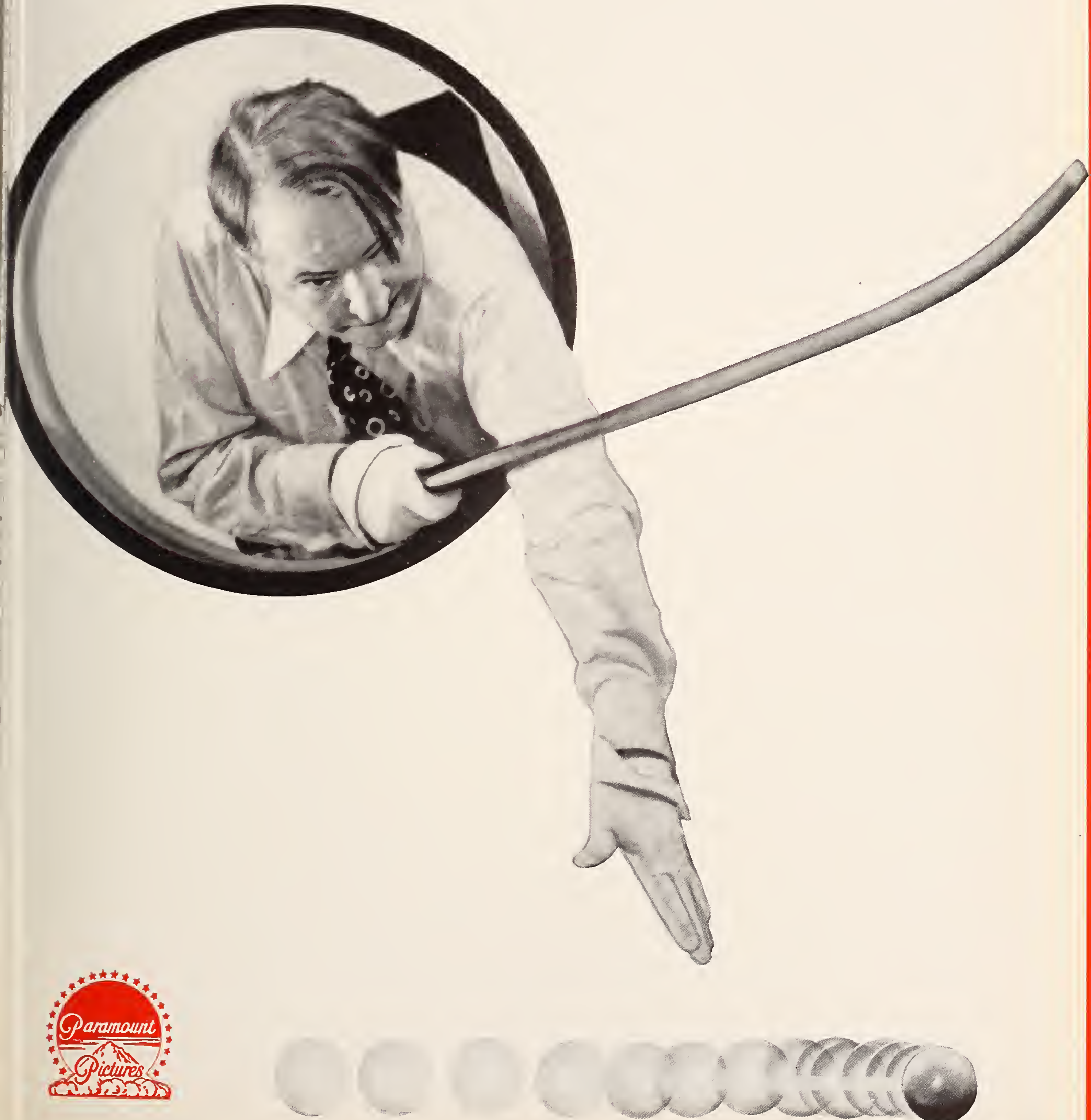
Melville Brown Dies

HOLLYWOOD, Jan. 31.—Melville W. Brown, 51, veteran film writer and director, died at his home here today of heart failure. He had returned three months ago from England where he had been directing.

Kennedy to Sail Feb. 23

BOSTON, Jan. 31.—Joseph P. Kennedy, newly appointed Ambassador to Great Britain, declared today after a visit to his wife, in a local hospital, that they would sail for England on the *Manhattan* on Feb. 23.

Just follow the little pellet my friends, and I'll give you a demonstration of the rare old art of Kelly pool!



Paramount Pictures

FOLLOW THAT BALL→

Behind the Eight Ball
with
W. C. FIELDS
in "THE BIG BROADCAST OF 1938"

Gimme the ball before I choke you!

Outta my way brother, outta my way!

Trying to break my back, eh

Now lemme see, lemme see!

I'll show you who's boss!

Why I'll win in a walk!

Easy does it boys, easy does it!

W. C. FIELDS in "THE BIG BROADCAST OF 1938" with Martha Raye • Dorothy Lamour
Shirley Ross • Ben Blue • Bob Hope • Lynne Overman • Rufe Davis • Leif Erikson • Grace Bradley • Specialties by Kirsten Flagstad • Tito Guizar • Shep Fields and his Rippling Rhythm Orchestra • A Paramount Picture • Directed by Mitchell Leisen
Screen Play by Walter DeLeon, Francis Martin and Ken Englund • Based on an Adaptation by Howard Lindsay and Russel Crouse of a Story by Frederick Hazlitt Brennan

Skouras Authorizes New Colorado House

Despite an economy wave now under way in National Theatres, Spyros Skouras, who heads the circuit, has approved an appropriation of $100,000 for construction of a theatre in Sterling, Col. The budget was set in conferences here last week with Rick Ricketson, Intermountain division manager with headquarters in Denver. In addition, a theatre in Durango, Col., will be reconstructed and Skouras also approved the renovation of several houses in the Intermountain division.

Skouras left yesterday for the coast. He is expected back the middle of next week.

Ricketson, who operates about 100 theatres, left Saturday night and planned to stop off in North Platte, Neb., to meet Ray Davis, district manager. The two will inspect theatres in neighboring towns. Ricketson plans to return here in May.

The current economy program is aimed to eliminate unnecessary expense in theatre operation. Personnel is not affected.

The Skouras circuit in the east also is economizing.

Open Showman's Club

Philadelphia, Jan. 31.—Headquarters of the Showman's Club were house-warmed and inspected, when more than 300 members and friends gathered on the second floor of the Saint James Hotel.

The informal warming started Friday evening and continued through Saturday for those theater and exchange men who might have found the earlier time inconvenient.

Bissell Goes to Buffalo

Cleveland, Jan. 31.—Holbrook C. Bissell has sold his interest in Imperial Pictures to his partner, C. C. Linehan, and has moved to Buffalo from where he will distribute independent films in the upper New York territory. Linehan will continue to operate the Cleveland office distributing Imperial and independent pictures in the Ohio territory.

Date Joe Louis Picture

Day and date openings on Globe Prod.'s " Spirit of Youth," featuring Joe Louis, heavyweight champ, will be held Feb. 10 at Loew's Victoria and Loew's 116th St., both in Harlem. Extended runs have been scheduled, at increased admission prices. The film is now playing in Kansas City, Washington, Philadelphia, Baltimore and Cleveland. Grand National is the distributor.

Seek Game Hearings

Salt Lake City, Jan. 31.—B. G. and G. W. Thatcher, owners of the Capitol and Lyric in Logan, and Fox Intermountain operating the Ogden and Egyptian in Ogden, have filed requests for hearings on cease and desist orders issued by the Utah Trade Commission in connection with the use of Bank Night at theatres.

Time Reel to Shea House

Pittsburgh, Jan. 31.—The March of Time reel, "Nazi Germany—1938," which was shelved at the Penn because of the Warner ban, has been taken here for first run exhibition by the Shea-Hyde house, the Fulton.

New York Preview

"Monastery"

(World Film)

Much in the fashion that "Cloistered," released some time ago, pictured the lives of cloistered nuns, "Monastery," produced also by Robert Alexander, and presented by George Kraska and World Film, details pictorially and by commentary the ordered and circumscribed existence of monks. It is at once an enlightening and intensely interesting study of devotion to an ideal of peace and humility, rare enough in today's civilization.

The production, which is said to have been inspired by the poem, "The Monks," by Emil Verhaeren, includes an interesting and informative introduction by Rev. Michael J. Ahern, who also is responsible for the narration. An appropriate musical score adds to the effectiveness of the scenes. As is explained by Father Ahern, the film depicts two types of monastic order within the Catholic Church, the active and the contemplative.

For typical examples of each phase the producers have used the famed Great St. Bernard Monastery in Switzerland, wherein the "active" monastic work is carried on, and a Trappist Monastery in France. A brief word-history of each order precedes each sequence, after which the camera records in detail the daily lives of the monks. There is dramatic value in the picturization of the St. Bernard monks, responding to an alarm, hurrying on skiis to the rescue of a traveler buried under an avalanche on the St. Bernard Pass. Perhaps too graphic is the scene in the underground mortuary where the bodies of dead travelers are kept until they can be claimed by relatives in the spring.

Still more interesting by reason of the extreme austerity and utter simplicity of their "contemplative" lives, are the scenes of the Trappist monks, whose order is perhaps the most rigorous and trying of all within the framework of the Catholic Church. Their lives, as readily may be seen, are composed of simple subsistence tasks and prayer, with the latter phase playing the dominant part. Their self-contained community is virtually without contact with the outside world.

Intelligently produced and edited, "Monastery" is documentary material of a high order.

Running time, 55 minutes. "G."

Hollywood Preview

"Walking Down Broadway"

(20th Century-Fox)

Hollywood, Jan. 31.—It was in the nature of things—and probably should not be construed as more than a coincidence meriting mention as exhibitor information—that there would, and no doubt should, be another picture in the successful format of "Stage Door." "Walking Down Broadway" is that picture, a screen play by Robert Chapin and Karen DeWolf, from a story by Mark Hellinger, and it has many if not mighty names for marquee use and much entertainment for the patrons such billing may attract. It is a Sol M. Wurtzel production directed by Norman Foster and a thoroughly screenworthy offering in spite of its generic handicap.

The six "stars of tomorrow" featured on the distaff side are Claire Trevor, Phyllis Brooks, Leah Ray, Dixie Dunbar, Lynn Bari and Jane Regan. Opposite them in various relationships, principally romantic, are Michael Whalen, Thomas Beck, Douglas Fowley, Walter Woolf King, Robert Kellard and Leon Ames. Prominence is pretty evenly distributed among the dozen, with Miss Trevor and Whalen getting a slight edge, while little Joan Carol and Jed Prouty also figure in the proceedings.

The story, like that of "Stage Door," is a weaving together of several boy-and-girl romances of varying conclusion. Six chorus girls pledge themselves on New Year's Eve to meet again a year later. One is killed in a traffic accident, one plunges to death from an apartment veranda, another goes to the penitentiary for murder, another to South America with an absconding sweetheart, and two find themselves aboard ship bound for Europe with the men of their choice. A considerable variety of comedy, melodrama and not too much confusion slips down the screen between beginning and end of the picture.

Two songs by Sidney Clare and Harry Akst are worked into the film, without making it a musical comedy, and the dialogue is for the most part brisk, without becoming talky.

Running time, 75 minutes. "G."

Cold Delays Start of N.W. Allied Meeting

(Continued from page 1)

were: Nominating committee, committee on percentage pictures, committee to confer with Abram F. Myers and H. M. Richey regarding National Allied's plans for the year, committee on increased film costs to find out why distributors announced the curtailment of plans for million-dollar pictures after the selling season was over without giving theatre men reductions, committee to present a resolution criticising Universal for selling films picturing the sinking of the *Panay* as they did.

No other business was transacted today, the proceedings being very informal. Steffes tomorrow will tell exhibitors to avoid any violation of their contracts which he claims were obtained through misrepresentation of product in some cases. He will say that the exhibitor has a good chance to sue distributors in district courts, to seek redress.

Myers and Richey will arrive tonight, also Harry Sherman, George Dembow and others. Tonight delegates will see "Snow White and the Seven Dwarfs" at a midnight preview.

Picks Art Directors

Hollywood, Jan. 31.—Frank Capra, president of the Academy, has named members of the art direction award committee which will select the production to receive the art direction award. The committee consists of Roland Anderson, Lionel Banks, William A. Horning, Mark-Leo Kirk, John Hughes, W. B. Ihnon, Jack Otterson, Carroll Clark and A. Toluboff.

They must view each of the 10 nominated productions at a series of showings to be held during the next four weeks.

Vote Down Walkout

Minneapolis, Jan. 31.—A motion to stage an immediate walkout was defeated by operators here by a margin of seven votes. The vote was taken following their failure to obtain salary increases of from 15 to 20 per cent. The suggested contract has been in negotiation since November. Theatre owners not only are refusing the demands but are insisting that a reduction in salaries is necessary.

Wall Street

Eastman Advances on Board

	Open	High	Low	Close	Net Change
Col.	12	12¾	12	12¼	— ¾
Col.. pfd. ..	31⅜	31⅜	31⅜	31⅜	—3/16
Cons.	1½	1½	1⅜	1⅜	— ⅛
E. K.	157	159	157	159	+2
G. T. E....	11	11	11	11	.....
Loew	45¾	46¾	45½	46¾	+ ⅝
Para.	9⅞	10⅛	9⅝	10	+ ⅜
Para. 2.....	10⅛	10⅛	9⅞	9⅞	— ⅜
RKO	4	4⅛	4	4⅛	+ ⅛
20th Fox ..	22	22	22	22	+ ¼
W. B.	5⅞	6⅛	5⅞	6⅛	+ ¼

Small Curb Changes

	Open	High	Low	Close	Net Change
G. N.	⅝	⅝	⅝	⅝	.....
Tech.	17½	17⅞	17¼	17¼	.....
Trans-Lux	3	3	3	3	+ ¼
Univ. Corp.	3	3	2⅞	2⅞	— ⅛

Little Bond Movement

	High	Low	Close	Net Change
Para. Pict. 6s '55	91	91	91	—2

(Quotations at close of Jan. 31)

FIRST TIME *in the his*
theatre . . . HEL

FOURT

RADIO CIT

Walt DISNEY'S
Snow
©W.D.P

and the

Distributed by
RKO RADIO PICTURES

ry of the world's largest

OVER

WEEK

MUSIC HALL

White
Seven Dwarfs

"Buccaneer" $42,000 Top On the Loop

CHICAGO, Jan. 31.—A knockout advertising campaign which included the personal appearance of Cecil B. DeMille and several players in the film helped "The Buccaneer" take top honors at the Chicago last week with a gross of $42,000, $10,000 over par.

"The Hurricane" at the United Artists did another standout week to hit $21,000, which was $6,000 over average and very good for a second week. At the State-Lake "They Won't Forget" did well at $14,200. "Marihuana" at the Garrick and "She's Got Everything" at the Palace were also over the average mark.

Total first run business was $130,100. Average is $121,000.

Estimated takings:

Week Ending Jan. 27:

"WELLS FARGO" (Para.)

APOLLO—(1,400), 35c-55c-75c, 6 days. **Gross:** $4,600. (Average, $6,500)

"BUCCANEER" (Para.)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Phil Spitalny and Band. **Gross:** $42,000. (Average, $32,000)

"MARIHUANA" (Roadshow Prod.)

GARRICK—(900), 35c-55c-65c, 7 days, 2nd week. **Gross:** $6,700. (Average, $6,500)

"PENITENTIARY" (W. B.)

ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $13,600. (Average, $18,000)

"SHE'S GOT EVERYTHING" (RKO)

PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Mischa Auer and Revue. **Gross:** $20,000. (Average, $19,000)

"THEY WON'T FORGET" (W. B.)

STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $14,200. (Average, $13,000)

Week Ending Jan. 25:

"BAD MAN OF BRIMSTONE" (M-G-M)

ROOSEVELT—(1,500), 35c-55c-75c, 7 days, 3rd week. **Gross:** $8,000. (Average, $11,000)

"HURRICANE" (U. A.)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $21,000. (Average, $15,000)

Retitle "Dude Rancher"

HOLLYWOOD, Jan. 31. — Warners have changed the title of "The Dude Rancher" to "The Cowboy from Brooklyn."

Out Hollywood Way

HOLLYWOOD, Jan. 31.—FRANCES DEE will co-star with GEORGE RAFT in "Racing Form," which JEFF LAZARUS will produce at Paramount. . . . SID ROGELL, RKO studio manager, will marry JUNE CLAYWORTH Feb. 8 at Wilkes-Barre, the home of the actress' parents. . . . GEORGE O'BRIEN has been signed to a term contract at RKO.

✚

Casting—JACKIE COOPER has been signed by Warners for "White Banners.". . . CANDY CANDIDO in "Cowboy from Brooklyn," Warners. . . . PAUL PORCASI in "Crime School," Warners. . . . DOROTHY HOWE to "Cocoanut Grove," Paramount. . . . FRANK MCHUGH, JOHN LITEL and ANN SHERIDAN in "Little Lady Luck," Warners. . . . BINNIE BARNES and PORTER HALL in "Tropic Holiday," Paramount. . . . JACQUELINE LAURENT, French actress, makes her American film debut in M-G-M's "Judge Hardy's Children.". . . ROGER CONVERSE in "Marie Antoinette," M-G-M. . . . GEORGES RENAVENT to "Gold Diggers in Paris," Warners. . . . BETTY COMPSON in "Torchy Blane in Panama," Warners. . . . WAYNE MORRIS draws the principal role in Warner's "Sucker." . . . ANN RUTHERFORD, ROBERT WHITNEY, LEONARD PENN and RUTH HUSSEY in "Judge Hardy's Children," M-G-M. . . . HENRY HULL in "Three Comrades," M-G-M.

✚

Contracts—GALE PAGE, radio blues singer, has been signed by Warners. . . . The studio also gave a term contract to PEGGY MORAN, local high school graduate.

✚

Directors—NOEL SMITH will direct Warners' "State's Attorney." . . . NATE WATT will draw the next "Our Gang" short assignment at Roach. . . . J. WALTER RUBEN is to guide M-G-M's "Boys' Town."

✚

Writers—MARY C. MCCALL, JR., has joined the writing staff of Selznick International to prepare the screenplay of "Merry, Merry Maidens." . . . QUINN MARTIN, who resigned his post as head of Paramount's editorial board last week, is at the lot working on his own story, "Nurse at Anchor," to be produced by JEFF LAZARUS. . . . JACQUES THIERY reports to M-G-M. . . . WARREN DUFF has been assigned to polish the screenplay of "Angels with Dirty Faces," JAMES CAGNEY's second vehicle at Warners. . . . DON HARTMAN and FRANK BUTLER are writing the script of Paramount's "Follow the Sun." . . . ROBERT LEE JOHNSTON is doing a script-polishing job on Universal's "The Eye of a Needle," which will be KEN GOLDSMITH's first production at the lot. . . . FERDINAND REHYER has reported to Paramount to do the script of "Federal Pen."

Paulson Is Due from Orient on Vacation

Barry Paulson, manager in China for 20th Century-Fox the last three years, will sail from the Orient about the middle of February and is due to arrive here in April on a leave of absence of four or five months.

Paulson has remained in Shanghai during the present warfare and is now the only American film representative there, according to 20th Century-Fox. The company's branch in the International Settlement has been in the midst of the Japanese bombardments, although the building itself has not been damaged.

This will be Paulson's first vacation in the United States since his appointment from Toronto salesman to Shanghai manager. He will return to his post after his visit here.

Ban Stage, Film Work

LONDON, Jan. 22.—H. M. Tennent, Ltd., theatre management corporation, has decided that no player appearing in any of its productions may work in pictures at the same time. Heretofore such permission has generally been granted. The company said: "It is not conceivably possible for actors to make films and give satisfactory performances during a long run.

Hungarian Film to Open

"Szerelembol Nosultem" ("I Married for Love"), Hungarian film which received honorable mention at the Venice Exposition, will have its American premiere on Friday at the Modern Playhouse. Danubia Pictures distributes the picture.

Johnston Joins Wanger

HOLLYWOOD, Jan. 31.—John Leroy Johnston has resigned as western manager for *Photoplay, Movie Mirror* and *Radio Mirror* to become publicity and advertising manager for Walter Wanger Prod. Russell Phelps will be his associate.

Laurels File Tax Appeal

WASHINGTON, Jan. 31.—Redetermination of alleged deficiences of $3,030 in income taxes for 1934 was asked of the Board of Tax Appeals today by Stan Laurel and Lois Laurel, his former wife.

"Hoosier" on Dual High in Frisco Lull

SAN FRANCISCO, Jan. 31.—"Hoosier Schoolboy," with "Zamboango" as the other half of a dual bill, made the [illegible] comparative showing of a dull [illegible] with a take of $6,000 at the 1,400-seat Embassy, $1,000 over par.

There were four holdovers. "Nothing Sacred," the best of these, took $4,000 in its fifth week at the United Artists. "Man-Proof," with "King Solomon's Mines," grossed a par $13,000 in the second week at the Warfield. "Bad Man of Brimstone" and "Beg, Borrow or Steal," took $11,000 in the third week at the Paramount, and "Hollywood Hotel" with "You're Only Young Once," pulled $6,000 in the second week at the St. Francis.

Total first run business was $78,200. Average is $87,800.

Estimated takings:

Week Ending Jan. 25:

"PRESCRIPTION FOR ROMANCE" (RKO)

"MARCH OF TIME" (RKO)

GOLDEN GATE—(2,850), 15c-35c-40c-55c. 7 days. Stage: Vaudeville. **Gross:** $15,500. (Average, $16,000)

Week Ending Jan. 26:

"ZAMBOANGA" (Ind.)

"HOOSIER SCHOOLBOY" (Monogram)

EMBASSY—(1,400), 15c-35c-40c-55c, 9 days. **Gross:** $6,000. (Average, $5,000)

"EVERY DAY'S A HOLIDAY" (Para.)

"CITY GIRL" (20th-Fox)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,000. (Average, $17,000)

"SHE MARRIED AN ARTIST" (Col.)

"MR. BOGGS STEPS OUT" (G.N.)

ORPHEUM—(2,440), 15c-35c-40c-55c-75c, 7 days. **Gross:** $5,300. (Average, $8,500)

"BAD MAN OF BRIMSTONE" (M-G-M)

"BEG, BORROW OR STEAL" (M-G-M)

PARAMOUNT—(2,740). 15c-35c-40c-55c-75c, 7 days. 3rd week. **Gross:** $11,000 (Average. $13,000)

"HOLLYWOOD HOTEL" (W. B.)

"YOU'RE ONLY YOUNG ONCE" (M-G-M)

ST. FRANCIS—(1,400). 15c-35c-40c-55c-75c. 7 days. 2nd downtown week. **Gross:** $6,000. (Average, $7,000)

"NOTHING SACRED" (U.A.)

UNITED ARTISTS—(1,200). 15c-35c-40c-55c-65c, 6 days. 5th week. **Gross:** $4,000. (Average. $7,000)

Week Ending Jan. 27:

"MAN-PROOF" (M-G-M)

"KING SOLOMON'S MINES" (G.B.)

WARFIELD—(2,6803. 15c-35c-40c-55c-75c. 7 days, 2nd week. **Gross:** $13,000. (Average, $13,000)

Week Ending Jan. 28:

"GOLEM" (Metropolis)

CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,400. (Average. $1,300)

Will Honor Querrie

TORONTO, Jan. 31.—Preparations are being made by business associates and merchants to honor Charles L. Querrie, well known Toronto sportsman, who has been in charge of the Palace, a suburban Famous Players' house, since it was opened 17 years ago.

Gets Music World Award

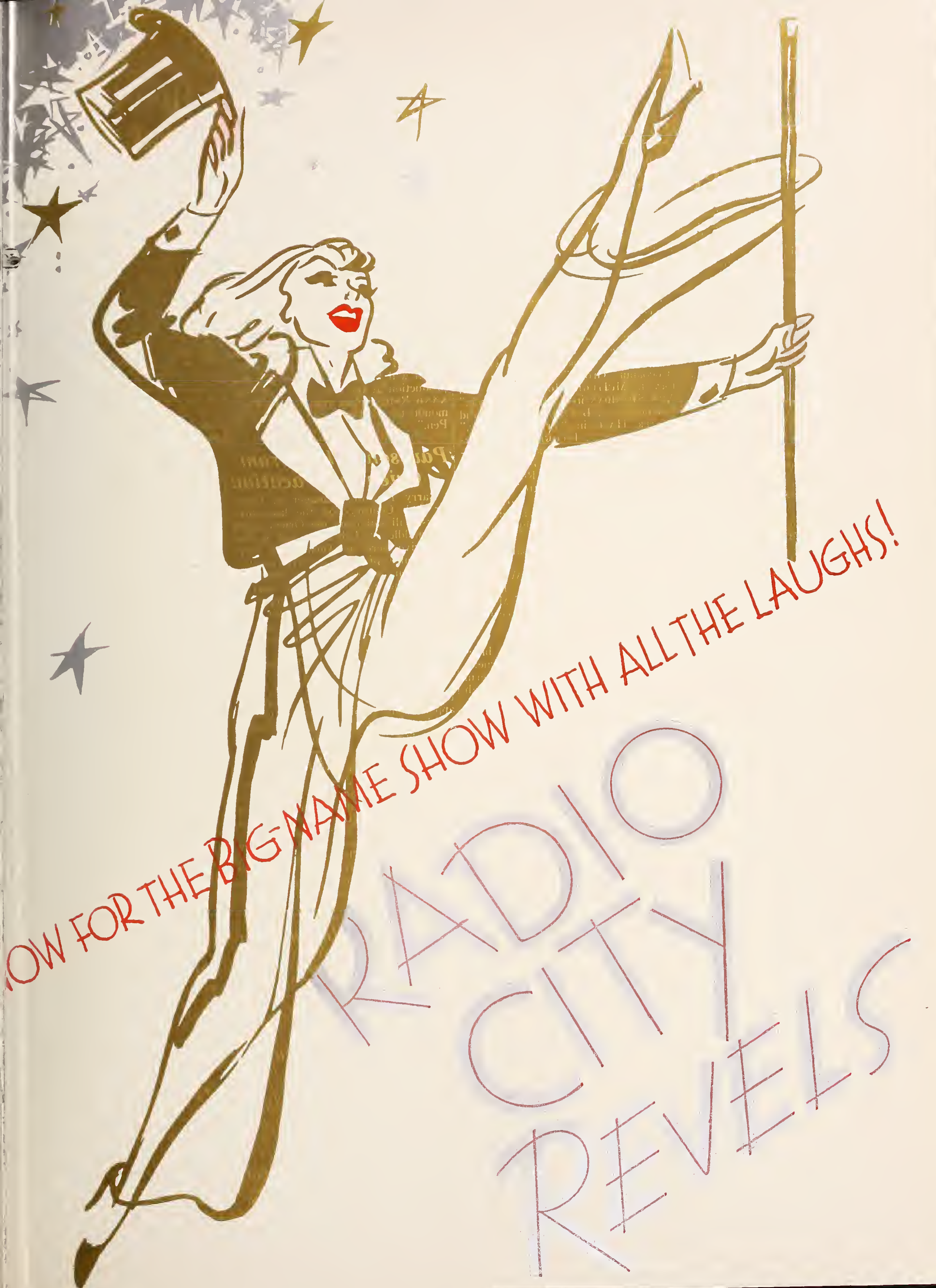
Dolly Dawn, radio and stage singer, will be given *The Music World's* 1937 Achievement Award on the stage of Loew's State tomorrow night. Miss Dawn is currently headlining the vaudeville show at the theatre.

Shift Hopalong Title

HOLLYWOOD, Jan. 31. — Paramount has retitled the Hopalong Cassidy story, "Deputy Sheriff," as "Bar 20 Justice." Harry Sherman produced.

FEATURE FILMS MAKE HISTORY OVERNIGHT BY . . . AIR EXPRESS

Passed through customs, printed and narrated by nightfall. Rushed for national distribution by AIR EXPRESS, they were delivered in most distant city for showing next day! Picture-history and profit-history in the making! Speed your shipments this epoch-making way. Day and night, nation-wide; also to Canada, Latin America, Honolulu and Far East. For service, phone any RAILWAY EXPRESS office —AIR EXPRESS Division.


OW FOR THE BIG-NAME SHOW WITH ALL THE LAUGHS!
RADIO
CITY
REVELS

NAMES, NAMES, EVERYWHERE . . all doing the things that will make the folks howl for more! . . .

Bob Burns as a sleep-writing hit composer; Jack Oakie as the one-time king of Tin Pan Alley; Kenny Baker as a radio singer; Ann Miller as a dancer who makes the grade; Vic Moore, Milton Berle, Helen Broderick in great comedy parts; Mason and West, dancing hits of "White Horse Inn" as hill-billies . . . More fun, more flash, more romance, more EVERYTHING than you've a right to expect even from a show as BIG as this one!

7 GREAT SONGS TO SING AND SWING TO:

"Take a Tip From the Tulip"—"I'm Taking a Shine To You"—"You're The Apple of My Eye"—"Swingin' in the Corn"—"There's a New Moon Over the Old Mill"—"Speak Your Heart"—"Good Night Angel".

BOB BURNS
JACK OAKIE
Kenny BAKER
ANN MILLER

RADIO CITY REVELS

Directed by Ben Stoloff · Produced by Edward Kaufman
Screen Play by Matt Brooks, Anthony Veiller, Eddie Davis, Mortimer Offner

with
VICTOR MOORE ✶ MILTON BERLE
HELEN BRODERICK · JANE FROMAN
BUSTER WEST · MELISSA MASON
and
HAL KEMP AND HIS ORCHESTRA

RKO RADIO PICTURES

Eastern NAB Group In Albany Meeting

ALBANY, Jan. 31.—Commercial and ales managers of New York state's adio stations, ranging from 100 watts representatives of WGY's 50,000-att plant, met in the Hotel Ten Eyck ere on Saturday, in an eastern division meeting of the National Association of Broadcasters, prior to the an- convention scheduled in Wash- during February. Charles L. Phillips of WFBL, Syracuse, preided over the informal gathering, with long docket of sales problems comng under discussion.

George Nelson of the Leighton Nelon Advertising Agency, Schenectady, ddressed the gathering on the subect of sales and publicity cooperation, tressing the benefits to be derived rom reading the radio trade papers.

"The exchange of ideas in the meetng," said Phillips, "gave us a surrising amount of information about nutual problems. Representation of very network and stations of all lassification, big and small, is of mutual assistance."

The eastern division made plans to attend the annual meeting at the Hotel Willard, Washington, Feb. 13 on the eve of the N.A.B. convention.

Plan Union Situation Talk

Included in the docket were discussions on the musicians' union situation; contests for new ideas, analysis of salesmen's calls and checkups; distribution of compensation between national representatives and local salesmen, and the rate structure.

Among those present were: Kolin Hager and John Howe, WGY, Schenectady; Leonard L. Hoffman, WHDL, Olean; George F. Bissell, WMFF, Plattsburg; Clifford M. Taylor, WBEN, Buffalo; Lou Avery, Buffalo Broadcasting Co.; Bill Doerr, WEBR, Buffalo; Charles Denny, WSYR, Syracuse; Al Triggs, WIBX, Utica; Eugene S. Thomas, WOR; B. M. Middleton, WFAS, White Plains; Harry Goldman, WABY, Albany; Philip Hoffman, WNBX, Springfield, Vt.; John Kennedy, WHAM, Rochester; Al Kellert, WOKO, Albany.

Station WOKO was host to the visitors at a luncheon at the Ten Eyck.

Education Office To Aid Radio Move

(Continued from page 1)

help educational organizations secure licenses and develop stations and programs.

Studebaker warned, however, that development of an educational broadcasting system will not be rapid, since the frequencies assigned are not within the range of receivers now on the market.

Music Corp. Signs Novelaires

The Novelaires, vocal trio, have been signed under Music Corp. of America management, and are expected to be placed on the Camel program, with the Benny Goodman band. Evelyn Prochaska will continue to handle the group as personal representative.

Slocum on Baseball Broadcasts

Bill Slocum, veteran New York baseball reporter, has been signed by General Mills as a contact man for the coming season's baseball broadcasting schedule.

New Shows On the Air

"Busy Line, 4142"

Proving in notable fashion that good dramatic fare can be produced at an independent studio despite the manifold handicaps faced by local stations in the presentation of "live" dramatic programs, WHN on Sunday presented "Busy Line, 4142," the first in a series of weekly plays. In production, treatment and presentation, it compared favorably with what the major networks have to offer.

The setting of "Busy Line, 4142" was in a telephone booth. Through conversations over the phone the author cleverly wove an exciting, melodramatic story involving murder. The story and dialogue was crisp and full of punch, and the actors were excellent.

The new dramatic presentations will be heard each Sunday from 5:30 to 6 P. M. over WHN.

BANNER

To Start Film Comment Program

MONTREAL, Jan. 31.—A new Canadian Broadcasting Corp. program, to be inaugurated Feb. 16, will be heard over the local station, CBM, when E. W. Harrold, associate editor of the *Ottawa Citizen,* starts a series of monthly commentaries on current films. Harrold's program goes on the air over a national network from 11.15 P. M. to 11.30 P. M. He will select about three or four films a month for detailed discussion.

Lum and Abner to Suspend

Lum and Abner, after four years of broadcasting in behalf of the Horlick Malted Milk Co., will suspend their program Feb. 25. Their current schedule consists of programs Mondays, Wednesdays and Fridays over the NBC-Blue. Lord & Thomas is the agency. Plans are being made, however, for the continuance of the Lum and Abner broadcasts under another sponsor.

Mutual to Take New Series

Mutual will take a new variety series from the Don Lee network, starting Feb. 10, from 10 to 10:30 P. M. The series will be titled "Hollywood Serenade," and will feature a 75-piece orchestra recently taken on under the terms of the I.R.N.A. pact. The program will be produced by Louis Allen Weiss, general manager of Don Lee, and direction will be by Elias Breeskin.

"Dr. Kate" Back on NBC Web

SAN FRANCISCO, Jan. 31.—After a six-months absence from coast airlanes, Hal Burdick's human interest serial, "Dr. Kate," will return to KPO and NBC's coast Red net, in response to public demand. Thousands of letters of protest were received when the skit was taken off the air. The show will be heard Mondays through Fridays, sponsored by Sperry Flour Co.

Stringer Quits Crosley

CINCINNATI, Jan. 31.—Arthur Stringer, who has been associated with the Crosley publicity division for several months, has resigned. His future plans are not definite.

Fish Is Invited To Repeat Speech

(Continued from page 1)

appearing at a rally of the Non-Sectarian Anti-Nazi League, denounced totalitarian governments whether they be "Fascist Italy, Nazi Germany or Communist Russia." Hisses and boos from sympathisers of those styles of government followed Fish's remark, and it was then that the program was cut off the air.

WMCA yesterday declared a telegram had been received from the Anti-Nazi League "regretting the conduct of a few ill-mannered people in the audience."

Glass Organization To Have New Series

The Glass Container Association will sponsor a new series on the NBC-Blue starting March 21, Mondays and Thursdays from 7:45 to 8 P. M. The Steinie Bottle Boys will be featured. U. S. Advertising Corp. placed the contract.

Glass Container Association currently has a script show on NBC, "There Was a Woman."

Herrmann Joins CBS Staff

Bernard Herrmann has been signed under CBS artists bureau management as a network staff conductor and musical adviser. Herrmann has been associated with CBS for the past four years as an assistant conductor and arranger. Currently he is handling the musical details on "Workshop" and "Brave New Worlds."

Atlantic to Sponsor Eastern Ball Games

Atlantic Refining Co. has signed with the Eastern Baseball League for the coming season. Home and road games will be broadcast. Cities involved are Elmira, Williamsport, Binghamton, Hazelton, Trenton, Wilkes-Barre, Albany and Trenton.

The Wilkes-Barre club is reported to be receiving $6,000 for the commercial. All others save Albany will receive $4,000. Albany last season broadcast its games for General Mills and is not yet in the Atlantic Refining fold. It is expected however, that this season Atlantic Refining will outbid General Mills for the games.

N. W. Ayer & Son, Inc., is handling the Atlantic Refining Co. account.

Baking Firm Takes New Series on WHN

The Gottfried Baking Co. has entered into a 52-week contract with WHN for sponsorship of the Bowery Mission program. The Bud Roth agency handled the deal.

One-act dramatizations will replace the recordings now used on the Home Diathermy series over WHN beginning Feb. 7. The programs will be heard Monday through Saturday from 2 to 2:15 P. M. The same sponsor also will start a 15-minute recorded program over WHN Feb. 7, seven times weekly.

Godefroy Mfg. Co. will sponsor daily spot announcements over WHN, starting immediately. The program is for eight weeks, through the Anfenger Advertising Agency of St. Louis.

FLY
TWA
first

SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday, Sunday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA

For Further Information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

Note to "Scrip" Holders

Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

TWA first

SHORTEST-FASTEST COAST TO COAST

Grainger Will Be Elected as Republic Head

(*Continued from page 1*)

which have been in progress since Grainger resigned from Universal with the election of Nate J. Blumberg as president and the appointment of W. A. Scully as distribution head. Yates today said the possibility of Grainger's joining Republic had been discussed "for months."

Yates, who heads Consolidated Film Industries, expects to be here about two more weeks lining up production for 1938-'39. He said the program would be increased by 10 features over the current schedule of 30 features, 24 westerns and four serials.

Republic has scheduled its national sales convention for the coast, May 3, 4 and 5. Franchise holders as well as home office executives, sales supervisors and field staffs will attend. Yates plans to have three or four pictures completed in time to screen at the meeting.

Republic Meeting Feb. 8

Grover C. Schaefer, Republic comptroller, yesterday said that the next directors' meeting at which Grainger is to be elected president and a director probably will be scheduled for Feb. 8 and will be held in New York.

Republic Pictures Corp. of New York, which Grainger will head, is the distributing company. It has had no president. Walter Vincent is chairman of the board. Republic has been without a sales head since the resignation of J. J. Milstein several weeks ago.

Grainger will bring to Republic a background of wide experience in distribution gained with various companies. At one time he was vice-president and sales manager of the old Goldwyn Co., resigning to become general sales manager of Fox Film Corp. in 1924. He remained with Fox nine years. After leaving that company he was made general sales manager of Universal.

G.N. to Resume Its Production Schedule

(*Continued from page 1*)

in charge of distribution, is expected back from the coast early next week from reorganization conferences in Hollywood with Edward L. Alperson, president, and others. Alperson intends to remain on the coast indefinitely.

Saul J. Krugman, special sales representative, left yesterday on a tour of exchanges in Washington, Charlotte, Atlanta, New Orleans, Dallas, Kansas City and St. Louis.

Boston Club Party Set

Boston, Jan. 31.—The Cinema Club will hold a charity ball in the Statler on March 16, with tickets at $1. Thomas Fermoyle, Jeremiah Govan, Sam Berg and William Cuddy are in charge for the organization of office managers and salesmen.

Raps Quebec Censors

Toronto, Jan. 31.—The Quebec censors have been handed a severe rap from an entirely new quarter because of their decisions which are frequently quite different from those handed down by the censors of other Canadian provinces. Criticism this time is from Prof. H. D. Brunt, director of the Department of English, Macdonald College, Montreal, who publicly condemned Quebec film censorship as "illogical, inconsistent and unintelligent."

The Professor declared that the wholesale deletion of scenes and other alterations frequently destroyed the whole sense of a story on the screen.

Plan Projectors For Use in Bars

(*Continued from page 1*)

Cinematone Varieties Corp., whose officers are W. P. Falkenberg, president of Rayolite Distributing Co., and Dr. Gordon Keith Woodard, inventor of the projection device, who has taken three years to perfect it.

The plans call for the production of 20 shorts weekly, to run two and one-half minutes each, and the manufacture of 500 machines within 60 days at Chicago and Davenport, Ia. An experimental machine already has been installed at Lindy's cafe in Los Angeles, and currently is using a cut-down Paramount short starring Bing Crosby, which was released to the 16 mm. field, and several animated cartoons in reduced length.

Eight Feet in Height

The machine is eight feet high, in modern design, projecting images with sound to a screen four feet square. Victor Animatograph sound projection equipment is used with a continuous projection attachment. Novelty and variety acts and "name" bands will be used in the shorts.

Falkenberg declared 5,000 machines will be turned out this year at a cost of $2,500,000, while the production budget for the year is placed at $750,000. The company estimates 200,000 cocktail lounges as potential customers. Under the patents applied for, the machines will offer a choice of 20 subjects and a dime will operate the apparatus.

Through Hank Levy, director of publicity, Falkenberg indicated that he feared to anger the film industry, and consequently will not attempt to use film personalities. Production craft union rules will be observed, and the union scale will be maintained at all times, he said.

Film Board to Install

Officers of the N. Y. Film Board of Trade for 1938 will be installed at the board's offices in the Paramount Building tomorrow, and a party at the Casa Manana will follow. Officers are: Leo Abrams, Universal, president; Harry Hummell, Warners, first vice-president; Edward H. Bell, Paramount, second vice-president: Jack Bowen, M-G-M, treasurer: Morris Epstein, G. N., secretary; Robert J. Fannon, Republic, sergeant-at-arms.

Studio Activity Up; 31 in Work

(*Continued from page 1*)

one, preparing zero, editing six; Goldwyn, zero, zero, zero, zero; Grand National, zero, zero, zero, zero; M-G-M, two, three, two, three; Monogram, zero, zero, one, one; Paramount, one, five, one, 12; Principal, zero, one, zero, one; RKO, one, four, two, three; Republic, two, two, three, five; Roach, zero, one, zero, one; Selznick, zero, zero, zero, one; 20th Century-Fox, one, six, two, six; Universal, one, two, zero, two; Wanger, zero, zero, zero zero; Warners, zero, six, four, 22.

In short subjects, M-G-M started one, which is still shooting. One each is at work at Columbia and Roach. Warners finished one. A total of five are being prepared, and nine being edited.

Start Federal Drive Against Lewd Films

(*Continued from page 1*)

be aided by a promotor who today pleaded guilty to the charge of sending indecent matter through the mails and who has been granted probation on condition that he aid the Government's drive.

Government agents state that production of the great bulk of lewd films has been traced to Hollywood.

Lawrence Tibbett Hurt

Lawrence Tibbett was injured on the forehead in a fall near his home at Wilton, Conn., on Sunday.

Review Granted in Dallas Trust Cas

(*Continued from page 1*)

viously been run in any city for night at an admission price of 40 cen or more, and prohibiting the showin of double bills.

The Dallas court held that the pr visions were in violation of the ant trust statutes and the defendant ap pealed on the ground that there no intention to secure a monopoly that the restrictions complained were a lawful application of the rights under the copyright law.

"Chicago" Test Runs To Determine Polic

(*Continued from page 1*)

by National Theatres in the west ar in the nature of test showings. A are at $1.50 top.

Fox Intermountain has set the pic ture for the week of Feb. 10 at th Denver, Denver, and Fox Midwe has booked it for the Uptown, Kar sas City, for the week of Feb. 4. Sev eral smaller towns have been date by National Theatres for two an three-day engagements, and others ar planned.

Prepare Program for Bal

The cartoonists for New York' daily newspapers have prepared series of comic strips depicting th press photographers in action for in clusion in the souvenir journal whic will be given out at the ninth annua ball of the Press Photographers' As sociation at the Commodore on Fet 18.

THE
PROJECTIONIST
says:
"You learn a lot about movies . . . running miles of rushes through a machine. Take it from me, JOE E. BROWN in WIDE OPEN FACES has what it takes! Laughs . . . gals . . . and speed!"
A Columbia Picture

DO NOT REMOVE

lert.
ntelligent
nd
ndispensable
o the Motion
Picture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 27 • NEW YORK, WEDNESDAY, FEBRUARY 2, 1938 TEN CENTS

BS ’37 Net Estimated at $4,297,600

n Increase of $542,100 Forecast in Notice

Net earnings of Columbia Broad- sting System, Inc., for 1937 are es- nated at approximately $4,297,600, cording to a notice sent to stock- lders yesterday by Frank R. White, BS treasurer.

The above figure is subject to an dit now being made and represents jump in revenue of more than a lf million dollars over the previ- s year's business, which was $3,- 5,500.

The $4,297,600 figure is equivalent $2.52 per share of CBS stock. Last ar's $3,755,500 was equivalent to .20 per share.

Par share earnings for both years e calculated upon the 1,707,950 ares of $2.50 par value stock pres- tly outstanding upon the completion

(Continued on page 8)

tore Broadcasting Service Is Formed

BOSTON, Feb. 1.—Department Store roadcasting Service, a new company hich will give exclusive radio broad- asting service for department and pecialty stores, has been formed here. he company will plan special depart- nent store programs, with campaigns or every season and department.

The programs will be both tran- criptions and live, with the former redominating to enable local adver- isers to use famous names at small ost. A complete schedule already has

(Continued on page 8)

WMCA in Tieup with N. Y. Port Authority

WMCA has negotiated a tieup with he Port of New York Authority pro- iding for promotion of the station n toll booths at Holland Tunnel, Lincoln Tunnel and the George Washing- on Bridge in connection with a program titled "Metropolitan Travelogue" to be presented by the Port Authority over WMCA Saturdays from 6:25 to 6:30 P.M.

The deal follows a similar arrangement previously made with New York hotels in the midtown area in which WMCA programs are picked up on the hotel radio channels.

More Radio—P. 8

Writer from Germany Backs Warner Stand on Time Reel

Harry M. Warner's decision against the showing in Warner theatres of the current issue of "The March of Time," entitled "Inside Nazi Germany —1938," returned to the spotlight yesterday with the publication in the *New York Post* of an article by Martin Proctor.

Proctor's article discusses "Inside Nazi Germany" from a viewpoint based on intimate knowledge of Hitler's Germany. He arrived in this country only three months ago and had previously been a newspaperman in Germany as well as a scenario writer for UFA.

Proctor denies that the film contains "inside information" and declares that it avoids showing anything which accurately depicts prevailing conditions in Germany, leaving with the observer only that kind of an impression which the Propaganda Office wishes to have conveyed.

Proctor's article follows:

"After seeing the newest March of Time film, the so-called inside story of Germany of 1938, I was deeply surprised by the methods of advance promotion of the movie. One of the blurbs was printed even in your paper.

"After reading the blurbs, there was no other impression possible for the average reader than to imagine that this newsreel was an unbiased piece of pictorial inside information made recently with great cunning and personal risks. In one notice I read that these films were smuggled out of Germany by way of Latvia.

"Now I have seen the film. I can only say that most of the footage is material cut from the official German

(Continued on page 4)

McKay to Quit Post At "U" on March 15

Willard S. McKay, general counsel of Universal Pictures, will withdraw from the company on the expiration of his contract March 15, it was learned yesterday.

McKay, who also is a member of the board of directors and secretary of the company, has been associated

(Continued on page 7)

C.E.A. and K.R.S. Aim at Agreement

LONDON, Feb. 1.—The initial step in a new effort to settle the current conflict between the Cinematograph Exhibitors' Association and the Kinematograph Renters' Society (distributors) was taken today at a joint meeting of representatives of the two groups at the K.R.S. headquarters.

Despite a superficial cordiality ap-

(Continued on page 7)

N. W. Allied Hears Steffes, Committees

MINNEAPOLIS, Feb. 1.—In a meeting highlighted by the joining of North Dakota and Montana independent exhibitors with Northwest Allied, the Silver Jubilee Convention got under way this afternoon with a busy four-hour session. Al Steffes reported on progress Allied had made this year, pointing to the success of the Paramount strike. He said that Allied was directly responsible for stopping the unionization of cashiers, doormen and ushers in all theatres in this ter-

(Continued on page 7)

Sears to Be Named Head of Vitagraph

Election of Gradwell Sears to the presidency of Vitagraph, Inc., is slated for today's board meeting, it was learned yesterday from authoritative sources.

Sears, Warner Bros. distribution head and vice-president, started his film career with Vitagraph as a salesman in 1919.

Warners Set 3-Film Deal at Music Hall

Consummation of the first Warner three-picture booking for showing at Radio City Music Hall was made known yesterday by S. Charles Einfeld. "Jezebel" is booked for a March date, "Robin Hood" for April and "Fools for Scandal" in May.

The deal was set after screening of the features for W. G. Van Schmus during his recent visit to the coast.

Fleischer to Build A Studio in Miami

MIAMI, Feb. 1.—A contract has been awarded for a Miami studio to be built by Max Fleischer, producer of animated cartoons and other types of short subjects, it was stated today by the Board of Commissioners of Dade County.

Fleischer is said to have informed the commission that his studio, according to present plans, will cost $300,000 and that he will transfer all production activities from his present New York quarters to Miami after the new plant is built.

Reject Only 397 Ads from 14,033 Total

1937 Results Are Shown In Council Report

Less than 400 film advertisements out of a total of more than 14,000 which were submitted to the Advertising Advisory Council during 1937 were rejected or revised, it was revealed in a survey made public yesterday by the M. P. P. D. A.

Similarly, only 824 stills of a total of 129,456 submitted by major companies during the year were rejected or revised. The discarded or revised stills were equivalent to one-half of one per cent of the total number submitted. In 1936, 752 out of a total of 108,718 stills were rejected or revised.

In 1936, 353 ads out of a total of 16,196 were discarded or revised. Last year, the number was 397 of a total of 14,033.

The survey showed a similar minimum representation of objectionable material in other phases of advertising, publicity and exploitation work passed upon by the council. For example, only six publicity stories out of a total of 15,547 were discarded or

(Continued on page 2)

Dismiss Paramount Trust Case in L. A.

LOS ANGELES, Feb. 1.—Voicing an opinion which declared unconstitutional the Cartwright Act, California anti-trust law, Federal Judge Leon Yankwich today dismissed without prejudice the action of 20 exhibitors seeking total of $210,000 from Paramount over failure to deliver 10 pictures on the 1936-37 schedule. In dismissing the suit Judge Yankwich sustained a demurrer by Paramount.

Exhibitors representing about 40

(Continued on page 2)

Cohen, Para. Talk Dispute Settlement

HOLLYWOOD, Feb. 1.—Negotiations are under way which promise an amicable settlement of the controversy between Emanuel Cohen and Paramount at an early date, but there is no indication that he will continue with the company, it was learned today.

It has been indicated that the conferences thus far have arranged that

(Continued on page 2)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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HOLLYWOOD: Postal Union Life Building, Vine and Yucca Sts.; Boone Mancall, Manager.
CHICAGO: 624 S. Michigan Ave.; C. B. O'Neill, Manager.
WASHINGTON: Albee Building; Bertram F. Linz Representative.
AMSTERDAM: 87 Waalstraat; Philip de Schaap, Representative.
BERLIN: Steulerstrasse 2, Berlin W. 35; Joachim K. Rutenberg, Representative.
BUDAPEST: 3 Káplár-u, Budapest II; Endre Hevesi, Representative.
BUENOS AIRES: Avallaneda 3949; N. Bruski, Representative.
COPENHAGEN: Vesterbrogada 20; Kris Winther, Representative.
HELSINKI. Fredriksgatan 19C; Charlotte Laszlo, Representative.
LONDON: 4 Golden Square, W. 1; Cable address, Quigpubco, London; Hope Williams, Manager.
MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 112 Museum Road; J. P. Koehler, Representative
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

Entered as second class matter January 4, 1926 at the Post Office at New York City, N. Y., under Act of March 3, 1879.

Subscription rates per year $6 in the Americas and foreign $12. Single copies: 10 cents.

Wood Leading Fight On an Ohio Tax Jump

COLUMBUS, Feb. 1.—P. J. Wood. secretary of the I.T.O. of Ohio, is contacting state legislators to maintain the state gross admissions tax at the present three per cent level Smith said Gov. Martin Davey and some members of the Legislature want to impose a higher tax because the state needs revenue, but that the Legislature as a whole is "sympathetic" to exhibitors.

The Ohio unit will have its next convention in Columbus in November, Smith said.

Natan Ordered to Pay

PARIS, Feb. 1.—Bernard Natan, former head of Pathe-Natan, has been ordered by a Paris court to pay off the shares he owned in the company, amounting to 12,000,000 francs ($400,000). The company, in receivership for four years, has been renamed Pathe-Cinema.

Einfeld Leaves Saturday

Charles Einfeld, Warners advertising and publicity director, plans to leave for the coast Saturday, to remain three or four months. H. M. Warner, president, also plans to leave in a few days.

Reject Only 397 Ads from 14,033 Total

(*Continued from page 1*)

revised last year. The preceding year, six out of 15,323 were discarded or revised. Of 8,365 exploitation ideas, six were rejected or revised last year and nine out of 8,007 the preceding year.

Of 6,382 miscellaneous accessories examined by the advisory council in 1937, 22 were rejected or revised, and 82 out of 6,128 were rejected or revised the preceding year. Of 1,647 posters, 16 were discarded or revised last year, and 29 out of 1,576 the preceding year. Of 903 trailers reviewed by the council last year, five were discarded or revised, compared with six out of 873 in 1936.

Last year 438 completed press books were approved and in 1936, 415 were approved, with no rejections or revisions made during either year in this type of material.

Dismiss Paramount Trust Case in L. A.

(*Continued from page 1*)

theatres in southern California cited two causes of action; first, breach of contract and, second, violation of the anti-trust laws. They asked $70,000 damages in the first cause and $140,000 in the second. In his opinion Judge Yankwich said:

"The party having the right of selection can be charged with breach of alternative obligations only when he fails to perform both. Where the obligation indicates clearly that it contemplates performance of one only of two acts, in alternative, no fraud can exist unless both promises were made without intention to perform."

Dismissal of the action without prejudice permits the plaintiffs to file a new complaint amending causes of the action.

Cohen, Para. Talk Dispute Settlement

(*Continued from page 1*)

Cohen will be "satisfactorily" compensated for the last film with Mae West and for the most recent Bing Crosby film, "Dr. Rhythm," which had been completed but not edited at the time of the break. With regard to Cohen's players, it is said that Crosby is under direct contract to Paramount, with an option for one outside picture annually, accounted for by "Pennies from Heaven" and "Dr. Rhythm" for Cohen.

Miss West is not under Paramount contract and her last three pictures completed her contract with Cohen. The producer could not be reached for comment tonight.

Howard Abandons Film

LONDON, Feb. 1.—William K. Howard is en route to the United States on the *Normandie*, having abandoned the direction of "Over the Moon" for Alexander Korda's London Films. The picture is being finished by Thornton Freeland. Shooting started on Nov. 1.

St. Louis Action on Ordinance Continued

ST. LOUIS, Feb. 1.—Circuit Judge William S. O'Connor today, with the consent of counsel, continued until Feb. 28 the hearing on the injunction sought by local theatre owners to restrain the city from enforcement of a new theatre safety ordinance. The case will be tried on its merits on the date set.

Nine additional local theatres have joined the action as plaintiffs, aligning themselves with the 29 operators who filed the original action. Officers and members of the local projectionists' union were allowed to intervene in defense of the ordinance, which pertains to the installation and operation of projection booths, and was passed under the sponsorship of the I.A.T.S.E. The contention of the theatre owners is that the ordinance is unconstitutional in that it will deprive them of property without due process of law. The show cause order on the injunction action was returnable today.

To Bring Loew Suit To Immediate Trial

An application for a temporary injunction to restrain Loew's, Inc., from putting into effect profit-sharing contracts with company executives was withdrawn at a hearing yesterday before Justice Peter A. Schmuck when it was agreed to bring to immediate trial a suit to test the company's right to enter into the contracts.

Joseph M. Proskauer, attorney for Loew's, agreed for the company to an immediate trial of the issues on their merits. Justice Schmuck will set a trial date within the next few days. Indications are that the trial date will be early in March.

The action to have the contracts set aside was brought by Bernard Epstein, holder of 10 shares of Loew's preferred and 13 shares of common.

To Examine Gordon and Revel

The examination before trial in Los Angeles of Mack Gordon and Harry Revel was ordered by Judge Alfred C. Coxe in the U. S. District Court here yesterday. Gordon and Revel, together with 20th Century-Fox and Robbins Music Corp., were named as defendants in an infringement suit brought by Charles McCord, a songwriter. McCord claims plagiarism of his song "I'll Always Remember Ronkonkoma" in the Gordon and Revel song "Good Night My Love" which was heard in the picture "Stowaway." A permanent injunction, $50,000 damages and an accounting of the profits is sought.

Discuss Variety Club

BALTIMORE, Feb. 1. — Plans are under way here for formation of a branch of Variety Club. Louis Rome, William K. Saxton, I. M. Rappaport, Frank H. Durkee, Samuel Back, Rodney Collier, J. Lawrence Schanberger, Sam Diamond, Nick Weems, Joe Young and Sam Stoltz attended a preliminary meeting today.

Buys Theatre Building

HOLDENVILLE, Okla., Feb. 1.—The Dixie Theatre building has been bought from Charles Morris by Foster McSwain, Ada, Okla., theatre owner, for a reported price of $17,000.

Equity Names Haines Meredith Assistant

Robert T. Haines, a member of the council of Actors Equity Association was appointed an executive assistant to Burgess Meredith, acting president of Equity, by the council of the organization yesterday. A part of his duties will be to supervise the organizing activities of Chorus Equity Association which have been handled heretofore by Brentaigne Windus[illegible]esigned.

Chorus Equity's organizing activities in the night club field were halted recently by the claim of the American Federation of Actors to jurisdiction over that field, a claim which is scheduled to be settled by a vote of the Four A's board on Friday.

The League of N. Y. Theatres proposal for a favored Equity contract for producers who employ measures to curb theatre ticket speculation was referred by the Equity council to a committee of five for further study, with instruction to report back to the council next Tuesday.

The council also withdrew Equity's cooperation for the future with any experimental theatre groups except those sponsored by the American Theatre Council and appointed Philip Loeb to membership on the executive council.

M. P. A. Install Ellis

Officers for 1938 were installed at a meeting of the Motion Picture Associates at the Hotel Astor yesterday They are: Jack Ellis, RKO, president; Jerry Wilson, Monogram, first vice-president; Matthew Cahan, second vice-president; Charles Panser Monogram, financial secretary; Moe Fraum, Columbia, recording secretary; Louis Kutinsky, RKO, sergeant-at-arms.

Wilson is chairman of the board He has named as members Joe Lee of 20th Century-Fox, retiring president; Sidney Picker, Republic; Jack Haddem, Interboro Circuit; Seymour Schussell and Sol Trauner, of Columbia; Kutinsky and Panser.

Harold Rodner of Warners, an honorary member of the organization, spoke on its charitable work.

Wall Street

Little Fluctuation on Board

	Open	High	Low	Close	Net Change
Col.	12¾	12¾	12¼	12¼	.....
Cons.	1½	1½	1½	1½	+ ⅛
E. K.	159	159½	158½	158½	— ½
E. K. pfd...	162	162	162	162	+2
G. T. E....	12	12	12	12	+1
Loew	47	48	47	47	+ ¼
Para.	9⅞	10⅛	9¾	9¾	— ¼
Para. 1.....	9¾	9¾	9¾	9¾	.....
Para. 2.....	10⅛	10⅛	10	10	+ ⅛
Pathe	5⅝	5⅝	5½	5½	+ ⅛
RKO	4¼	4¼	4	4	— ⅛
20th Fox ..	22⅛	22¼	22	22	.....
W. B.	6	6¼	6	6⅛	.....

Curb Quotations Unchanged

	Open	High	Low	Close	Net Change
G. N.	⅝	⅝	⅝	⅝	.....
Sentry	5/16	5/16	5/16	5/16	.....
Tech.	18	18¼	18	18	.....
Trans-Lux	3	3	3	3	.....

Para. Bonds in Slight Gain

	High	Low	Close	Net Change
Loew 3½s '46....	99⅜	99	99⅜	+1¼
Para. Pict. 6s '55	92	92	92	+1
RKO 6s '41........	73	73	73	—2
W. B. 6s '39	71⅛	71	71⅛	+ ⅛

(Quotations at close of Feb. 1)

"TAKE A LETTER!"

DEAR MR. EXHIBITOR:

Life is a beautiful thing . . . check us up if we're wrong! You've got a showshop and all around you are Mamas, Papas and Juniors who patiently wait to swap their dough for your show. That brings us right up to the purpose of this letter!

If Mr. and Mrs. Public and Offspring had sat down to describe for you the kind of picture they wanted to see Robert Taylor in, they would have asked for all the happy ingredients that went into the making of "A Yank At Oxford." What an entertainment that is! Two-fisted stuff with real characters playing real parts and Bob in the most human, most winning role he ever had. For the gals there's heart-throb and very interesting catch-as-catch-can . . . for the men there's sockeroo! To put it conservatively, "A Yank At Oxford" is the business!

Pardon us for pointing, but we've got a studioful of hits right now that will make you very happy indeed for months to come!

Sincerely yours,
M-G-M

Newsreel Parade

Movietone News

Vol. 20, No. 41

(20th Century-Fox)

A fairly interesting newsreel has been assembled in this issue. Taken as a whole it is a satisfactory pictorial record of the big news of the past week which lent itself to pictorial reproduction.

The lead offers scenes of the various festivities held in connection with the celebration of the President's birthday for the support of an infantile paralysis foundation. The President gives his thanks, too. The exclusive scenes of the collapse of the Falls View Bridge at Niagara Falls, which went out last week as a supplementary and exclusive clip, are given an adequate follow up with more shots of the ice jams and general destruction on the banks of the river.

There are a number of clever compositions offering spring styles in women's hats. Here Vyvyan Donner got a novel camera effect with a revolving mirror. There are brief scenes of the airplane show in Chicago, and the change of command of the Navy, and Ed Thorgersen applies his vocal comment to an indoor roller-skating derby in Miami where there are many vivid spills. The crew teams of California and Washington universities working out and the remarkable ice skating prowess of a cute five-year-old miss in St. Paul. Lew Lehr comically garbles his dialect with thrillingly filmed scenes of "Lucky" Teeter, the automobile smasher upper, doing just that. Running time, 9 mins. P.

News of the Day

Vol. 9, No. 239

(M-G-M)

A familiar assemblage of wintry weather, aviation, national affairs and sport are found in this number which manages to be interesting. There seems to have been a scarcity of dramatic pictorial news.

The snowed-in condition of various middle west states opens the celluloid journalism. It is the usual stuff with snowed under cars and the other incidental scenes. There is however, a fine shot of a railway snow plow doing its spectacular stuff. Next comes Admiral Hepburn's retiring ceremonies and Admiral Bloch, his successor, tells the assembled service men that they are ready to fight when it is necessary. Residents of San Francisco's Chinatown are seen contributing money for the relief of war sufferers on the other side of the Pacific. The President's Ball at the Waldorf Astoria follows and then there is to be seen an aviation show in Chicago, a new British seaplane taking off, Pompoon winning a race at Arcadia, Cal.; the Washington Huskies rowing their shells and a roller skating race in Miami. Running time, 8 mins. P.

Paramount News

No. 52

(Paramount)

High spots of the news of the week-end are covered in an interesting and entertaining manner in this release. Subjects of more than usual screen worth are numerous. They include the Niagara ice jam and the resulting destruction of "Honeymoon Bridge" and shore line property; ceremonies aboard the U. S. S. *Pennsylvania* at San Pedro as the Navy's new commander, Admiral Bloch, assumes his post, and the fleet's war games which follow; the birth of a new princess to the Royal Family of the Netherlands, and the President's birthday celebrations in Washington.

Some good sports subjects complete the reel. Indoor track events at Boston and an exhibition by five-year-old Irene Davidson, St. Paul figure skater, share top honors. Practice sessions of the Washington and California crews and a 2,000-mile roller skating marathon under way at Miami are of less popular interest. Running time, 9 mins. K.

RKO Pathe News

Vol. 9, No. 56

(RKO)

A variety of subject matter, terse treatment and good narration give this release an excellent rating both on coverage and editing.

Observances of the President's 56th birthday in Washington and New York, together with renewed efforts in his crusade against infantile paralysis, hold the lead position in the reel. Following, in order, are scenes of the damage resulting from the ice jam in the Niagara River; San Francisco's Chinatown foregoing its New Year's celebrations to donate the money saved to war relief funds for the homeland; the International Air Show at Chicago; induction of Admiral Bloch as commander-in-chief of the Navy, succeeding Admiral Hepburn; scenes in Michigan towns marooned by blizzards; winter construction work on the new International Bridge across the St. Lawrence River; St. Paul's winter carnival and its feature—five-year old Irene Davidson, the world's youngest figure skater, and indo track events at the K. of C. games i Boston.

The material is well photographe and entertainingly described. Runnin time, 8 mins. K.

Universal Newsreel

Vol. 10, No. 637

(Universal)

North and south get the regulatio mid-winter attention in this issu Residents of Munising and Marquett Mich., are shown plowing and diggin themselves out of huge snowdrifts, an farmers about Prophetstown, Ill., ar pictured chopping themselves out o the icy aftermath of a flood. To balance the shivers induced by thes scenes a Miami roller skating derb is presented. It looks pretty much lik a six-day bike race, and the assorte spills furnish both thrills and laughs

Another warm weather scene is a series of shots of Lucky Teeter doin odd things in an automobile at Paln Beach.

Varied angles are presented on th President's birthday ball at Washington and the one at the Waldorf-Astoria. A crew of girls opening envelopes containing dimes also is shown.

No Universal cameraman was present when the Niagara bridge fell, s air shots of the falls and the ice jan and the broken bridge lying on the ic are presented.

Admiral Block takes over comman of the U. S. fleet at San Pedro in a snappy ceremony accompanied by band music, but what the admiral says int a CBS microphone is lost behind th voice of the commentator.

Boys and adult air enthusiasts will enjoy a few fleeting shots of the International Air Show at Chicago. Running time, 9½ mins. J.

JEAN PAUL KING
Commentator
(News of the Day)
Available for
Commercial Pictures

Writer from Germany Backs Warner Stand on Time Reel

(Continued from page 1)

newsreels. To show such type of film in the United States, nobody would have to risk his life in Germany. The mere writing of a letter to the UFA, Doenhoffsplatz, Berlin, inclosing the necessary dollars for the negatives, would bring the whole "inside information" by the next boat from Hamburg.

"Or most probably the UFA Films, Inc., 279 Seventh Avenue, New York City, will have most of this stuff in stock at cut-rate prices because parts of the newsreel were made from negatives of Reichsparteitag festivals and other official gatherings in Germany.

"The only scenes probably made in Germany for the especial purposes of this film were the scenes showing the street signs, "No Jews admitted here," etc. I know that generally the photographing of these signs was forbidden. But because the signs are not constantly guarded they can be snapped quite easily with a hand camera during a safe hour.

"How can the March of Time offer this newsreel as "inside information"? Can any one visiting Germany on a short trip see less than the parading as shown in this strip? Can any one see from this film how Germany's anti-Hitler citizens are suffering?

The Sound and the Fuehrer

"The whole is a flaming pro-Nazi story, if there ever was one. What do you really see? Youth marching, singing and working. Iron factories and other plants going full blast. Babies cared for, people fed, soldiers and brown-shirts well clad and well fed, marching happily. And dictators orating and people cheering.

"Where is the real "inside story"? Where is the picture showing how many million marks were stolen from the workers' unions, and how the unions themselves were ruthlessly penalized and abolished?

"Where is the "inside story" of how strikers have been beaten cruelly, jailed and shot, because they dared ask for better wages? Where do I see the courageous pastors and priests chased from the pulpits and thrown into jail?

"Where is the story of how the Fuehrers themselves are living, spending money without any serious control, and the story of how they and their underlings are keeping large "personal staffs," which are really harems of male or female favorites, according to individual taste?

"Where is the story of the SS leader, one of the biggest sadists who ever lived, and the story of his villa, heavily guarded by marksmen of his blackshirted staff? And what about Hitler's Praetorians, the few men officially almost unknown, but whose deeds are grape-vined in terrified whisper throughout the country?

Bestowing a Medal

"Where is the picture of the numerous young, clean girls forced to join the BDM, a young girls' group, and often seduced in the camps by the young Bund leaders?

"What about the simple workmen who were so foolishly brave as to refuse membership in the "Labor Front" and who are now rotting in a concentration camp and are sure never to find work again?

"And what about the unfortunate Socialist and Communist members of the former Parliament, kept behind barbed wire in mud and mire for five years and without hope of pardon?

"I must stop this list of questions because the March of Time people, least of all, can answer them.

"This time they have fooled the public. They have abused the wide interest of the democratic people of America in behalf of this badly composed and dishonest news strip.

"The March of Time editor has done his modest bit for Nazi Germany. And by order of Herr Goebbels himself, I herewith bestow upon the editor the "Clubfoot medal" made of hollow tin, to be worn with a swastika on a ribbon festooned with a blurb."

DeVry Claims Reel Plan Now Practic

Chicago, Jan. 27.—The local new reel plan recently launched by t Herman A. DeVry Co. is now out the experimental stage, according DeVry.

Several test runs have been tried Illinois cities, the latest of which w at the Morris in Morris, Ill. Busine during the days the newsreel [illegible] shown is reported to have been [illegible] than average. In the Tivoli in Da ville, the Alhambra in Decatur ar the Rialto in Champaign, local new reels made their debut last week, D Vry said.

Added to the staff of the newsre division, which is under the supe vision of Hugh Elsasser, are C. L purti, formerly a cameraman with th old Essanay Studios; R. E. Chri tianson, formerly a producer of sho subjects; C. B. Blackwell, former i dustrial film producer, and Charl Filkins, for 16 years with Pathe. Th group is in charge of the productio and distribution of the newsreel.

Warren Injured Again

Portland, Feb. 1.—Joe Warre Oregon field representative f M-G-M suffered a broken knee an severe shock and bruises when h automobile struck a truck near O tario, Ore. He was accompanied b Mrs. Warren who also suffered s vere shock.

The accident occurred on the Ol Oregon Trail where Warren was u fortunate in having both legs broke some eight years ago in a similar a cident.

When WEST Greets WEST it's a RIOT!

PARAMOUNT
The GREATEST STAGE SCOOP in the HISTORY of AMERICA!
MAE WEST IN PERSON
Every Day's A Holiday
MAE IN EVERY
MAE WEST IN PERSON
EVERY DAY'S A HOLIDAY
MAE WEST
Every Day's A Holiday
Every WEEK A GREAT STAGE and SCREEN SHOW
AND ON EVERY
MAE WEST IN PERSON

Actual photographs of the record-breaking crowds at the Paramount Theatre, Los Angeles, Thursday morning, January 27th.

SLEEP YOUR WAY TO SUMMER

OVERNIGHT TO CALIFORNIA ON AMERICAN'S

Southern Sunshine Route

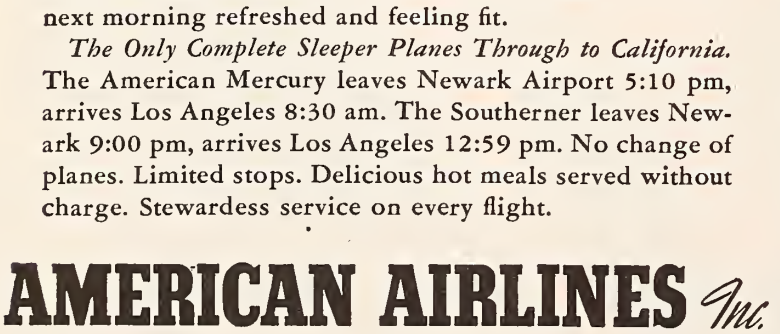
Southern Arizona or California in the morning! Say that any day—and make it come true. There's no need to delay your visit to "Doctor Sol"—no need to spend tedious days en route which might better be spent playing in the sun.

Turning immediately south out of New York, American's nature-favored airway speeds you to "Summer" sooner—the friendly climate of Tennessee, the tonic prairie air of Texas, arid Arizona, then California's flower-filled fields.

American's giant Flagship Skysleepers provide soft, comfortable berths as wide as twin beds and a full 6 feet, 5 inches long. You sleep your way to "Summer"—to arrive next morning refreshed and feeling fit.

The Only Complete Sleeper Planes Through to California. The American Mercury leaves Newark Airport 5:10 pm, arrives Los Angeles 8:30 am. The Southerner leaves Newark 9:00 pm, arrives Los Angeles 12:59 pm. No change of planes. Limited stops. Delicious hot meals served without charge. Stewardess service on every flight.

AMERICAN AIRLINES *Inc.*



Quick Facts About American's Southern Sunshine Route

Av. Winter Temper. (Daytime)	
Nashville	52°
Memphis	64°
Ft. Worth-Dallas	72°
El Paso	74°
Tucson	74°
Phoenix	74°
Los Angeles	72°
Average for entire route	61.3°

For Reservations Call Your Travel Agent or American Airlines, Inc.
VAnderbilt 3-2580

Ticket Offices:
45 Vanderbilt Avenue and Rockefeller Center, 18 West 49th Street

Purely Personal

ARTHUR LEE, WALTER FUTTER, MAC LITTMAN, LOTHAR MENDES and EMANUEL SILVERSTONE, represented British production and distribution at the Tavern yesterday. FUTTER is awaiting the new British quota law before announcing future plans. MENDES, who recently finished "Moonlight Sonata" at London Films studios is arranging release for the production.

•

WALTER BRANSON, RKO midwest division manager, and chairman of the Depinet Drive, will return to New York Friday after a visit to every RKO exchange in the country and two in Canada in connection with the current sales drive. He started the trip on Jan. 6 and held meetings with exchange staffs at every branch office.

•

KEN THOMSON, Screen Actors' Guild executive secretary, plans to return to Hollywood following a meeting of the board of the Associated Actors & Artistes of America on Friday. Thomson was elected a vice-president of the Four A's this week.

•

WILLIAM A. SCULLY, Universal general sales manager, who has been making a series of weekend trips to eastern branches, plans to leave about Feb. 10 on an extended tour of central and western exchanges to meet the field sales forces.

•

ERICH WOLFGANG KORNGOLD is due tomorrow on the *Normandie* en route to the coast where he will complete the musical arrangements for Warners' "The Adventures of Robin Hood."

•

NATE BLUMBERG, Universal president, still confined to his home with laryngitis, may not leave on his projected visit to the studio for another 10 days or two weeks.

•

RICHARD SKELTON, who will appear in RKO's "Having a Wonderful Time," arrived from the coast yesterday for an appearance at Loew's State, beginning tomorrow.

•

CHARLES L. CASANAVE, vice-president and general manager of National Screen Accessories, Inc., left yesterday for Cleveland to open a new branch office.

•

JOHN SUTRO, London Film executive, is due tomorrow aboard the *Normandie*. After a brief stay here he will leave by train for Hollywood.

•

JAMES FINNEY, assistant to JULES LEVY of RKO for many years, and more recently in the company's play date department, has resigned.

•

JOE BESSER, vaudeville comedian, has completed his first short for Columbia, and has signed an option for two more.

•

MARTIN S. SOBELMAN, independent shorts producer of Hollywood, will leave for Europe at the end of this week. He is now in New York.

•

JUNE LANG, CESAR ROMERO, KEN MURRAY and VIC ORSATTI are among the arrivals from the coast who are staying at the Waldorf.

•

HAROLD WINSTON, formerly with Edward J. Peskay Enterprises in a managerial post, has joined Loew's in Worcester.

•

NORMAN H. MORAY, Vitaphone sales manager, has returned to his desk at the home office.

•

. . . Oklahoma City

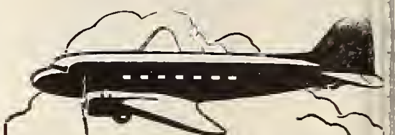
H. ARTHUR LEATHERMAN, manager of the Oklahoma and Campus in Norman, Okla., has been elected Cleveland County Democratic chairman.

PINKY TOMLIN and his bride-to-be have been invited by the Oklahoma City Chamber of Commerce to attend a banquet here in their honor. Hearing that Tomlin and Miss JOANNE ALCORN of Ponca City, Okla., who plan to marry in California Feb. 18 were coming to Oklahoma on their Honeymoon, the chamber sent the invitation.

O. B. HUNT, Kansas City district manager, and Jack Zern, district manager, Dallas, for All-Tex Service Corp. were also here on business very recently.

T. B. NOBLE, JR., president of State Theatres, Inc., has returned from a two-week fishing and hunting trip to Mexico with eight handmade cigars, a silver inlaid bridle and spurs, and the desire to go back very soon.

FLY UNITED
TO LOS ANGELES
NOW —2 Sleeper Flights Nightly

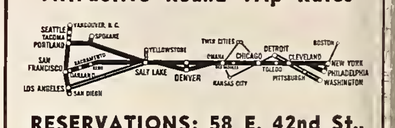


Choose United's mid-continent "Main Line" airway to Los Angeles with two nightly sleeper schedules as well as a scenic daylight flight.

Start your journey in a de luxe Skylounge (14 swivel arm chairs in 21-passenger cabin). At bedtime board a commodious freshly-serviced sleeper plane (limited to 12 passengers for extra comfort). No fuss, no bother.

To CHICAGO—morning, noon, afternoon, evening and night flights, all with Douglas Mainliners.

Attractive Round Trip Rates



RESERVATIONS: 58 E. 42nd St., MU 2-7300, or Hotels, Travel Bureaus, Telegraph Offices.

United Air Lines

The "Main Line" airway— a year 'round route

. W. Allied Hears Steffes, Committees

(Continued from page 1)

ory and also said the granting of ditional licenses for theatres was pped and the City Council here nvinced that the City is overseated.

Steffes said that the industry rates her in city affairs today than ever ore and reported great savings to bitors here in preventing operafrom getting a 15 per cent pay rease. He asserted that exhibitor-tributor relations are better than many years and that double and ple features and price cutting have en suppressed locally through the ganization's efforts.

Steffes said it is important that tributors live up to their contracts. closing his report he thanked the hibitors for their support.

Steffes said the meeting tomorrow ould be of prime importance, with . F. Rodgers, Charles Reagan, Y. ank Freeman, C. C. Pettijohn and hers present to answer the questions exhibitors.

Committees Heard

Committees appointed reported toy. The first was the committee on creased film rentals. This resolun was referred back to the commite for changes, but what it will say that distributors should reduce ntals in proportion to the curtailent of amounts slated for producn. The resolution will state that ctures were sold with definite proction costs announced and that after e selling season production costs ere lowered and the pictures are excted to suffer accordingly. For is reason reductions are asked by hibitors which, if not granted, will sult in suits charging fraud and mispresentation. Several exhibitors ve agreed to file test cases.

The resolution on the selling of the nay films was referred back to the mmittee for adjustment. This was lieved to be because the present rm of the resolution is too strong.

The audit committee's report was cepted and showed Allied to be in e best financial condition in the hisry of the organization.

Percentage Selling Hit

The report from the committee on rcentage pictures stated that the perntage policy precludes any profit for e exhibitor and that Northwest llied condemned the practice of oducers selling on a percentage sis: this resolution was passed. The solutions committee appointed will port tomorrow.

The nominating committee suggested at the present officers stay in charge til June 1 which will be next elecn. This and a suggestion that hn Pillar and Julius Overmoe of orth Dakota be added to the board directors was approved. The meetg ended with a general discussion of esent problems, with a special comittee named to look into plans for lding off any film buying until the ring.

Tomorrow at the afternoon session e subject of double features will get nsiderable attention, especially as rerds the current practice here of owing duals and triples at a 10-cent mission. Plenty of fireworks are pected when exhibitors question odgers, Regan, Freeman, Pettijohn d others, according to John Devaney, northwest's legal counsel. The most important matters to be discussed tomorrow are legislation such as North Dakota's divorcement bill, regulation of monopoly taxation, the amendment of the copyright laws and the permanent maintenance of a united front. H. M. Richey, Freeman, Ray Branch, Austin Keough, Rodgers, George Dembow, Reagan, Harry Buxbaum, Pete Harrison, H. P. Green, John Friedl, A. F. Myers, Judge Devaney, Governor Elmer A. Benson of Minnesota, and Governor William Langer of North Dakota will speak tomorrow night at a banquet when 500, including local industry leaders, will attend.

Renew Memories

David Rosenzweig, local exhibitor, will start today on a sentimental journey. He was married 25 years ago in San Francisco and will make the trip there to celebrate the occasion with his wife, Jean, his daughter, Dolly, and relatives and friends.

The Rosenzweigs will visit Hollywood before returning to New York. He operates eight theatres here in association with A. H. Schwartz and Rugoff & Becker.

Rogers Fund Drive Zone Heads Picked

Thirty-five zone chairmen have been appointed by general sales managers of the major companies to enlist the aid of exhibitors in the fund raising campaign during Will Rogers National Theatre Week, which will start April 29.

The zone chairmen, all branch heads, will supervise the local drives. They have been named as follows:

Neil F. Agnew of Paramount has appointed J. J. Donohue, Chicago; J. J. Oulahan, Cincinnati; M.. R. Clark, Columbus; Erman Price, Jacksonville; Harold Wilks, New Orleans; L. W. McClintock, San Antonio.

John D. Clark of 20th Century-Fox has named Paul S. Wilson, Atlanta; Sydney Samson, Buffalo; George Landis, Indianapolis; J. M. Podoloff, Minneapolis; H. H. Buxbaum and Joe Lee, New York City.

Jules Levy of RKO has appointed Lou Elman, Des Moines; A. N. Schmitz, Milwaukee; R. B. Williams, Oklahoma City; Sherman Fitch, Sioux Falls.

William F. Rodgers of M-G-M has appointed Frank Drew, Cleveland; F. J. Downey, Detroit: Clayton T. Lynch, Los Angeles; M. Saffle, Salt Lake City; L. Bickel, Dallas.

Gradwell L. Sears of Warners has appointed William Warner, Kansas City; Harry Seed, Pittsburgh; W. G. Mansell, Philadelphia: Charles Muehlman, San Francisco; Fred Beiersdorf, Washington.

A. W. Smith, Jr., of U. A., has appointed Tom Spry, Boston; Lou Wechsler, New Haven; Harry G. Bodkin, Philadelphia; Moe Streimer, New York.

Abe Montague of Columbia has named Phillip Fox Albany; Robert J. Ingram, Charlotte: Wayne Ball, Denver: Neil Walton, Seattle.

William A. Scully of Universal has appointed W. E. Sipe, Memphis; L. J. Miller, Omaha: G. C. Craddock, Portland; J. E. Garrison, St. Louis.

C.E.A. and K.R.S. Aim at Agreement

(Continued from page 1)

parent at the session, the atmosphere appeared charged with a note of skepticism. The problem of grading films as to quality and the use of two so-called "A" features on one program were the main objectives of the discussion today. A joint subcommittee of five distributors and five exhibitors was appointed to investigate the situation.

D. E. Griffiths, president of the K.R.S., claimed the grading of films was designed to bring a halt to theatre programs of excessive length. Charles P. Metcalfe, C.E.A. president, on the other hand, replied that the distributor plan had not accomplished that purpose, but had served to increase rentals. The exhibitors contend that if the grading idea has any merit, they should be represented on the committee which is concerned with the classification of product.

Hyland Wed, Promoted

Irving D. Hyland, who was married last night to Janet Stein and is now on his honeymoon, has been promoted by Warners from his position in the home office advertising department to the post of eastern field representative for the company.

M-G-M in Foreign Deal

HOLLYWOOD, Feb. 1.—Through a contract signed with Albert Bonniers, European publisher, M-G-M has been given priority film rights on all important works of fiction in Swedish, Norwegian and Danish which Bonniers publishes.

McKay to Quit Post At "U" on March 15

(Continued from page 1)

with Universal for the past 12 years. He plans to resume private law practice in association with attorneys prominent in film work. However, he will continue to act as special counsel for Universal and also will continue as vice-president and general counsel of the Meyer Schine Circuit.

McKay represents first preferred stockholders on the Universal board and whether or not he will be reelected to the board at the next annual meeting of stockholders is unpredictable. No successor as general counsel of the company has been designated yet.

Again Talk IATSE Pact

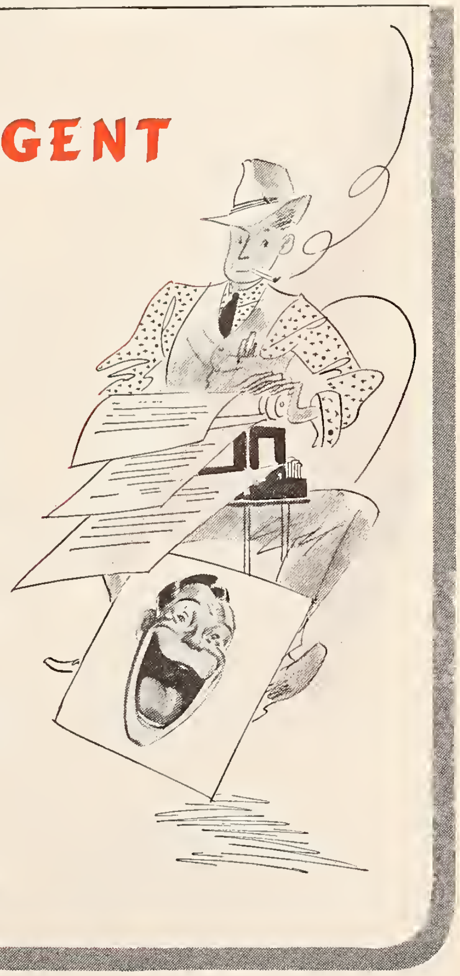
Distributor representatives held another meeting with I.A.T.S.E. spokesmen yesterday on a master contract for exchange employes, but no agreement was arrived at. Another session is scheduled for the middle of February.

St. Paul Conference Thursday

ST. PAUL, Feb. 1.—Operators and exhibitors will confer here on Thursday regarding the granting of union salary demands which call for a five per cent increase.

Joins G.B. Sales Staff

NEW ORLEANS, Feb. 1.—Henry A. Brunies has been named to the sales staff of G. B. here. F. E. Dyer, who had been handling the New Orleans and Atlanta territory, has been transferred to the Charlotte exchange.



THE
PRESS AGENT
says:
"Here's one blurb
it's a pleasure to
write: 'You'll find
JOE E. BROWN in
WIDE OPEN FACES
a MAMMOUTH
laugh show'!"....
A Columbia Picture

Radio Personals

RAY HEATHERTON seems to clicking at the Roxy and will be held over for the third consecutive week. . . . Walter Cassell, recently signed under CBS artists bureau management, has been booked by the bureau for a series of recordings at the World Broadcasting System. . . . Loretta Lee has had another date added to her tour, the week of Feb. 12 at the Palace, Columbus. She will open the tour this week in Detroit. . . . The CBS artists bureau set the Lee tour. . . . NBC promotional division is now getting up a 100-page souvenir book on the Toscanini series. . . Helen Merchant, the WINS "Musical Clock Girl," has become engaged to Ray Billingham of the Buchanan agency.

✚

Bert Hauser, manager of NBC station promotion, has left for visits to Pittsburgh and Cleveland to discuss promotion plans with the NBC stations in those cities. . . . Clark Dennis, Chicago singer, will arrive here Feb. 27 to make five recordings for Rexall, through a booking by Ethel Gilbert of the NBC artists bureau. . . . Helen Henry has just been signed under NBC artists bureau management. . . . Herbert L. Pettey, WHN's associate director is back from Chicago.

✚

Ferde Grofe will be guest conductor on the "Magic Key" March 20, and on March 25 will conduct his orchestra in his second annual Carnegie Hall concert. Details of both engagements are being worked out by Consolidated Radio Artists.

Fish to Broadcast Friday

Congressman Hamilton Fish, whose radio broadcast was interrupted by a demonstration of Communists at Carnegie Hall Sunday at an anti-Nazi rally, will repeat his scheduled talk at a special broadcast from the studios of WMCA Friday from 8:15 to 8:30 P. M. The broadcast will be fed to the Inter-City network stations. Following suspension of the broadcast last Sunday, Donald Flamm, president of WMCA, invited Fish to repeat his broadcast at the studios.

German Hour Starts Saturday

The German Radio Club Hour, a new program, will begin over WBNX Saturday at 11:30 A. M. The program will be under the direction of the American Association of Teachers of German, and those appearing on the show will be students who have learned their German in New York schools. The material will be selected from classic music and literature.

To Discuss Work of Edison

George E. Stringfellow, vice-president of Thomas A. Edison, Inc., will discuss the inventor's achievements over WOR-Mutual Feb. 11 from 12:45 to 1 P. M. The date marks the 91st anniversary of the birth of Edison.

Servel to Sponsor Atlas Show

Servel Electric Gas Refrigerators will sponsor "Captains of Industry," an Atlas production, via KRLD, CBS station owned and operated by the *Dallas Times Herald.* The contract, for 52 weeks, was handled by the Couchman agency.

Donates Radio Books

William S. Paley, president of CBS, has contributed 125 books on radio to the University of Michigan, which is establishing the first library in America on the history of radio and wireless.

Realization of the plan to establish the library followed discussions between CBS executives and Dr. Randolph G. Adams, curator of the William Clements library at the university.

Estimate $4,297,600 As '37 Net of CBS

(*Continued from page* 1)

of exchange of the old $5 par value stock.

The complete annual financial report, following the completion of the audit now in progress, will be made available to stockholders during the early part of April, according to White's statement.

Store Broadcasting Service Is Formed

(*Continued from page* 1)

been planned and production on programs already tested in several markets. Prices for the service will be based upon the population of the city and trading area serviced by the store, and service will be exclusive to one store in each city.

Press C.I.O. Campaign

American Communication Association representatives again yesterday distributed pamphlets to CBS employees asking them to join the C.I.O. affiliate. A.C.A. is currently engaged in a campaign to organize the office staffs of radio stations in Manhattan. Distribution of the pamphlets has been made several times at the premises of CBS, NBC and all local stations.

King Farouk Opens Meeting

CAIRO, EGYPT, Feb. 1. — King Farouk today opened the International Telecommunications Conference before delegates of 62 countries, including the United States. The conference is expected to last several months and is to revise radio, telegraph and telephone regulations.

Two Lincoln Men Resign

LINCOLN, Neb., Feb. 1.—Reginald B. Martin, KFAB-KFOR station manager, and Gunnar Back, continuity chief, have resigned, according to the new general manager, Don Searle. Paul Dodd is acting manager of the Lincoln studios.

Remodeling WJSV Studio

WASHINGTON, Feb. 1. — Extensive refurbishing is in progress at WJSV, local Columbia studios. In addition to recarpeting, painting and installation of new furnishings, new control rooms for two of the studios are planned.

WOL Feeds to Mutual Web

WASHINGTON, Feb. 1.—WOL, Mutual station here, is now feeding two and one-half hours of programs a week to the network.

Liggett & Myers May Take Spot Over NBC

Reports yesterday were to the effect that Liggett & Myers Tobacco Co., after more than six years of network advertising exclusively over CBS, will try an NBC spot, starting April 20. In behalf of Chesterfield cigarettes, the company will sponsor a sports review program, Mondays through Saturdays, from 6:30 to 6:45 P. M. on the NBC-Red. Newell-Emmett is the agency. Efforts to obtain confirmation last night were unavailing.

It is believed that Paul Douglas, CBS announcer who formerly handled a sports program for the same sponsor over CBS, will do the commentary for the NBC show.

Liggett & Myers shows on CBS are the Wednesday and Friday variety-musical programs, one featuring the orchestra of Andre Kostelanetz and Lawrence Tibbett as vocalist; the other featuring the band music of Paul Whiteman.

WTAM Welcoming During Feb. 14 Week

CLEVELAND, Feb. 1. — WTAM's housewarming week marking the official opening of the station's new $300,000 studios in the NBC Building, will be held Feb. 14 to 19. A full week of receptions, entertainments, luncheons and special broadcasts will be climaxed on Feb. 19.

Following the ceremonies of that afternoon, including parades and bomb salutes, a studio reception, network broadcast and formal supper at the Carter Hotel will be given for 600 guests in the evening. NBC officials from New York and Chicago will be among the participants.

Morris Plan to Have Wide Tieup for Show

The Morris Plan Bank of Rhode Island, sponsoring "Ports of Call," an Atlas Radio production, over WJAR starting Feb. 9, has enlisted the cooperation of the State Department of Education, Cunard and Hamberg-American Lines in exploiting the show.

In addition, Morris Plan is arranging a statewide advertising campaign using every newspaper in the state of Rhode Island to launch the series.

Cooper Quits Curtis For Rockwell Agency

Frank Cooper, head of the radio department of Curtis & Allen, will leave that company Feb. 11 to join Rockwell-O'Keefe, as assistant to Tom Rockwell in radio sales.

Cooper has been with Curtis and Allen for three years, and prior to that worked for a similar period with the William Morris agency.

Winner Resigns NBC Post

Percy Winner, manager of NBC's international shortwave broadcasting division, resigned yesterday. Winner had been manager of the division for the past several months. Previously he was a member of the press division.

Mutual to Air Millrose Games

Mutual will broadcast a description of the Millrose Games from Madison Square Garden Saturday from 10 to 10:30 P. M. Dave Driscoll will do the description.

Around the Country

Albany

Harold E. Smith, general manager of WOKO and WABY, is vacationing in Miami until March. Prior to his departure, he contracted with the Albany musicians' union, of which he is a member, for a 10-piece orchestra for use on WOKO's station programs . . . Sherb Herrick, WOKO announcer, was held up the other night and lost $13. Herrick spent the rest of the night touring the city in the police prowl car looking for the robber.

✚

Hollywood

Calvin W. Franklin, assistant secretary of Columbia Concerts Corp., is in town conferring with W. Arthur Rush, managing director of Columbia Management, Inc. . . . Jeanette MacDonald will be interviewed on KFI's "Radiolio" this week by Dale Armstrong, radio editor of the *Los Angeles Times* . . . Clinton Jones has joined the KNX newscasting staff . . . Mefford Runyon, vice-president and member of the board of CBS, is here for two weeks . . . Lois Cowan is the new publicity director for KMPC, replacing Edith Black, resigned.

✚

Oklahoma City

Henry Orbach, WKY news editor, has resigned. He is reported to have gone to San Francisco to become Pacific coast editor of Trans Radio press service. . . KOMA is reported to be auditioning Abe Hale's orchestra for a KOMA studio orchestra. . . Neal Barrett, manager of Hearst radio stations in the southwest, has been named chairman of a sports and recreation committee of the Oklahoma City Chamber of Commerce. . . M. H. Bonebrake, commercial manager of WKY, has returned from a honeymoon trip. . . Hugh B. Kerry, manager of KVOR, Colorado Springs, was in town on a business visit. . . Cecil James Elliott has just concluded a series of 140 consecutive piano programs on WKY.

✚

Pittsburgh

Helen Wayne has joined the cast of Derby Sproul's dramatic serial, "Under Western Skies," on KDKA . . . Jimmy Brown, a Sammy Kaye bandsman, is the father of a boy. . . . Sondra Lee of the WWSW staff has written an original musical comedy called "Ahoy Leathernecks" which is being produced by the Y.M.C.A. Players . . . Dr. Pearce's Erb Tablets is now sponsoring a new 15-minute dramatic sketch on WCAE every Sunday night . . . Hannah (Mrs. Walt) Framer is playing the lead in the Y.M. and W.H.A. Playhouses' production of "Spring Song" . . . Los Miller, KDKA singer-organist, is being featured in Dave Broudy's overtures at the Stanley during that house's 10th anniversary celebration during February . . . Charles Webster, who used to act juvenile roles for the George Sharp stock company at the old Pitt Theatre, is now an announcer at KDKA.

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o the Motion
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 28 NEW YORK, THURSDAY, FEBRUARY 3, 1938 TEN CENTS

PETTIJOHN MAKES ARBITRATION PLEA

Tells Northwest Allied Present Methods Are "Disgusting"

MINNEAPOLIS, Feb. 2.—Present methods of handling industry disputes are "disgusting," declared Charles C. Pettijohn today before the Northwest Allied convention.

He made a fiery plea for establishment of arbitration boards, and the settlement of industry problems through discussion "so that the legal Pied Pipers can't eventually take over the picture business."

"We have lost our right to discuss and adjust difficulties," he declared. "We sell our commodities cheaper than any other business considering the amounts invested. The greatest fault today lies in the inability of those in this business to get together through boards of arbitration and settle differences."

The bringing in of attorneys by both

(Continued on page 7)

an-American Programs Get Short Waves

ssign Four Frequencies To W1XAL, W2XAD

By BERTRAM F. LINZ

Vashington, Feb. 2.—The Federal nmunications Commission today di- ed between the World Wide Broad- ting Corp. station, W1XAL, Bos- , and General Electric Co.'s sta- , W2XAD, Schenectady, the four etofore unassigned short wave fre- ncies set aside by the Buenos Aires ference in 1936 for international adcasting between the American ublics.

ach station is to be given two of four frequencies. A fifth fre- ncy in the group had already been igned to Station W2XE, Wayne, J.

he two stations, as well as NBC

(Continued on page 8)

antor Will Leave Texaco for Camel

ddie Cantor will terminate his adcasts for the Texaco Gas Co. h the broadcast of March 23, and, rting March 28, from 7:30 to 8 M. over CBS, Cantor and his upe will begin a new series for R. Reynolds Tobacco Co. in behalf Camel cigarettes.

ack Oakie, currently broadcasting -half of an hour program each ek for Camel, will leave the show er the program of March 23.

The Benny Goodman "Swing hool" session will remain in the mel fold, except that it will go into new time schedule. Starting rch 29, Goodman's band will broad- t from 9:30 to 10 P. M.

The William Esty agency handles Camel account.

CA Sues to End Use Of Whiteman Discs

RCA Mfg. Co., Inc., filed suit in U. S. District Court here yester- y against Paul Whiteman, WBO oadcasting Co., owners of WNEW, wark, and Elin, Inc. The com- int alleges that Whiteman has been king recordings for Victor records ce 1924, but that the contract did

(Continued on page 8)

More Radio—P. 8

ITOA to Join Fight Against Charity Games

Aligned to Bronx Drive On Bingo Parties

The I. T. O. A. has started a drive to enlist the interest of law enforcement officials in the metropolitan area toward banning Bingo and similar games sponsored by churches, charitable organizations and fraternal clubs.

The campaign is in line with the moves of District Attorney Foley in the Bronx, who has declared that games of chance will not be tolerated. Foley's campaign has been commended by church leaders.

The I. T. O. A. believes that the large crowds drawn by the Bingo parties are competition to theatres, especially at night. Harry Brandt, president said yesterday that he had appointments with the district attorneys in counties other than the Bronx to discuss the situation. Brandt said the Bingo games are in part to blame for the falling off in business in the neighborhoods, which he says is at a

(Continued on page 7)

Prutzman Will Be New "U" Law Head

Charles D. Prutzman, counsel for Standard Capital Co. and for Universal Corp., parent holding company for Universal subsidiaries, will be named general counsel of Universal Pictures Corp., succeeding Willard S. McKay, who will withdraw from the company on the expiration of his contract March 15, it was learned yesterday.

Prutzman is now associated with the downtown law firm of Chadbourne, Hunt, Jaeckel & Brown, and has been attorney for J. Cheever Cowdin, chairman of the board of Universal, for some time past. There is a possibility that Prutzman may be designated for the new Universal post at a meeting of the company's board of directors today, but if not the appointment will be made within the next few weeks.

Universal's annual financial report, completed recently, is expected to be made public following today's board meeting.

The Exhibitor's Screen— How Shall It Be Used?

By Martin Quigley

IN keeping with predictions recorded in various quarters in the industry, the current issue of "The March of Time," entitled "Inside Nazi Germany," is creating a condition which borders on chaos in many theatres throughout the country. Meanwhile it is hastening the day upon which organized opinion in the industry must decide what position, if any, material of this character is to be given in programs of motion picture theatres.

The Editors of "The March of Time" have developed for their medium a distinct form and treatment which have received widespread approval. They have in many instances made valuable contributions to the interest of the screen, frequently compelling the attention of persons who are not ordinarily regular patrons of motion picture theatres. Exhibitors have registered their approval of these contributions by giving the medium generous and widespread support.

The Editors of "The March of Time," however, pursuant to their professed delusion that as fabricators of this subject they are at the same time publishers of it to the world, have allowed themselves on occasion to adopt material which has been useful to their purposes but not commonly helpful to the best interests of the theatres, which are in reality the publishers and the factors of immediate responsibility on everything that reaches the public via the screen.

Pointed up by the repercussions incidental to "Inside Nazi Germany" and the sensationalism to which "The March of Time" and its associated publications are so heartily devoted, there is provided a situation which requires the thought-

(Continued on page 2)

French Delay Start Of New Theatre Tax

By PIERRE AUTRE

PARIS, Feb. 2.—The French Government today postponed indefinitely the effective date of the new theatre tax law, which was to have gone into effect today, and which aroused a storm of opposition from all branches of the industry.

The legislation called for a reduction of 25 per cent in the state tax on theatres using vaudeville in conjunction with film programs, and employing orchestras, but increased the state tax by 25 per cent on all theatres which did not show vaudeville or use orchestras, whose monthly receipts exceed $6,700.

The organized industry opposition reached the point where the exhibitors,

(Continued on page 7)

Operators' Day Off Proposed in Measure

ALBANY, Feb. 2.—Projectionists would have 24 consecutive hours of rest in every seven days, according to the terms of a bill introduced by Senator A. H. Wicks of Kingston.

Similar to the Wicks legislation is the measure of Sylvester De Matteo, American Labor Assemblyman from New York, whose legislation would make the same provisions. It is not

(Continued on page 7)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

No. 43 February 3, 1938 No. 28

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A-MIKE VOGEL, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Blumenstock Duties Enlarged by Einfeld

In a realignment of Warner advertising and publicity activities, S. Charles Einfeld, director of advertising and publicity, yesterday stated that Mort Blumenstock will have charge of the home office while Einfeld establishes national headquarters on the coast. The changeover will take place on Saturday when Einfeld leaves for Hollywood.

Herbert Crooker has been made assistant to Blumenstock and Mitchell Rawson has been named eastern publicity manager. Ruth Weisberg will remain in New York as Blumenstock's secretary.

W. B. Foreign Heads Due Today

Mario Zama, Warners' general manager in Italy, and C. L. Conradsen, manager in Sweden, are due today on the *Conte di Savoia*. They will confer with Sam E. Morris, vice-president in charge of foreign sales.

Start Republic Drive

BOSTON, Feb. 2.—Republic Pictures of New England has inaugurated a sales drive under the name of the Herman Rifkin Drive, Rifkin being the president of the New England distributor.

The Exhibitor's Screen—How Shall It Be Used?

(*Continued from page 1*)

ful attention of theatremen everywhere.

We hold that the motion picture theatre is and should remain devoted to the mission of providing entertainment. Entertainment in the sense used here must of course be accorded a latitudinous definition but certainly not one that may be stretched to include controversial political material. It might be argued that Nazism is not or should not be a controversial political issue in the United States. Unfortunately this is not so. The political theory of totalitarianism which lies at the root of Nazism is not—it is gravely to be regretted—without adherents in this country. But even though it were, there still remain in the press, the platform and elsewhere ample facilities for exposition and argument without resort to the one place where millions of the public come regularly and pay an admission fee in their quest for entertainment and relaxation.

▼

"The March of Time" and its associated publications regularly give evidence of an irreverent disrespect for many traditions, conventions and principles. It may well be that these interests hold that the industry's policy of entertainment only is just another idol which they are ordained to demolish. If so, the industry ought to make quick realization of it and should be equally quick and sufficiently emphatic in making its answer. That answer must necessarily be that the industry has accumulated experience over the years which teaches it that it has no intention whatsoever of allowing its theatres to be converted into bedlams of turmoil and dissension.

"Inside Nazi Germany" is a subject well-calculated to provoke bitter friction among audiences everywhere. To certain giddy minds that might look like a great idea. As a matter of fact this subject is susceptible of causing this result even among people who are in agreement on either their hatred or their love of Nazism for the obvious reason that it set out to be one thing and in its process of fabrication tried to become something else and in the end became, in so far as its argument is concerned, a hodge-podge.

▼

Plainly the photographic material showing, with the exception of a few shots, a healthy, happy and prospering Germany was official bureaucratic propaganda. To this was added a monologue which attempted not altogether successfully to present a critical argument. The overall effect in this writer's opinion is a screen document of some service and satisfaction to Hitlerism. We do not believe that the editors intended this. They obviously made an effort at impartiality—for which they will be damned by millions of Americans—or else they imagined they had compiled an adverse report. As to the latter there are other millions who will remain unconvinced.

▼

The Editors of "The March of Time" very likely are right now quite contented about it all. They may reason that they have put on a provocative screen document and that according to design it has gone right ahead and produced a world of controversy. But these gentlemen are reminded that they have started a fire in a neighbor's house and that while they may be sitting across the street contentedly licking their chops the neighbor is having a bad time of it and the house which is in disorder is one in which he intends to go right on living for years to come.

The Editors of "The March of Time" are not alone in the enjoyment of perverted ideas as to what constitutes proper screen material. There are thousands throughout this country who in a headlong rush for a change in political, social and economic order are in a fever of covetousness to gain the screens of the nation for their stump speeches. Our precious constitutional guarantees give to all of these abundant opportunities for every conceivable freedom of expression. An indulgent government even gives to some of them a grant of money from the Federal Theatre Project to help them along. But these constitutional guarantees do not mean that they can use my home or my office for their speeches. Neither do they mean that these propagandists may commandeer the exhibitor's screen for their purposes.

▼

But the Editors of "The March of Time" are accepted and in fact cordially welcomed factors in the motion picture industry. They should know better. They should know that there is a great difference for theatrical purposes between a subject which provokes discussion and legitimate controversy and one which kindles the embers of violence. It is quite all right to have the villain on the screen hissed. But it is not all right to foment a condition in a theatre in which members of the audience hiss each other. Personal insults are not normally far-removed from personal violence. Theatre patrons are supposed to be seated in comfortable opera chairs and not crouched behind barricades.

The exhibitors of the country ought to tell "The March of Time" that it is welcomed when it behave itself but only then. They shoul tell it that they want the subjec in all of the pleasing virility an graphicness which has so ofte characterized it. They should tel it, however, that they expect it t be mindful of the proprieties of theatrical presentation—that they d not want controversial political material which is calculated to destro the theatre as the public's escap from the bitter realities, the anguishes and the turmoil of life.

Producer Replies to Post "Time" Articl

March of Time last night issued statement denying the allegatio made in the *New York Post* artic concerning "Inside Nazi Germany-1938" by Martin Proctor, who arrive recently from Germany. Procto charged that the reel is pro-Nazi propaganda.

The statement said that the Germa writer's name is not Proctor an[illegible] Ernest Meyer, *New York Post* [illegible]umnist who sponsored the articl stated that he cannot disclose the re name. March of Time termed "preposterous" Proctor's charge that "mo of the footage is material cut from th official German newsreels" and declared, "It is unfortunate that the attitude of this unnamed columni seems to be that any picture not violently and sensationally anti-Na must therefore be pro-Nazi.

Reel Fracas Brings Fine

Morris Schwartz, resident of th Bronx, was fined $5 by Magistrat Louis Brodsky the other day fo punching a neighbor, Walter Konke during a showing of the March o Time reel, "Inside Nazi Germany-1938," at the Chester.

According to the testimony, Konke cheered during some of the scenes i the reel, and Schwartz replied to hi enthusiasm with a well-directed blow Magistrate Brodsky, in imposing th fine, declared he could not see "why man can't applaud what he likes without being punched."

Bronner Made Receiver

Leonard Bronner, Jr., was name receiver in bankruptcy of Theatr Trailer Corp. by Federal Judge Alfred C. Coxe in the U. S. Distric Court here yesterday. Theatre Traile filed a voluntary petition in bankruptc earlier this week. Bronner was directed to post a $1000 bond. Creditor will meet today at 630 Ninth Ave.

Loew's Sends Warning

The Loew circuit has cautione managers to be on the alert agains a man who is taking advance paymen from neighborhood merchants on th promise of a trailer on Loew's screens free theatre tickets and other things Circuit managers have been advise that "nobody is authorized to sell anything on Loew's screens at any time."

Goldwyn Signs Baker

HOLLYWOOD, Feb. 2.—Samuel Goldwyn has signed Phil Baker to a long term contract. Baker will be availabl for one outside picture a year.

THE KID COMES BACK"

FOR MORE

of Those 'Sub D-1' and 'Galahad' Ticket Sales,

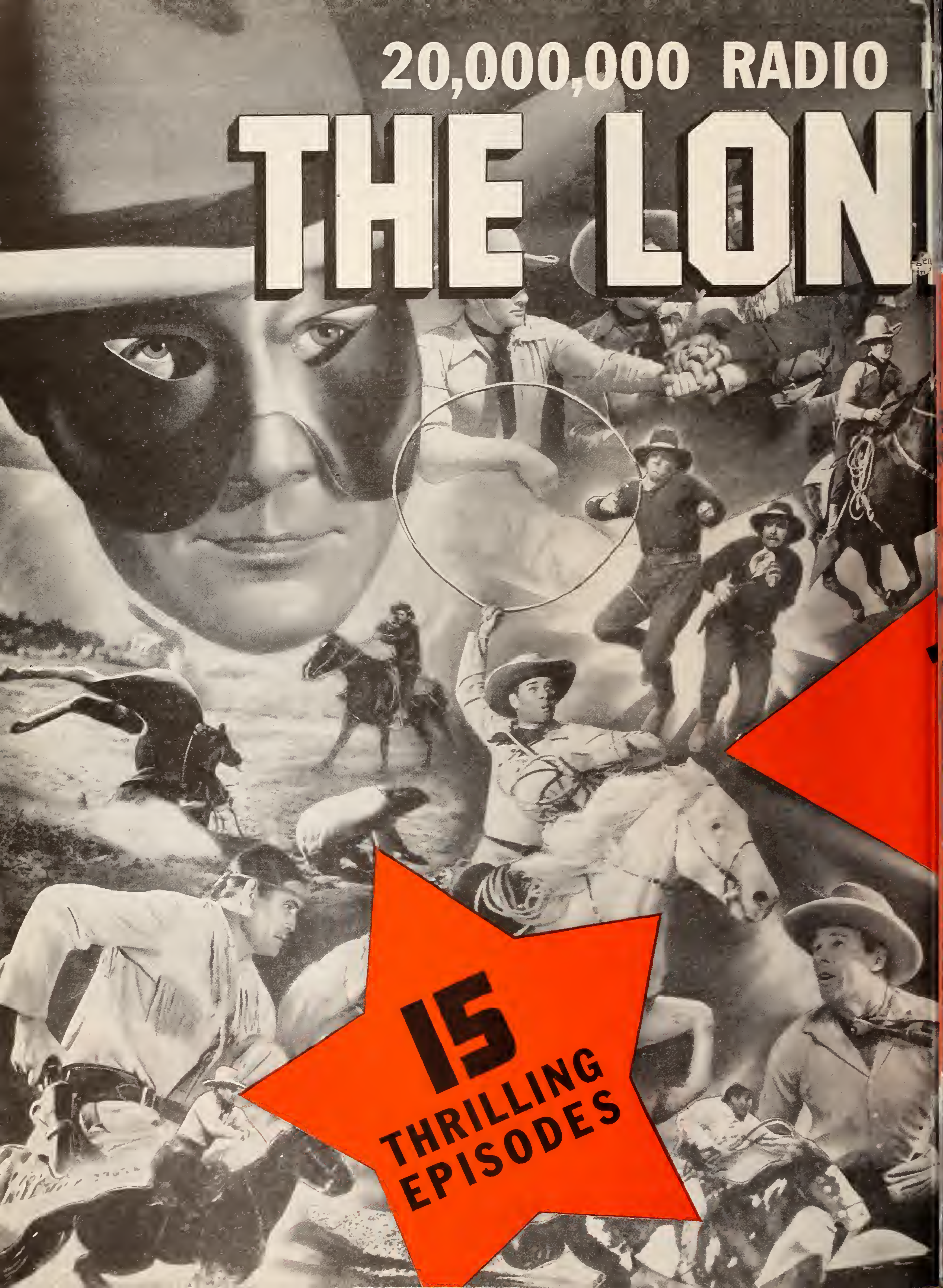
n the First Big Show of His Own!...*Watch*

WAYNE MORRIS

make his stirring starring debut as the Sears Drive sweeps

on to new glory daily for WARNER BROS.

rected by B. Reeves Eason • Screen Play by George Bricker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THE LON
15
THRILLING
EPISODES

ARE WAITING FOR
RANGER

The
REATEST
ERIAL EVER!

★

REPUBLIC PICTURES
present
The Motion Picture version of

LONE RANGER

Featuring
THE LONE RANGER A Man of Mystery
SILVER *played by* Silver Chief
TONTO Chief Thunder-Cloud

★

Based on the radio serial "THE LONE RANGER"
created by Station WXYZ Detroit, Written by Fran Striker
Directed by WILLIAM WITNEY and JOHN ENGLISH
Original Screen Play by Barry Shipman, George Worthing Yates,
Franklyn Adreon, Ronald Davidson and Lois Eby

Associate Producer
SOL C. SIEGEL

A *Republic* SERIAL SPECIAL

PRINTS NOW IN EXCHANGES

MOTION PICTURE
DAILY

GN to Move Home Office to Coast

Grand National will move its home office to the coast and will close its present offices in the RKO Building in about two weeks, according to present plans, it was said by Edward L. Alperson, president, who arrived from Hollywood yesterday.

He said he favored centralizing all headquarters operations on the coast in order to coordinate them with production. Also, he said he planned to spent most of his time in Hollywood. The company's advertising and publicity operations have already been established there.

G. N. will sub-rent its present premises on which it has a lease which runs to 1940.

Edward Peskay, distribution head, has left Hollywood and is making a tour of western exchanges.

Variety Tent Formed By Baltimore Group

BALTIMORE, Feb. 2.—A Variety Club Tent has been formed here by a number of prominent film men.

Officers are: J. Louis Rome, chief Barker; William K. Sexton, first assistant chief barker; Isador M. Rappaport, second assistant chief barker; Joe Young, secretary; Owen D. Weems, treasurer.

Besides officers on the board of directors, others appointed to the board include Frank H. Durkee, Sam Diamond, Sam Soltz, Rodney Collier, Morris A. Mechanic and J. Lawrence Schanberger.

A committee appointed to seek suitable headquarters includes Rome, Saxton, Rappaport and Collier.

Application for a charter has been sent to John Harris, national president, at Pittsburgh.

Seek Teaching Film Aid

PHILADELPHIA, Feb. 2.—The Philadelphia Motion Picture Preview Group, of which Mrs. Arthur Goldsmith is president, today passed a resolution asking Governor Earle to allocate part of the profits of the censor board activity to promote visual education in the rural districts.

Wall Street

Small Board Advances

	Open	High	Low	Close	Net Change
Col.	12¾	12¾	12¾	12¾	+ ½
Cons.	1½	1½	1⅜	1⅜	— ⅛
Cons., pfd.	5½	5½	5½	5½	.....
E. K.	159	159½	156¾	156¾	—1¾
G. T. E.	11½	11½	11½	11½	— ½
Loew	47¾	47¾	47	47	.....
Para.	9¾	9⅞	9⅝	9¾	.....
Para. 2	9¾	9⅞	9¾	9¾	— ¼
Pathe	5½	5½	5⅜	5⅜	— ⅛
RKO	4⅛	4¼	4⅛	4⅛	+ ⅛
20th Fox	22	22	21¾	21¾	— ¼
20th pfd.	30½	30¾	30½	30¾	+ ½
W. B.	6⅛	6⅛	6	6	— ⅛

Little Curb Change

	Open	High	Low	Close	Net Change
G. N.	⅝	⅝	⅝	⅝	.....
Tech.	18¼	18¼	17	17	—1
Univ. Corp.	3	3	2⅞	2⅞	.....

Paramount Bonds Gain

	High	Low	Close	Net Change
Loew 3½s '46	99¼	99	99	.....
Para. Pict. 6s '55	92	92	92	— ½
Para. Pict. '47	72⅞	72⅞	72⅞	+1⅜

(Quotations at close of Feb. 2)

Purely Personal

DR. HERBERT T. KALMUS, president of Technicolor, and MRS. KALMUS, WILLIAM SUSSMAN, 20th Century-Fox eastern division manager, and MRS. SUSSMAN, WESLEY RUGGLES, M. PINCUS, official of Osso Films; JEDIDIA GOROCHOV, executive of Sonora Films; J. C. BERNARD, French independent producer; ERICH WOLFGANG KORNGOLD, composer, and MAJOR EDOUARD CORNIGLION-MOLINIER, French flyer and producer, will arrive on the *Normandie*, which is due here tonight. Also JAN KIEPURA, Polish film actor, who will make his debut next week in the Metropolitan Opera, and his wife, MARTHA EGGERT of the films.

•

CHARLES MAYER is the new assistant manager at Loew's Century, resulting in these transfers: JAMES SMITH, from the Century to the Kameo; S. HUDSON, from the Kameo to the Burnside; S. SCHWARTZ, from the Burnside to the 175th St.

•

BEN JOEL, JR., of Loew's booking department is hobbling about with a broken ankle. He went boom while trying to do a fancy Christiana on his skiis.

•

BEN KALMENSON, Warners' western and southern sales manager, is back at his office following a trip to western and southern branches.

•

AL CHRISTIE will begin shooting on Educational's spring comedy releases today at the Astoria studio. GEORGE WEBBER will be at the camera.

•

BEN MIGGINS, European general manager for 20th Century-Fox, will sail today for England on the *Berengaria.*

•

MAX SHULGOLD has joined the Pittsburgh sales staff of G.B.

RODNEY BUSH, 20th Century-Fox, field exploitation man, will leave today for Boston in connection with the opening of "In Old Chicago" at the Colonial on Feb. 14. CHRISTY WILBERT left yesterday for Pittsburgh to handle the campaign at the Nixon on Feb. 13.

•

IVAN VON AUW, JR., assistant secretary of the Authors' League of America for the past 12 years, has resigned that post, effective Feb. 14, to take charge of the book department of the Harold Ober literary agency.

•

JOSEPH SEIDELMAN, Universal foreign manager, will sail on the *Berengaria* today on a six-week visit to the company's offices in England and France.

•

LEON WETTER, Paramount theatre executive, left yesterday for Poughkeepsie to survey theatre operations. He'll visit Greensboro, N. C., next week.

•

SAM GALANTY, Columbia mideast division manager, is here from Washington for conferences on the current ABE MONTAGUE sales drive.

•

NEIL F. AGNEW, Paramount vice-president, left yesterday for Atlanta where he will confer with the local sales staff.

•

NATE BLUMBERG was back at his office yesterday after being confined to his home with a cold for a few days.

•

CHARLES SCHWARTZ of Schwartz & Frohlich has returned from a Miami vacation.

•

RUBE JACKTER of Columbia left last night for a Miami vacation of several weeks.

•

GEORGE J. SCHAEFER returned from Florida yesterday.

Injunction Sought On Treasury's Ban

Claiming that it has been prevented from exhibiting "Mysteries of Science," Jewel Productions, Inc., filed suit in the U. S. District Court here yesterday against Secretary of the Treasury Henry Morgenthau, Jr., and Harry M. Durning, collector of the Port of New York.

The suit seeks an injunction to prevent seizure of the film. The complaint alleges that the film was imported from Vienna in 1935 under the title "Science of Mankind," and passed by customs authorities after inspection.

In July, 1937, it is alleged, customs authorities made repeated efforts to seize a print without search warrants. The plaintiff charges that much money has been spent for advertising and $918 for tariff duties.

Arnstein Amends Complaint

Ira B. Arnstein, a songwriter, filed an amended complaint in the U. S. District Court yesterday in his suit against Ascap, NBC, CBS, Warners and 18 other defendants.

Arnstein is seeking admission to Ascap membership and damages for alleged "persistent pirating" of his songs. His original complaint was dismissed by Federal Judge Francis G. Caffey Jan. 6 with the suggestion that Arnstein hire an attorney, but he filed his amended complaint yesterday without benefit of counsel.

Cinecolor Asks Delay

WASHINGTON, Feb. 2.—Cinecolor, Inc., Los Angeles, today asked the Securities and Exchange Commission for a second postponement of the effective date of its registration statement which, after being withdrawn last year, was refiled Jan. 7. The first application for deferment was filed with the S.E.C. Jan. 21.

Waxman West on Drive

A. P. Waxman, director of the Will Rogers National Theatre Week campaign, has departed by train for Hollywood to arrange for the production of the one-reel subject that will be shown in theatres in connection with the drive. Major companies will cooperate in the production and Warners will handle the printing.

Duplicate "Follies" Set

A "Miss Humanity Home" modeled after a set used in "The Goldwyn Follies" will go on exhibition at 162 East 33rd St. on Monday. There will be a cocktail party and preview on Friday.

Casey Goes West for Talks on Musician

Conferences on methods of increa ing employment for musicians Hollywood studios are scheduled get under way on the west coast wit in the next week or two, it w learned yesterday with the departu of Pat Casey, major studio labor co tact, for Hollywood. Casey has be in New York for six weeks.

Joseph N. Weber, president o American Federation of Musi who is now in Miami attending se sions of the American Federation Labor executive council there, pla to go to Hollywood on the conclusi of the Florida meeting to begin t conferences with Casey.

No agreement was reached wi Casey, prior to his departure, b Local 52, eastern studio mechanic workers, on a new wage and hou schedule for those workers. The co clusion of these negotiations will awa Casey's return to New York in Marc At that time the annual negotiatio with the international unions whic are signatories to the five-year bas agreement with the producers will b held.

Exchange Wage Pac Expected in Mont

A master contract covering basi principles on wages and working con ditions for "back room" employes o 31 exchanges is expected to be signe within a month, it was said yesterda by Frank Phelps of Warners, who i representing the major distributors i the negotiations with the I.A.T.S.E.

There are two or three points tha have to be clarified, Phelps said. Th negotiations have been protracted be cause the distributors want to mak sure that the terms of the agreemen will permit of no misunderstanding b the locals in the field, he explained What has complicated matters, he said is that the contract must conform t the Wagner Act and the various new state labor laws.

The time limit that will be place on the master agreement is now indefinite, Phelps said. It is understoo that the I.A.T.S.E. wants it to end i a year, while the distributors want t assure themselves that the situatio will not be disturbed for two or thre years. Another meeting on the subject will be held here on or about Feb. 15.

IATSE Directors to Meet at San Antonio

The I.A.T.S.E. will hold its semiannual executive board meeting in San Antonio, beginning Feb. 10. There are no major jurisdictional matters coming up at this meeting but there is considerable other business to be disposed of.

The time and place of the next biennial convention will be set at the meeting. The convention probably will be held next summer.

George Browne, president of the union, is now in Miami attending the A. F. of L. executive board meeting and will go to San Antonio from there. The Miami meeting will end this week. Lou Krouse, assistant to Browne, and James Brennan and Dick Walsh, vice-presidents, both of New York, will attend the I.A.T.S.E. meeting. Walsh will leave for Miami this week.

rbitration Boards Asked By Pettijohn

(*Continued from page* 1)

ributors and exhibitors has resulted otic conditions, he asserted.

nere is nothing wrong with the distribution system other than t it is being abused," he continued.

'ettijohn warned against letting the ustry become a political football by ning under Government control as e railroads and the bituminous coal iness.

'ettijohn's speech came during the l business session of the conven- . A number of prominent execus were called upon to talk and to wer questions. Among those who ke were William F. Rodgers, arles Reagan, Austin Keough, Y. nk Freeman, Harry H. Buxbaum others.

Rodgers, hearing a resolution passed demning the selling of "scoop" vsreel shots as specials, said his npany would never enter into any h plans. Regarding a resolution testing higher rentals, with picture ts reputedly being reduced, he said tro was spending $3,500,000 more s year than last for production.

Rodgers Discusses Radio

Rodgers, asked to speak on the lio situation, said, "So long as the ture industry is involved in radio feel it necessary to look after our erests to the best advantage to ine the best results, and believe that are a better judge of the selection material for our outstanding peralities than a disinterested sponsor. e did not seek this field of activities, ours is a business in which our first erests are the theatres. We adopted only as a means of self preservation our position in the amusement rld."

Reagan of Paramount, in his speech, ited any exhibitors who had differces to confer with him. He said company wished no misunderstandwith anyone.

A committee was appointed and a olution proposed to investigate first n duals at 10 and 15 cents, as recentstarted in Minnesota key spots, with hope that the policy could be pped before it spreads.

Myers for "Divorce" Bill

Myers told the delegates of the acmplishments of the recent national lied meeting and urged support, nen the time comes, for the North akota divorce bill.

Dick Biechele and Ray Branch, exbitor representatives from Kansas d Michigan, spoke briefly. Freeman ered any assistance he could give in stering better relations between inpendents and circuits. Buxbaum exessed similar sentiments regarding company. Jack Flinn and Austin eough also spoke briefly.

In closing the meeting, Steffes said hoped the film men present would ke the lead in establishing means by nich independents could confer with ajor company executives over mual problems, saying Northwest lied would meet them more than lf way. Steffes also said he thought e Hays office should find some way to control star broadcasts and protect theatre men.

Following the close of the meeting Pettijohn said, "This meeting of Northwest Allied was, I believe, the most constructive ever held by an organization of its type. It has done immeasurable good for the industry and much will come of it."

"The informality and understanding attained at this meeting," said Freeman, "make it something of great value both to exhibitors and producers. Great benefit should result."

Richey, Steffes and Governor Langer of North Dakota also paid tribute to the spirit which prevailed from beginning to end at the convention.

The dinner tonight was more a personal tribute to Steffes than an anniversary celebration. More than 500 attended. It was held at the Hotel Nicolett.

"Snow" Three-Week Gross Is $329,000

The record-breaking run of "Snow White and the Seven Dwarfs" at the Music Hall totaled a take of $329,000 for the three weeks which ended last night. This exceeds the previous 10 three-week holdovers at the house. The Disney feature will start a fourth and final week today.

The grosses for the three weeks were $108,000, $110,000 and $111,000. Besides setting a gross record, the picture drew the largest attendance in the history of the Music Hall, a total of nearly 500,000 tickets having been sold in the three weeks.

Business was "terriffic" also at the Paramount, where "Every Day's a Holiday" and Benny Goodman and his swing band on the stage garnered $57,000 for the week. The combination set an opening day's record for the Paramount's film-band show policy.

"Swing Your Lady" gave the Strand $14,000, which was considerably below average. The film was due to go two weeks, but will be replaced on Saturday with "The Kid Comes Back," after a 10-day run.

Boyd Seeks "Snow White"

Philadelphia Feb. 2.—A. R. Boyd is understood trying to get "Snow White and the Seven Dwarfs" for a first run at the Erlanger, legitimate house here. It is understood that Warners and RKO are unable to agree on terms. Boyd will roadshow "In Old Chicago" at the Erlanger, beginning next Thursday.

Operators' Day Off Proposed in Measure

(*Continued from page* 1)

a companion bill, however, inasmuch as the wording is different.

Assemblyman Nicholas A. Rossi, Democrat of New York, declared that his theatre "capacity seating" and matron bills were now in the legislative bill drafting commission, with reintroduction scheduled before Saturday.

Robert Belknap Resigns

Robert Belknap, for the past four years advertising production manager for Dupont, has resigned. He will be succeeded by Harmon H. Gilbert.

Belknap, who is a civil engineer, has joined the civil engineering department of Standard Vacuum Oil Co. of India and will sail for Calcutta March 1.

Wants Official Word

Harry Brandt, I. T. O. A. president, hasn't heard officially that the national Allied board has rejected the trade practice conference proposed by him which was to be attended by Nathan Yamins and Ed Kuykendall, heads of Allied and the M. P. T. O. A. respectively.

Yesterday he sent a telegram to Yamins asking him to "personally let me know if you will attend." Brandt said that after receiving Yamins' reply he would have some comment to make.

Sunday Shows Bill Beaten in England

By AUBREY FLANAGAN

London, Feb. 2.—A move in the House of Lords today to legalize Sunday film shows in England met defeat by a vote of 30 to 20.

Lord Kilmaine proposed that the Government should take action to legalize Sunday films throughout the country, subject to local option, during the six winter months. He claimed that Sunday recreation was a vital need of the working classes, and cited the success of such towns as Brighton with provision for Sunday recreation. He compared the plight of the country people with that of the wealthier classes, who had bridge parties and clubs.

Lord Strabolgi moved to extend the proposal throughout the year, but the measure was defeated.

Kleckner Gets Post With Business Group

Washington, Feb. 2.—Joseph C. Kleckner, president of the Motiograph Projector Corp., Chicago, today was unanimously elected secretary of the loans to small business group of the "small business" conference at the Department of Commerce.

Kleckner was elected to the post after having been nominated for the chairmanship of the group and losing out for that position by 19 votes.

The 800 small businessmen who came to Washington to tell the Administration what little industry needs in the way of aids to recovery, today devoted themselves to group discussions of various matters and tomorrow will formulate a program to be submitted to President Roosevelt.

The only exhibitor to register with the Department of Commerce as attending the conference was E. Mori of the Landis Theatre, Vineland, N. J.

.Try "Civic Tributes"

A weekly "civic tribute" program is being put on at Loew's, Jersey City, with the cooperation of the *Jersey Journal*. Each week some individual is honored by the theatre for an unusual accomplishment.

Mrs. Lon Cox Dies

Kansas City, Feb. 2.—Mrs. Velma Cox, wife of Lon Cox, film buyer for Fox Midwest, died last night of bronchial pneumonia after a brief illness. Burial will take place Friday at Mt. Vernon, Ill., her girlhood home.

ITOA to Join Fight Against Charity Games

(*Continued from page* 1)

low ebb. The independents' organization seeks to negotiate a cooperative service contract with Altec or RCA, or both. A long-term contract is sought, to take effect at individual houses at the expiration of existing agreements, which expire at various times. An agreement will be made if the service companies offer a rate that is found to be advantageous to the exhibitors, Brandt said.

At the I. T. O. A. meeting yesterday at the Hotel Astor, over which Brandt presided, a report was made on the annual ball, to be held April 2 at the Astor. An attendance of about 1,000 is expected. The committee is headed by Maurice Fleischman and Dave Weinstock.

French Delay Start Of New Theatre Tax

(*Continued from page* 1)

acting as a unit, threatened to close all the theatres in the country unless the tax was repealed, and the organized distributors supported the move, with every indication that if the threat were carried out, the other branches of the industry would take similar action, potentially resulting in a complete shutdown of the industry.

The official reason for the postponement was that the French Department of Finance must first study the application of the law, which was described as having been enacted hastily by the Chamber of Deputies under pressure of a strike of musicians last Christmas.

Informed industry circles are of the opinion, however, that the real reason behind the postponement is the threat of an industry lockout.

Negotiations already have been opened among the Government, the film industry, and the musicians' syndicate seeking a settlement of the problem. Moreover, it is expected that the Cinema Commission of the Senate will press the Department of Finance for the abolition of the new controversial tax measure as a move to forestall industry action for a general reduction of all existing entertainment taxes.

Republic to Raise Production Budgets

With James R. Grainger in charge of sales, Republic plans to increase its production budgets for next season. Grainger is due to be elected president of the company at a directors' meeting next Tuesday.

Republic intends to increase its production staff, a company spokesman said yesterday.

The company has found serial production profitable and will continue the chapter plays. The Criterion has booked "The Lone Ranger," starting Feb. 11. for 15 weekly episodes. "Wagons Westward," which was scheduled as one of the outstanding films on Republic's program this year, has been shelved for the time being.

Pan-American Programs Get Short Waves

(Continued from page 1)

Station W9XF, Downers Grove, Ill., had filed applications for all four frequencies. The NBC application was denied in its entirety and Station W1XAL was given the frequencies 15,130 and 11,730 kilocycles, with power of 20,000 watts, and W2XAD was given 9,550 and 21,500 kilocycles with power of 100,000 watts.

The grant of the frequencies may be revoked at any time and requires the stations to direct their broadcast to the Pan-American countries, using material developed in cooperation with the Pan-American Union. Commercial and advertising announcements are barred.

RCA Sues to End Use Of Whiteman Discs

(Continued from page 1)

not provide for broadcasting of the records.

In June, 1936, a number of Whiteman's records were allegedly broadcast in a WNEW program which Elin sponsored. Printed labels on the records allegedly restricted their use for broadcast purposes. Whiteman filed suit against WBO last year and alleged infringement. RCA now seeks a decree declaring that it is the owner of the records and compelling the defendant to account for alleged profit.

Sign 23 for Chevrolet Discs

Victor Arden has signed 23 players for appearances on "Musical Moments," transcriptions for Chevrolet Motor Co. Cutting will start at the studios of World Broadcasting, Saturday. Those signed are: Lucy Monroe, Ruth Carhart, Barry McKinley, Marion Shelby, Ralph Kirberry, Claire Sherman, Guy Robertson, Aileen Stanley, Felix Knight, Jimmy Farrell, Irene Beasley, Howard Price, Lois Bennett, Barry Wood, Kay Thompson, Ray Heatherton, Sally Nelson, Morton Bowe, Shirley Howard, Jack Arthur, Josephine Antoine, James Wilkinson, Evelyn Case and Phil Duey.

"Ballroom" To Observe Birthday

Martin Block's "Make Believe Ballroom" will celebrate its third birthday on WNEW tomorrow, with an elaborate broadcast from 5:30 to 7 P. M. Approximately 100 orchestra leaders and soloists will be on hand for the birthday celebration.

Starts News Program to Brazil

Pinto Tameirao, commentator, will inaugurate a series of news broadcasts on American news events in Portuguese for Brazil over the CBS international short wave station, W2XE, tomorrow from 7 to 7:15 P. M. and Fridays thereafter at this time.

Breen Is WOR Announcer

Tom Breen, Jr., has joined the announcing staff of WOR. Breen was formerly with NBC in Chicago and replaces Bill Perry who has gone to the coast for the Eddie Duchin broadcasts.

CBS to Pay 40c

The board of directors of CBS yesterday declared a cash dividend of 40 cents per share on the present class A and class B stock of $2.50 par value.

The dividend is payable to stockholders of record as of Feb. 25.

Fox Amateur Hour to Be Renewed for Year

Fox Theatre Amateur Hour will complete its third year of broadcasting on WMCA Feb. 7, and at that time the program will be renewed for another year by Michael Brothers Furniture Co. The program is heard Mondays from 9:30 to 10:30 P. M., except the first Monday of each month, when it is presented from 10 to 11 P. M.

Coincident with the renewal, a series of Hollywood auditions will be inaugurated as a feature of the show, with the finalist guaranteed a trip to Hollywood and a screen test at one of the studios.

WWL to Raise Power July 1

NEW ORLEANS, Feb. 2.—Station WWL here plans to place in operation its new 50,000-watt transmitter about July 1, according to Vincent Callahan, general manager. The station's present power is 10,000 watts. It is a CBS outlet. It has been estimated that approximately 500,000 additional listeners could be reached with the increased power. The new base night rates are $375 per hour, $225 per half-hour and $150 per quarter-hour.

Has Soil Conservation Programs

DES MOINES, Feb. 2.—O. D. Klein, chairman of the Iowa Agricultural Conservation Committee, is directing weekly soil conservation programs over WHO at 1 P.M., Saturdays. The programs are also carried by WOW, Omaha; WOC, Davenport; KGLO, Mason City, KMA, Shenandoah, and KFRU, Columbia, Mo.

Form Bakers' Radio Service

Bakers Broadcasting Service, created to service bakeries in broadcast advertising, has been established here. The company will also have a New England branch in Boston. The same company recently formed Department Store Broadcasting Service in Boston.

Detroit Station Now Regular Broadcaster

DETROIT, Feb. 2.—After two years of experimental operation on 31.6 megacycles, The *Detroit News* high-frequency station, W8XWJ, has become a regular broadcaster on a new frequency of 41 megacycles, or 41,000 kilocycles.

This new policy, the first to be adopted by any short wave station, is designed to stimulate interest in the new Federal Communications Commission, ultra-high frequency allocation. W8XWJ, under the direction of Wellington Granzow, former program man on WWJ, will plan its entire 14-hour broadcast day entirely independent of WWJ. No broadcast of any other Detroit station will be aired on its new 41-megacycle frequency.

A new Western Electric 500-watt transmitter will replace the present 100-watt station in the new allocation on the 45th floor of the Penobscot Building. Studios and offices adjoin the control room.

Nebraska Stations In Promotion Drive

OMAHA, Feb. 2.—Every Nebraska radio station except two will unite for a 13-week campaign to "sell Nebraska to Nebraskans." The first program will be Feb. 6, at 3:30 P. M. It will originate at WOW and will be broadcast via a wireless network, including KFOR, Lincoln; KMMJ, Clay Center; KGNF, North Platte; WAAW, Omaha; KGFW, Kearney; WJAG, Norfolk, and KGKY, Scotts Bluff. All stations will contribute the time. WOW and the Woodmen of the World Life Insurance Society will contribute the new studio orchestra and all production work, with Bozell & Jacobs Advertising Agency assisting. The Nebraska Broadcasters Association and the Nebraska Junior Chamber of Commerce will be sponsors.

The series is a part of a nation-wide campaign sponsored by Associated Industries of Nebraska designed to attract industry and tourists to the state.

Gaither WAAW Executive

OMAHA, Feb. 2.—Duane Gaither has been appointed assistant manager of WAAW, owned by the Omaha Grain Exchange. Gaither succeeds James Douglass, who resigned to become program director of Central States Broadcasting System, which operates KOIL, Omaha, and KFAB and KFOR, Lincoln.

New Shows on the Air

"Musical Klass"

Kay Kyser's "Musical Klass," new series on Mutual for the American Tobacco Co., is a sparkling newcomer to the ranks of audience participation shows, this one testing the musical knowledge of contestants and listeners. The idea, built by Kyser in his early morning sustaining dance spots, is somewhat similar to another American Tobacco Co. show, "Melody Puzzles," but the "Klass" is a much more entertaining show than its predecessor.

The questions are tricky and diversified, including biographical notes of the various radio bandleaders, identification of their various theme songs, guessing the titles of songs after a few identifying bars have been played, and the like. Kyser acts as quizzer and "em cee," and he handles the assignment smoothly. The "Klass" is a good buy for Lucky Strike cigarettes.

"Musical Klass" is a Tuesday feature, from 8 to 8:45 P. M. Lord & Thomas is the agency.

BANNER

Radio Personals

ED CASHMAN of CBS an Howard Blake are collaborating on a new comedy script . . . Pau Whiteman arrived from Hollywoo yesterday . . . Phil Spitalny's girl orchestra, now on a vaudeville tour, will return to New York Feb. 7 to resume their Monday night programs from Radio City.

✚

Ex-Congressman George H. Combs Jr., WHN news commentator, offered a map of the world to his listeners and after three announcements there were more than 5,000 replies . . . The earliest film commentator broadcast of the New York area is that of the Criterion Theatre, heard on WNEW at 7:25 A. M. daily. It started this week . . . Marlene Dietrich will be the guest on Chase & Sanborn Sunday . . . Fay Wray, Grantland Rice and Florence Rice will be on "Seein' Stars" Sunday . . . Lucille O'Neil has joined the office staff of the *National Radio Register* . . . Larry Menkin, CBS writer and director, has articles on radio in two of the forthcoming advertising magazines, "Radio's Long Pants" in the next issue of *The Advertiser,* and "Why Don't Someone Tell Me Those Things" in the March *Advertising Agency.*

✚

Phil Lord will leave today for a vacation in Miami . . . Cesar Romero, now visiting here, will be interviewed by Radie Harris tonight on Mutual . . . Michael Wardell, author of the scripts of the new dramatic series on WHN, has been signed to a contract by the station management . . . Regina Craig is back on the "Junior G Men" series following a visit to Denver where she inaugurated a woman's program over KOA . . . Margaret Anglin, Howard Price, Barry Wood and Lucielle Browning will be the guest talent on the Hammerstein "Music Hall," Feb. 11. The appearance of Abbot and Costello, comedy team, on the Kate Smith program tonight is in the nature of an audition. If they click they will become permanent.

Eight New Accounts on WCKY

CINCINNATI, Feb. 2. — New accounts on WCKY include: Richman Bros., spot announcements through McCann-Erickson of Cleveland; Carter Products, 260 spot announcements through Street & Finney; Longines-Wittnauer, 226 spot announcements through Arthur Rosenberg Co.; RCA, 15 spot announcements through Lord & Thomas; Procter & Gamble, spot announcements through Compton agency; Good Luck Food Co., spot announcements through Hughes, Wolff Co.; John Shillito Co., 300 spot announcements direct, and E. Klein & Son, 100 spot announcements through Jesse Joseph Co., Cincinnati.

KVSO Increases Day Power

ARDMORE, Okla., Feb. 1.—KVSO has increased its daytime power to 250 watts on program tests. Application has been made for a regular license after tests under a construction permit. A series of promotions are planned through local newspapers. The station reports good response from listeners formerly on the fringe of the KVSO trade area.

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43. NO. 29 NEW YORK, FRIDAY, FEBRUARY 4, 1938 TEN CENTS

dd Quality Provision to British Bill

ommons Group Approve New Amendment

By AUBREY FLANAGAN

LONDON, Feb. 3.—The House of mmons Committee on the Films t, reconvening today after the long ar-end recess, accepted a proposal the Government for the establishnt of machinery under which any n passing the cost test for quota gibility may be rejected on the ound of poor quality.

That was the most important action the committee today, meeting before audience of 40 unemployed film hnicians. It is pointed out that ch a clause will result in every film rting with an immediate element uncertainty. Capt. Euan Wallace, rliamentary Secretary of the Board Trade, who presented the Governnt's proposal, claimed exhibitor suprt for it. Oliver Stanley, president the Board of Trade, pleaded that

(Continued on page 7)

BC, CBS Withhold All Billing Figures

Following a series of conferences, BC and CBS have entered into an reement to withhold from publican the monthly billing figures of ose networks. The Mutual network s not represented at the meetings, d it is believed that Mutual will ntinue to make public its monthly venue statements. Mutual's January ures are now being compiled.

No reason for the action was forthming yesterday from official sources either CBS or NBC. However, in

(Continued on page 8)

xpect Canada House o Make Radio Study

MONTREAL, Feb. 3.—Selection of a ouse of Commons committee to hear icials of the Canadian Broadcasting orp. is expected at Ottawa, as the arliament prepares to check on the eration of the Government-owned dio system.

Meanwhile the Government is firm putting through the 50 per cent inease in license fees on receiving sets, ough some consideration is being ven to the suggestion of Dr. T. F. onnelly for a lower fee for battery

(Continued on page 8)

More Radio—P. 8

Chicago Women Carry Protests On Double Bills to City Hall

Chicago, Feb. 3.—The double bill controversy here took a more vigorous turn today when scores of clubwomen and teachers, said to represent 150,000 school children and 50,000 homes, trooped to the City Hall to protest against double features to Health Commissioner Herman N. Bundeson.

Later they cornered Aldermen Terrell and Lindell in the chambers of the City Council and repeated their protest. Bundeson and the council members said that a public hearing would be held within 10 days. The women were armed with resolutions from 260 district associations of the Parent-Teachers' Association demanding the abolition of double features on the ground that they are injurious to the health of children in that they keep them in theatres too long.

The club leaders said they will demand an ordinance prohibiting film shows in excess of two and one-half hours. The demonstration was one of the most unusual of its kind here and definite action of some sort is expected to result. It is known that the independent theatre owners and operators of small circuits are in favor of the elimination of duals.

C. L. Glett Is Named Astoria Studio Head

Charles L. Glett, vice-president of Audio Productions, Inc., has been named vice-president in charge of operations at Eastern Service Studio, Astoria. The studio was recently taken over by Audio as a separate division.

Frank K. Speidell, president, says the move is a part of the new development program aimed to equip the plant with the most modern apparatus and to supply it with personnel so that producers seeking eastern facilities

(Continued on poge 7)

"Hurricane" Going Beyond Fourth Week

As a result of the best business at the Rivoli in months, "Hurricane" has been held for a run of four weeks and four days to Feb. 15. "Goldwyn's Follies," will be given a premiere that night. The third week of "Hurricane," ending tonight, is estimated to yield $26,000, slightly under the

(Continued on poge 4)

Sears Is Elected as Vitagraph President

Gradwell L. Sears, general sales manager of Warners, was elected president of Vitagraph, Inc., subsidiary of Warner Bros. Pictures, Inc., at a meeting of the Vitagraph directorate yesterday. Carl Leserman, assistant general sales manager, was elected a vice-president of Vitagraph.

Sears was elected a vice-president of Vitagraph in 1935. In August, 1936, he was named general sales manager of Warners. He entered the company as a salesman in the St. Louis office of Vitagraph in 1919.

National Board in Response to Herald

The National Board of Review of Motion Pictures last night issued a lengthy statement in reply to a recent article in *Motion Picture Herald*, which had indicated that the National Board had reached the point where its usefulness was virtually a thing of the past, and that most of the distributing

(Continued on poge 6)

Nathanson's Ideas on Ads Stir Up Varied Reactions

By A-MIKE VOGEL

Reactions among industry representatives to the views on theatre advertising expressed by N. L. Nathanson in a recent issue of MOTION PICTURE DAILY brought no sweeping agreement favoring the stand of the president of Famous Players Canadian. Nathanson charged that the industry was wasteful and extravagant in selling to the public. He recommended cutting advertising budgets in half. Opinion was divided on the advisability of institutional advertising which Nathanson also favored as a means of building better grosses.

Deeming the subject of sufficient importance to sound out industry

(Continued on poge 4)

R. H. Cochrane Pact Settled; He Leaves "U"

Terms of Agreement Not Disclosed by Board

Robert H. Cochrane

R. H. Cochrane, former president of Universal and one of its ranking executives since the formation of the company, withdrew from all of his official posts in Universal with the settlement yesterday of his three and one-half year contract with the company.

The posts which he relinquished included the chairmanship of the executive committee to which he was named as of Jan. 1, last, when Nate J. Blumberg was elected to the presidency of Universal; director of Universal Pictures Co., Inc., and officer of various subsidiary companies.

The terms of the settlement of Cochrane's contract which carried provions for aggregate salary payments of approximately $250,000 for the three

(Continued on page 7)

Committees Chosen For Allied Session

PITTSBURGH, Feb. 3.—M. A. Rosenberg, chairman of the National Convention Committee of Allied, has named committee chairmen to arrange for the national convention to be held at the William Penn Hotel, May 17-19.

The chairmen are: General Convention, William Brown, Tarentum; Banquet, Carl A. Poke, Pittsburgh, and E. T. Beedle, Canonsburg; Transportation and Hotel, Harry W. Walker,

(Continued on poge 4)

Child Admission Bill Gets Third Reading

ALBANY, Feb. 3.—The bill of Assemblyman Harold Ehrlich, Buffalo Republican, intended to remove the contradiction in the penal law on admission of children over 8 and under 16 unaccompanied by guardian or parent when the theatre has a chaperon, today reached its third reading. It will be on Monday night's calendar and Ehrlich expects passage. If successful it will go to the senate.

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MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
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PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Griffin Plays Host

Herbert Griffn, vice-president of the International Projector Corp., played host to executives of his company and those of National Theatre Supply. Among those in attendance were: P. J. Haller, comptroller; Arthur E. Meyer, general sales manager; R. C. Kneuer, assistant sales manager; H. Heidegger, sales engineer; J. Brozek, export manager, and P. A. McGuire, advertising manager. Griffin predicted gains in 1938 as a result of his recent cross-country trip.

Kleckner to White House

WASHINGTON, Feb. 3.—Joseph B. Kleckner, president of Motiograph, Inc., who was elected secretary of the loans-for-small-business committee of the "small business" conferences at the Department of Commerce, will be one of a delegation to confer with President Roosevelt at the White House this morning.

Modern Gets "Refrain"

Modern Film Corp. has acquired "Le Grand Refrain" for distribution in North and South America through a deal closed with Metropa Films. This is one of the films which represented the French industry at the Venice Exposition.

Triples Worry Toledo Spots, States Smith

Exhibitors in Toledo are quite concerned over triple features which made their appearance for the first time in that city the other day. They are watching the outcome carefully, said Martin G. Smith, president of the I.T.O. of Ohio, here yesterday.

Toledo has been a stronghold of double bills, as is the rest of Ohio with the exception of Cleveland, but three features on one program are an innovation in that section. The policy has been inaugurated by Jack O'Connell at the Ohio, a neighborhood house with a large Polish patronage. The admission price is 20 cents.

A possible explanation for the move is that the recession has affected employment in that particular neighborhood and the theatre went to triple features in an effort to bolster business, according to Smith. The house operates only at night.

Use Believed Limited

"The other exhibitors in the town are pretty level-headed and I don't believe triples will spread," Smith said. The opening program on the new policy consisted of "Dr. Syn," "Boots and Saddles" and "The Jones Family."

Up to two weeks ago, business was good in Toledo and Smith explained this by the fact that the city's industries are diversified. In Akron, he pointed out, where tires are the big industry, theatre business has been affected since early last December by a reduction in factory payrolls. Smith could ascribe no particular reason for the recent box-office slump in Toledo except general conditions.

The theatre map has been changing considerably in Ohio because of the rapid expansions of the M. A. Shea and Schine circuits, Smith reported. These circuits, which centered originally in upper New York state, have been limiting their acquisitions in towns up to 60,000 population, he said, and have not gone into the same situations.

Independents Are Hit

"They have been able to make advantageous deals for product and are rapidly replacing individual operators," Smith asserted. "You can't blame the film companies because the circuit managers are aggressive showmen and run up the grosses to a point where the revenue to the distributors is higher than they received before."

In this connection, Smith observed that individual exhibitors with little or no opposition in the smaller towns have not been as progressive as they might have been, that they let their theatres "run down" and permit their operations to become automatic. This, he said, invites opposition from more aggressive quarters.

In some cases exhibitors who sell out to the Shea and Schine circuits are retained as house managers, Smith said.

Smith comes to New York once a year for a meeting of the advisory committees of Affiliated Underwriters, an insurance organization. He is a member of the theatre underwriters committee, the other member of which is J. D. Eagan of the Wilmer & Vincent Circuit.

Theatre Underwriters, which has a membership of 300 exhibitors, contemplates extending its coverage to casualty liability, Smith said. It now covers fire, tornado, windstorm and boiler explosion.

150 an Hour

The Music Hall has installed a special telephone line with a new number and is advertising the number in the dailies to handle seat reservations for "Snow White and the Seven Dwarfs."

Calls have been coming in at the rate of 150 an hour, says W. G. Van Schmus and a special operator has been engaged.

Tri-States, Central Agree on U. A. Deal

OMAHA, Feb. 3.—Showing of United Artists pictures has been resumed following closing of deals between U. A. with Tri-States Theatre Corp. and Central States Theatre Corp.

The deal ordinarily should have been signed last August, but negotiations dragged for six months. The Omaha U. A. exchange has secured 120 dates in February alone from 20 Tri-States and 37 Central States theatres.

"Follies" Home on View

"Miss Humanity Home," a model small-budget apartment at 162 E. 33rd St. and which is a duplicate of the home which Andrea Leeds is depicted as owning in "The Goldwyn Follies," will be opened today with a cocktail party to be attended by Commissioner of Housing Alfred Rheinstein, his staff and several film notables, among whom will be Zorina, Omar Kiam, George Balanchine, Rodgers and Hart, Helen Jepson, Charles Kullmann and Bobby Clark. The apartment will be opened to the public beginning next Monday.

Plan Films on Nazis

The American League for Peace and Democracy plans four pictures designed to depict the rise of Naziism in the United States, Germany, Rumania and Poland. A motion picture drive will be climaxed by an International Peace Ball.

Stuart Doyle Embarks

HOLLYWOOD, Feb. 3.—Stuart Doyle left last night aboard the *Mariposa* for Australia. Prior to his departure he stated that he has abandoned the plan to build five theatres in South Africa. Many here feel, however, that the proposal will be revived and will be the subject of further study.

Loew Bringing "Faces"

HOLLYWOOD, Feb. 3.—David L. Loew expects to reach New York Monday with a print of "Wide Open Faces." He will be accompanied by Mrs. Loew.

Lichtman En Route Here

HOLLYWOOD, Feb. 3.—Al Lichtman left by train tonight for New York. He was accompanied by Kenneth MacKenna, eastern story head.

Purely Personal

HAROLD S. DUNN, Warner supervisor for China and Japa will sail tomorrow on the *Conte d Savoia* for Naples, from which por he will embark for Bombay, ther meeting J. S. HUMMEL, genera [illegible]eign sales manager. They will [illegible] Far Eastern territories before returning to Shanghai.

•

VYVYAN DONNER, fashion directo for Movietone News, left yesterday fo Philadelphia, where she will do fashion comments at a Charity Fashio Show. She will also show some of he fashion reels at the local Gimbe Brothers store.

•

HOWARD DIETZ yesterday was reported en route to San Francisco fron his Honolulu vacation. He will spen a few days on the coast and is expected to return here about Feb. 15

•

WILLIAM R. FERGUSON, M-G-M exploitation manager, is due back earl next week from Gloucester, Mass. where he was called by the death o a sister, Mrs. Walter Whitmarsh.

•

WILLIAM A. BRADY will be th luncheon guest of the City Club today He will speak about the theatre—pas and present.

•

PHIL GERARD has been appointed advertising and publicity head for Bes Film Co. by SAM SINGER, executiv treasurer.

•

S. CHARLES EINFELD, Warner director of advertising and publicity, wil leave tomorrow for Hollywood.

•

CHARLES ROSENWEIG, U. A. director, will sail today on the *Santa Paul* on a South American cruise.

•

WILLIAM SAVAGE of the RKO legal department was operated on yesterday for a spinal ailment.

•

W. RAY JOHNSTON, president o Monogram, is due here from the coas in about two weeks.

•

Y. FRANK FREEMAN is expected back from Minneapolis today.

•

RALPH RAVENSCROFT is here from Hollywood.

Miss Selig Secretary

In yesterday's MOTION PICTURE DAILY item on changes in the Warner publicity department Ruth Weisberg was referred to as secretary to Mort Blumenstock. She is office manager. Gertrude Selig is Blumenstock's secretary.

"Radium" Called Best

Allen Saunders, film critic of the Toledo *News-Bee*, has designated Pete Smith's "Romance of Radium" as "the best short of 1937," as a result of a poll of readers, M-G-M was advised yesterday.

Goldwyn in Hollywood

HOLLYWOOD, Feb. 3.—Samuel Goldwyn returned today from a vacation of one month spent in Honolulu. He will supervise the cutting and editing of "The Adventures of Marco Polo."

3RD WEEK FOR "HAPPY LANDING" AT ROXY, N.Y.

as crowds continue to tax capacity!

Biggest 20th money-maker of the season in:

ALBANY, BRIDGEPORT, MILWAUKEE, DAYTON, INDIANAPOLIS, MIAMI, ROCHESTER, BOSTON, OKLAHOMA CITY, SEATTLE, BUFFALO!

The smash hit of the town in:

CINCINNATI, PHILADELPHIA, ST. LOUIS, RICHMOND, SPRINGFIELD, CLEVELAND!

It's 20th again that gives you a show to cheer about!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Court Again Refuses To Bar New Theatre

N. Y. Supreme Court Justice Bernard L. Shientag yesterday refused to reverse his former ruling which directed License Commissioner Paul Moss to grant Minnie Cohen a license to erect a theatre at Kings Highway and East 29th St., Brooklyn.

Issuance of a license was opposed by the Kingsway Jewish Center on the grounds that the erection of a synagogue had started on an adjacent lot. Commissioner Moss denied the application after a hearing.

Justice Shientag pointed out that there was no law which prevented the erection of a theatre next to a synagogue. He ruled, however, that it was "extremely bad taste and so undesirable that if the synagogue involved was in the process of construction," the petition would have been denied. Construction on the synagogue stopped two years ago.

Ask Summary Judgments

Manhattan Playhouses, Inc., will ask Justice Peter A. Schmuck in the N. Y. Supreme Court today for summary judgment in a suit against 1 East 116th St. Corp., Max R. Wilner and Stella Wilner. Judgment for $5,216 is sought against the corporate defendant and $2,514 against the others.

The suit is based upon notes allegedly given in an arbitration award rendered in September, 1933. The abitration involved alleged cash advances for the purchase of films by the corporation. The defense contends that the arbitration proceedings were invalid.

Dismiss Montreal Cases

MONTREAL, Feb. 3.—Ruling that authorization by the Attorney-General of Quebec was necessary for the actions and had not been obtained, Recorder Semple has handed down written judgment dismissing cases against two Montreal exhibitors charged with admitting children under 16 years old. Defense Counsel Rene Theberge had entered a pro-forma plea that the case did not come under the jurisdiction of the City Recorders' Court and the court agreed the Attorney General of the Province, Premier Maurice Duplessis, was alone able to institute action.

Sustains Autry Injunction

NASHVILLE, Feb. 3.—The motion to vacate the injunction obtained by Republic against Gene Autry was denied here today by Judge R. B. C. Howell. Under the terms of the injunction Autry is enjoined from appearing on the air, in vaudeville or pictures during the term of his contract with Republic.

Royce-Diamond Make Deal with Macfadden

HOLLYWOOD, Feb. 3. — Arthur I. Royce and Dave Diamond have signed a five-year contract with Bernarr Macfadden for exploitation and have formed a partnership to produce two features a year and a series of 13 to 26 shorts to be known as Liberty shorts.

Six of the features will be adapted from *True Detective* stories and the shorts will be based on *Liberty* short stories.

Macfadden will have no financial interest in the company, but will receive a percentage of the gross in return for exploitation similar to that given by Hearst to Cosmopolitan.

Diamond has been with Universal and Grand National as a producer. Royce has been art director for Universal. He had been retired from the industry for some time, but recently returned to assist in the art direction of Hal Roach's "Topper." Distribution details have not been set.

Nathanson's Ideas on Ads Stir Up Varied Reactions

(Continued from page 1)

opinion, MOTION PICTURE DAILY interviewed executives in exhibition, distribution and advertising. Though there was no flat denial of advertising waste, a majority of those who commented tended to the belief that extravagance was caused by misdirection of advertising rather than the amounts spent.

This view was general among exhibition executives such as J. R. Vogel, Loew circuit theatre executive; Joseph Bernhard, general manager, Warner Theatres, and George P. Skouras, head of Skouras Theatres.

"In many cases, theatremen follow the wrong path by paying too much attention to what the opposition is doing," said Vogel. "If one manager takes a large ad, others try to top him, some in the erroneous belief that a large ad is necessarily a good ad."

Asks More Exploitation

The Loew executive also felt that since amusement rates are high and papers devote large space to Hollywood news, theatremen could profitably cut down on their advertising. He also recommended more extensive exploitation from the viewpoint that "$200 expended on effective exploitation often would return more than the same amount used in excess of normal newspaper expenditure."

As concerns institutional promotion, Vogel found the best returns obtained from children's contacts, which the circuit develops through the cooperation of schools and other civic institutions. He also indicated the advantages of campaigns to increase grosses from among those not regular theatre goers.

Bernhard did not care to comment extensively on waste in advertising. He thought that the adequacy of campaigns was to be judged by the needs of individual situations. On the subject of institutional advertising, the Warner Theatre general manager spoke more freely, pointing to a message he had issued in 1936, addressed to the circuit's personnel and headed "Let's Go to the Movies," which said in part:

"Earn Good Will"

"To bring your patrons into your theatre more times in the new season should be your principal aim. . . . To earn the good-will which will create repeat patronage, you must support the new season's superior product with superior service and utmost efficiency in projection and sound."

Concentration on certain advertising mediums was adjudged faulty by George Skouras in his reaction to the Nathanson analysis. It was the New York theatre operator's belief that exhibitors were too much in a rut in publicizing their attractions and tended to use the same outlets week in and week out without sufficient check on box-office returns. Skouras felt it was up to the exhibitor to determine the amount of advertising necessary for individual attractions, pointing out that certain stars and pictures need only be advertised by announcement copy while other features with similar or even stronger potential selling appeal required far larger display. Skouras said that institutional advertising was not profitable in neighborhood locations.

In the opinion of S. Charles Einfeld, Warner Pictures advertising and publicity director, no advertising yardstick can be applied to theatre advertising. The quality of individual showmanship determines the handling of individual situations, he found, with advertising waste forthcoming as a result of insufficient planning. Rigidity of budgets for theatre advertising was another cause of misdirected campaigning, said Einfeld. He felt that managers should vary their approach in selling changes of program.

Smith Stresses Direct Selling

Theatre promotion does not necessarily mean extra advertising expenditures, indicated the Warner executive. He mentioned a term of service in a New York theatre where regular patronage was built up by personal contact and service.

The lack of intelligent showmanship in selling changes of program caused waste in advertising, said A. W. Smith, Jr., United Artists sales manager. Smith declared direct selling was highly important, giving his opinion that it was unwise to set down any arbitrary amount for advertising single attractions.

Smith vouchsafed that while the reputation of a hit producer is not to be discounted in the advertising appeal, it was well to keep in mind that many patrons are interested first in the title of a picture and the stars appearing in it.

Fox for Individualization

Finding the basic point-of-sale in advertising individual pictures was deemed of most importance by Matthew Fox, executive assistant to Nate J. Blumberg, Universal Pictures president. Fox was another of the distribution heads interviewed who concluded that the cause of advertising waste was misdirection. In proving his point he mentioned a neighborhood situation under his former operation where an analysis proved that window card advertising brought the best returns. Immediate discarding of newspaper advertising and other long-used media and concentration on the proven form of promotion was brought about with a definite saving in advertising, he said.

N. J. Allied to Dine

Local exchanges will be represented at the beefsteak dinner and party sponsored by Allied of New Jersey at the Ritz restaurant, Passaic, Feb. 15.

Selznick Signs Goddard

HOLLYWOOD, Feb. 3.—Paulette Goddard has been signed by David O. Selznick to a long term contract.

"Hurricane" Going Beyond Fourth Wee

(Continued from page 1)

second week. The film is the Rivoli' biggest grosser since "Dead End."

A fifth week for "Snow White an the Seven Dwarfs" is a possibility a the Music Hall, this to be decided a the end of the week. Attendance wa holding up strongly yesterday, th start of the fourth stanza, despite th bad weather.

"Happy Landing" is remaining a the Roxy a third week, after a secon week gross of about $52,000. Th Capitol grossed $20,000 in the secon stanza of "Mannequin." "Love Is Headache" gave the Rialto $7,100 an the Criterion did $6,000 with "Lady Behave."

"Snow White" to RKO Circuit

Negotiations were closed yesterday by Ned E. Depinet, vice-president of RKO, and Roy Disney, business manager of Walt Disney Prod., with RKO circuit officials for "Snow White and the Seven Dwarfs" to play every theatre in the RKO circuit in New York, Brooklyn and New Jersey. Following the deal Roy Disney left for the coast.

The film will open in Boston and Providence on Feb. 10, in Cincinnati, Dayton and Washington on Feb. 11, and will open later in Denver, San Francisco, Lowell, Newark, Rochester, Syracuse, Trenton, New Orleans, Chicago, Columbus, Omaha, Sioux City, Cedar Rapids, Davenport, Marshaltown, New Brunswick, Cleveland, Kansas City, Minneapolis, St. Paul and Des Moines.

Committees Chosen For Allied Session

(Continued from page 1)

Sharpsburg; Exhibitors, Sam Fleishman, McKees Rocks, and Frank Panoplos, Clarion; Entertainment, William R. Wheat, Jr., Sewickley; Convention, Bart Dattola, New Kensington; Credentials, Bennett Amdur, Pittsburgh; Reception, M. N. Shapiro, Braddock; Publicity, Dr. C. E. Herman, Carnegie.

Members of the general convention committee in addition to Brown are: Nathan Yamins, Irving Dollinger, E. L. Peaslee, W. A. Steffes, M. B. Horwitz, Martin G. Smith, Maurice Rubin, Ray Branch, H. A. Cole, F. J. McWilliams, Aaron Saperstein, H. M. Richey, Arthur Price and C. H. Olive. Fred H. Herrington will act as secretary.

A meeting of all the committees will be held at the William Penn Feb. 11.

Langer Promises to Back Divorce Bill

MINNEAPOLIS, Feb. 3. — Governor Langer of North Dakota, speaking at the banquet which closed the meeting of Northwest Allied last night, declared, "The entire resources of North Dakota are behind the divorcement bill. We will do everything we can to see it put into operation." Others who spoke at the banquet, which was attended by 500, included Governor Benson of Minnesota, Charles C. Pettijohn of the M.P.P.D.A., and Abram F. Myers of national Allied.

All the speakers paid tribute to Al Steffes, and he was given a platinum watch by H. M. Richey, who acted as toastmaster.

KILL THOUSANDS
WOMEN IN CHINA GAIN CONFIDENCE
OF WAR AT SHANGHAI
LOOT TSING
SECLUDED GIRLS AID
CASUALTIES HEAVY SOUTH OF NANKING
CHINESE SUICIDE TROOPS
War Planes Bomb Suchow; Drive Widens
Reported Retreating
FIRES RING SHANGHAI, PANIC GRIPS CHINESE
DEADLOCKED IN 2 BIG BATTLES
Terrified Mobs Seek Refuge at Foreign Setlements
Death Toll High In Bitter Battle Along Yangtse
Shanghai Defenders Annihilation
"Take Steps" to Stop Nanking Looting
CHIANG OUT AS CHINA CHANGES RULE
Combat Surges Along Key Rail Lines in China
JAP BOMBERS HIT DEEP IN CHINA
HAN FU-CHU IS SHOT BY A FIRING SQUAD
MME. CHIANG ASKS AMERICANS' HELP
Guerrillas 'Disarm 300' Near Shanghai
Japanese Bomb Near Canton and Shell Coastal Forts Near British Hong Kong
Attackers Admit Withdrawal From Hohsien, but Report Successes in Shansi
Precautions Against Spies
Civilians Reported Forced to Move From Frontier
Tokio Planes Lead Attack
Bombers Harass Guerrilla Bands Outside Shanghai

MILLIONS OF WORDS EVERY DAY SELL THIS PICTURE DIRECT TO YOUR PATRONS

WIFE OF GENERAL LING

with

GRIFFITH JONES and INKIJINOFF
Adrianne Renn • Alan Napier • Anthony Eustrel
Directed by Ladislaus Vajda
Produced by John Stafford • A Premier Stafford Production

Newsreel Parade

Movietone News

Vol. 20, No. 42

(20th Century-Fox)

This issue of the reel contains only two clips which may be accurately designated as spot news material, yet the reel manages to attain a reasonably high degree of interest, chiefly by reason of wide diversification of subject matter and good camera work.

There is color and interest in the scenes of the wedding of King Farouk of Egypt at Cairo, and excellent photography in the picturing of the feeding of a herd of elk which comes down from the mountains of Wyoming to Jackson Hole for the winter. A new and enormous British passenger plane, seating 42, is shown in a trial flight for Imperial Airways, with 14 others planned.

The fashioning of new feminine hair styles after models are worked in clay, features the fashion division, and should please the women, while fill-in material includes Jane Withers “dining” with a deer and dog on the coast, and the Roxy stage group dancing the modern, maniacal contortions. Lew Lehr supplies the usual handful of laughs, the scene a playground in New York, while the sports department covers the training of St. Bernard dogs on Mt. Hood, a fast trotting race in Paris and an iceboat race in Wisconsin.

Running time, 10 mins. A.

News of the Day

Vol. 9, No. 240

(M-G-M)

News of the Day editors apparently went out of their way in this issue to take a slap at the conference of “little business men” at Washington. Whether or not that attitude is justified is beyond the point, but actually, by filming the remarks of certain of the members of the group, who appear to the audience as almost witless, a definite impression of the futility and lack of value of the conference is made to prevail.

The reel presents a satisfactory coverage of the wedding of King Farouk of Egypt at Cairo and of Ambassador Bullitt honored at Nancy during a tour of France. The “Women's Page” records the remarks of Lady Astor, member of Parliament, concerning today's problem of peace at a luncheon for her in this country. A Washington style show of materials other than silk, as part of an anti-Japanese movement, is answered by a parade past the White House of silk workers who feel their jobs endangered.

Striking air views picture part of the American battle fleet in maneuvers off San Pedro, in the Pacific, offering a sharp impression of naval strength, and the reel closes with a cowboy rodeo at Palm Springs, Cal.

Running time, 9 mins. A.

Paramount News

No. 53

(Paramount)

This issue, well balanced and diversified in subject matter, holds interest throughout. It opens on thousands of wild elk in Wyoming, said to be the largest herd in existence, snowbound and without food. They are saved from starvation by an expedition which brings loads of hay.

The aftermath of the explosion of 6,000 grenades seized from the Cagoulards in France is caught by the camera. There is a shot of the sculpture models entered in a competition sponsored by Uncle Sam, and of the winner. Admiral Sellers speaks his farewell to Annapolis on his retirement as commandant of the Academy. In the sports division, there is Bill De Correvont, a likely gridiron star, whom the sports writers refer to as “the next Red Grange”; Jimmy Braddock hangs up his gloves to become a fight manager, and Lou Gehrig, on location in Hollywood for the western in which he is cast, proves that as a screen cowboy he is a fine baseball player, all in fun, of course.

Then, excitement and terror in Barcelona following the most disastrous air raid of the Civil War; bodies strewn in the streets and mothers herding their children to safety. In contrast, the reel ends on a joyous note, the wedding of King Farouk and the celebration in Cairo.

Running time, 9 mins. F.

RKO Pathe News

Vol. 9, No. 57

(RKO)

The recent wedding of 17-year-old King Farouk of Egypt, which was performed according to Moslem ritual without the bride being present is the lead subject in this release and is interestingly presented. Glimpses of the 16-year-old bride as she joins her husband after the ceremony are included.

The protest of silk workers against the boycott of Japanese silk which imperils the jobs of 500,000 Americans; a new motor sled-boat which travels on ice, snow or water; an international spelling bee held by radio between British and American teams; a pirates' fete at Tampa; Wyoming elk herds and winter sports in the Alps complete the release. The reel is of better than average interest and production value. Narration, editing and photography are good.

Running time, 9 mins. K.

Universal News

Vol. 10, No. 638

(Universal)

Fleet maneuvers in the Pacific as the Navy unlimbers en masse in war games occupies the feature spot in this midweek release. Other subjects include a plea to British and American women to use the ballot to prevent war, the plea being made by Lady Astor during her recent visit to Washington; a ground hog clip that is amusing; a WPA sculptor who was awarded $40,000 in work commissions on the merits of his work done on Government art projects; the perennial six-dav bike race; Washington demonstrations against a silk boycott by American workers; the training of St. Bernard dogs for rescue work in Oregon; winter feeding of elk herds in Wyoming and the launching of the rodeo season at Palm Springs.

The reel makes up in livelv and amusing narration and entertaining feature material whatever it lacks in news significance. Subjects are well photographed and edited.

Running time, 9 mins. K.

Hollywood Preview

“A Slight Case of Murder”

(First National)

Hollywood, Feb. 3.—With this unprecedented conquest of melodrama in behalf of humor, a season distinguished for the tipping over of established entertainment order hits a new high which the more sensitive may or may not regard as a new low. The play by Damon Runyon and Howard Lindsay is in the general style of Runyon's “Little Miss Marker,” but far more forthright in manner and daring in subject matter. It deals hilariously with a quadruple murder robbery of an armored car, bootlegging banking, police dignity and the care of incorrigible young. It rolled a sophisticated preview audience in the aisles and probably will give similar account of itself in the big towns and theatres, although it is conceivable that certain less hardy audiences may find some of it a little strong for tender stomachs.

Edward G. Robinson is a racketeer who turns brewer with repeal and makes house servants of his mobsters, Allen Jenkins, Edward Brophy and Harold Huber. Four years later he is on the brink of bankruptcy when four former enemy gangsters who have robbed a money car of half a million dollars are slain in his home by a fifth. Their bodies are gleefully distributed among unwitting acquaintances and then brought back without Robinson's knowledge when reward is offered for them dead or alive. Robinson uses the half million to convince his bankers he is still solvent and then cajoles a rookie policeman into shooting through a closet door into the dead bodies stacked therein so as to make it seem he killed the bandits in line of duty. A stray bullet also kills the original killer and the rookie is in line to marry Robinson's daughter, Jane Bryan.

This seemingly gruesome material is handled for laugh purposes exclusively and with emphasis on the calloused gangsters' point of view. Dialogue is funny by reason of this viewpoint. It kept its first audience in stitches.

The working out of the plot is full of surprises, and Ruth Donnelly, John Litel, Paul Harvey, Joe Downing and Harry Seymour portray important roles excellently, while Bobby Jordan's performance of a juvenile roughneck is such as the screen has not seen before.

The screenplay is by Earl Baldwin and Joseph Schrank. Associate Producer Sam Bischoff and Director Lloyd Bacon took full advantage of the extraordinary material provided and preserved the Runyon flavor throughout.

Running time, 85 minutes. “A.”

International Drops Stock Registry Ple

Washington, Feb. 3.—Internatio al Cinema, Los Angeles, today wit drew its registration statement, fil with the Securities and Exchan Commission Nov. 22 and effective c Dec. 8, last. Application for wit drawal was filed with the S.E.C. Ja 17.

The statement covered a pro issue of 50,000 shares of class common and 100,000 shares of con mon stock, the return from which, e timated at $200,000, was to be use for new equipment, working capit and reduction of indebtedness.

National Board in Response to Heral

(Continued from page 1)

companies believe its former value ha ceased to exist.

The National Board's reply, signe by the members of the executive com mittee and running to approximatel 3,000 words, recited its own histor in considerable detail, referred to it accomplishments in the past and con tended that its value is still great. A the same time, the statement denie the implications in the *Herald* article and cited instances of alleged “inaccuracy.”

G. O. P. Names DeMille

Washington, Feb. 3.—More tha 200 leaders in art, science and industry today were listed by the Republican National Committee as member of its new “committee on program.” Included in the membership of th committee was Cecil B. DeMille. The legitimate stage will be represente by John Oliver Hopkins, Jr., Detroit theatrical producer.

James Is Candidate

Harrisburg, Pa., Feb. 3.—Superior Court Judge Arthur H. James of Plymouth, former owner of several theatres in the vicinity of Wilkes-Barre, and for several years associated with the Comerford circuit as attorney, will enter the state Republican primary for governor of Pennsylvania next May.

Florida Exhibitor Held

Jacksonville, Feb. 3.—E. D. Chessman, exhibitor at MacClenny, Fla., is being held for the Grand Jury because a nine-year-old colored girl touched charged wires he is alleged to have rigged up to protect his theatre signs. The girl died five minutes after the current had been cut off.

Sign With N. H. Union

New Haven, Feb. 3.—Matthew Kennedy, operators' union business agent, reports a settlement with B and C houses here which provides a 10 per cent increase in wages. The increase is retroactive to Jan. 1. The contracts run 17 months.

. H. Cochrane 'act Settled; le Leaves "U"

(*Continued from page 1*)

one-half-year period were not dis- It was learned, however, that ettlement did not include purchase Universal of Cochrane's stock hold- s in the company, which was re- ted from time to time during the rse of the negotiations. Cochrane's tus as the largest individual stock- der in the company continues, there- e.

aul R. Rogers, Cochrane's attorney o negotiated the settlement, said t a "substantial" sum was involved l that an initial payment already had n made. The settlement sum will payable over a period of two years, was reported.

ochrane's withdrawal from Uni- sal marks the end of what is prob- y the longest period of service of industry executive with the same npany. Cochrane became associated h Carl Laemmle, the founder of iversal, 32 years ago and has been of the guiding executives of the npany since.

Joined in 1906

After newspaper work in Toledo d several years with the Cochrane lvertising Agency in Chicago in as- ciation with his brothers, Witt K. d P. D. Cochrane, the former Uni- rsal president joined the Laemmle lm Service as an advertising ex- utive in 1906. In 1909 he became e-president of the old IMP or- nization, Laemmle's first producing mpany, and with the formation of niversal in 1912 he became vice- esident of that company, a post nich he held until April, 1936, when was elected president of Universal er Laemmle's withdrawal from the mpany with the sale of his control- g stock interest to Standard Capital . and associates.

Cochrane has no immediate plans for entering business and may take an tended vacation before discussing y future connection, it was stated on behalf yesterday.

. L. Glett Is Named Astoria Studio Head

(*Continued from page 1*)

ill have them at their disposal. lett has had long experience both production and distribution. He as associated with United Artists d Samuel Goldwyn for a time. He oduced both features and shorts in- pendently for a number of years.

Glett says additions to the studio aff are being made rapidly and that her executive appointments will be ade soon. The studio will be "an set and a needed economy," he says, hen this work is completed.

C. W. Picquet Honored

PINEHURST,. N. C., Feb. 3. — harles W. Picquet, retired president the Theatre Owners of North and outh Carolina, was presented a scroll d a gold wrist watch at a recent eeting of the Kiwanis Club here in nor of his activities with the ex- bitor organization.

Hollywood Preview

"Penitentiary"

(*Columbia*)

HOLLYWOOD, Feb. 3.—"Penitentiary" is a grim story of grim men. As the title connotes, it is a prison picture. The starkness of the theme predominates in a biting, forceful style to the almost complete exclusion of anything that might arouse tender sentiments. The film has a human interest quality that is certain to stir the emotions of adult audiences. It was adapted from Martin Flavin's story by Seton I. Miller and Fred Niblo, Jr. John Brahm directed. Walter Connolly, John Howard, Marc Lawrence, Arthur Hohl, Robert Barrat and Jean Parker are featured.

Appearing as characters, not personalities, the players are instruments in the exposition of the convict theory that the criminals' code must prevail over any man-made law or custom. Howard, prosecuted by Connolly, is sentenced to the penitentiary of which Connolly later becomes warden. Feeling himself the victim of a miscarriage of justice, Howard falls in with Hohl and Lawrence, a pair of felons. Eventually he is made a trusty and becomes romantically attached to Connolly's daughter, Miss Parker. Hohl is killed in an attempted break. Howard is left in a room with Paul Fix, a squealer, who is killed by Lawrence. Refusing to name the killer, Howard is put into a dungeon. Though parole is at hand, he keeps his mouth shut and is idolized by the convicts. However, he is saved from a life sentence by Lawrence who kills Barrat, a guard, after he admits the murder of Fix.

The film is practically devoid of comedy. The romance is effected more by illusion than reality. It is an adult show in its subject matter, should strengthen any program and be a leading feature on many.

Running time, 75 minutes. "A."

New York Preview

"The Dybbuk"

(*Foreign Cinema Arts*)

The increasing number of theatres that have recently and successfully been playing films to Jewish audiences have in this version of the famous Yiddish folk play a picture that should register with excellent results. It was produced in Poland. The English sub-titling is one of the best examples of translating a foreign language. It is an exceptional film.

The production, camera work, musical scoring, direction and acting are in a fine European style. Throughout the film there is an air of sincerity. The dramatic content moves slowly, even ponderously; the concluding touches are built with firm strokes and provide an emotional experience.

The story is too lengthy to be treated here but it can be said that it is a somber drama of religious mysticism. The enactment involves the religious superstitions of simple central European Jews with their ultimate results.

The original stage play by S. Ansky is 18 years old and has been performed in many parts of the world. This no doubt has created widespread interest in the story and those interested should be greatly satisfied with the film version.

Running time, 122 minutes. "A."

Sennett Says He Has 400 Stories on Hand

With about 400 stories in his bag, Mack Sennett, veteran producer, will arrive in Hollywood from New York next week to line up a production organization or affiliation with nationwide distribution, he said yesterday.

Sennett said the stories represent properties he has been accumulating for years, both produced and unproduced plays, all comedies. He plans to become active in production through Sennett Pictures Corp., a Delaware corporation.

Sennett believes these stories can be utilized since the trend, he said, seems to be toward comedy.

A few months ago Sennett set up a distributing organization here to handle two-reelers which he made several years ago for Paramount release but the rights to which have reverted to him.

Currently being released are "Blue of the Night" and "Sing, Bing, Sing," both with Bing Crosby, and three Donald Novis shorts, "Sing, Plumber," "Sing, Boxer" and "Ma's Pride and Joy." He has about 30 others, made with W. C. Fields and others now in the feature class, which will be released at intervals.

Sennett has named Guaranteed Pictures as his distributor for the United States and foreign territories. A number of independent exchanges are handling his product and Monogram branches on the coast, in Atlanta, Dallas, Des Moines and Minneapolis are representing him.

Add Quality Provision to British Bill

(*Continued from page 1*)

the clause merely permitted the procedure, but did not actually establish it.

The committee defeated an amendment offered by Sir William Layland that the minimum labor cost be increased to £20,000. Its defeat followed the protest of Stanley that reciprocity is of real importance, and that an increase of the minimum labor cost would tend to force reciprocity, rather than assist it.

Only two other clauses await consideration by the committee when it reassembles next Tuesday.

The deliberations of the Parliamentary body were preceded by a demonstration in which 200 unemployed film workers participated. They gathered in the House of Commons building and engaged in vigorous lobbying among members. A meeting had been planned for an outdoor site, but it was prevented by the police on the ground that no meeting is permitted within one mile of the Commons building while Parliament is sitting.

The group demanded increased quota percentages and fair wages, claiming that there are 8,000 unemployed in the film industry. It was suggested that between 60 and 70 per cent of the American films imported last year were less than second rate.

News Reporter Bill in Albany

ALBANY, Feb. 3.—Senator George Thompson and Assemblyman Leonard Hall, both of Nassau County, today jointly introduced a measure intended to exempt newspapermen, including trade paper correspondents, from the necessity of divulging sources of information before any court, tribunal or inquiry within the state. The bills were referred to the Codes Committee, where they have died in previous years.

Wall Street

Universal Up 2 on Board

	Open	High	Low	Close	Net Change
Col.	12¼	12¼	11⅞	12	— ¾
Cons.	1⅜	1⅜	1⅜	1⅜	.....
Cons., pfd...	5½	5½	5½	5½	.....
E. K.	155	155	149½	150	—6¾
G. T. E.....	10⅞	10⅞	10¾	10¾	— ¾
Loew	46	46	44⅝	45⅜	—1⅝
Para.	9½	9½	9	9⅛	— ⅝
Para. 2.....	9⅝	9¾	9⅜	9⅝	— ⅛
Pathe	5¼	5¼	5⅛	5⅛	— ¼
RKO	4⅛	4⅛	3¾	3⅞	— ¼
20th Fox .	22	22	21	21½	— ¼
Univ., pfd..	36½	36½	36	36	+2
W. B.	6	6	5¾	5¾	— ¼

Curb Shows Little Change

	Open	High	Low	Close	Net Change
G. N.	⅝	⅝	⅝	⅝	.....
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	17¼	17¼	16¾	17	.....
Trans-Lux	2⅝	2⅝	2⅝	2⅝	— ⅜

Keith Bonds in Small Gain

	High	Low	Close	Net Change
Keith 6s '46......	83	83	83	+ ⅜
Para. Pict. 6s '55	91½	91	91	—1
Para. Pict. '47....	72⅞	72½	72½	— ⅜
W. B. 6s '39......	72	71½	71½	— ½

(Quotations at close of Feb. 3)

New List of March Dates Fixed by FCC

WASHINGTON, Feb. 3.—Hearing dates for consideration of a number of broadcasting applications have been tentatively set by the Federal Communications Commission as follows:

March 9, before an examiner: Applications of WLAP, Lexington, Ky., for change of frequency from 1,420 to 1,270 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; WPAX, Thomasville, Ga., increase of time from day to unlimited with 100 watts night, 250 watts day; Pawtucket Broadcasting Co. for a new 1,390-kilocycle, 1,000-watt station at Pawtucket, R. I.

March 11, before an examiner: Applications of George H. Payne for a new 1,440-kilocycle, 500-watt station at San Jose, Cal.; Dan B. Shields for a 1,200-kilocycle, 100-watt station at Provo, Utah, and Kathryn B. Gosselin for a 1,500-kilocycle station at Aurora, Ill., with 100 watts night, 250 watts day.

To Hear Contesting Pleas

March 23, before an examiner: Applications of WMBG, Richmond, for increase of power from 500 watts to 1,000 watts night, 5,000 watts day; WBNX, New York, increase of day power from 1,000 to 5,000 watts; WHBL, Sheboygan, Wis., increase of day power from 250 to 1,000 watts; WTAQ, Green Bay, Wis., increase of day power from 1,000 to 5,000 watts; WEMP, Milwaukee, extension of time from day to unlimited.

March 24, before the commission: Argument on contesting applications of Knoxville Journal Broadcasting Co., Knoxville, and Richard M. Casto, Johnson City, Tenn., for a 1,200-kilocycle station, 100 watts night, 250 watts day; contesting applications of Havens & Martin, Inc., Petersburg Newspaper Corp. and John Stewart Bryan for a 1,210-kilocycle station at Petersburg, Va., with 100 watts night, 250 watts day; applications of Lawrence K. Miller for a 930-kilocycle, 250-watt daytime station at Pittsfield; Johnson City Broadcasting Co., for a 1,200-kilocycle station at Johnson City, Tenn., with 100 watts night, 250 watts day, and United Theatres, Inc., for a 570-kilocycle, 1,000-watt station at San Juan, P. R.

WKBN Asks Time Increase

March 28, before an examiner: Applications of WKBN, Youngstown, for increase of time from specified hours to unlimited, and WTAD, Quincy, Ill., for increase of time from day to unlimited.

March 29, before an examiner: Applications of Fredericksburg Broadcasting Corp. for a 1,200-kilocycle, 250-watt daytime station at Fredericksburg, Va.: Cuyahoga Valley Broadcasting Co. for a 1,500-kilocycle, 100-watt daytime station at Cleveland, and McComb Broadcasting Corp. for a 1,200-kilocycle, 100-watt daytime station at McComb, Miss.

New Children's Series to Start

"Answer It" is the title of a new children's quiz series that will start on WOR Feb. 12, and Saturdays thereafter from 5:45 to 6 P. M. The series will be conducted by Mary D. Chase, author of children's books. Columbian Laundry of Newark will sponsor.

CBS Names Five to Paley Award Group

CBS has appointed five members to its second annual "Paley Amateur Radio Award for Outstanding Service in 1937," the award to be voted to the individual selected for research, technical development or operating achievements in this field.

The members of the board are: Rear Admiral Cary T. Grayson, C. P. Edwards, Director of Radio, Canadian Department of Marine; Rear Admiral Russel Randolph Waesche, Commandant, U. S. Coast Guard; J. H. Dellinger, chairman of the radio section, U. S. Bureau of Standards, and Prof. A. E. Kemmelly, professor emeritus at the School of Electrical Engineering, Harvard University.

The first Paley award was won by Walter Stiles, Jr., for his flood emergency work in the Allegheny River disaster.

Expect Canada House To Make Radio Study

(*Continued from page* 1)

sets. The existing act specifically states the revenues of the corporation must come solely from fees levied and from advertising receipts.

Transport Minister C. D. Howe, explaining the need of revenue, says two new high-power stations are to be built this year, one on the prairies in Alberta, the other on the boundary of Nova Scotia and New Brunswick. Later such a station will be erected to serve northern Ontario.

NBC, CBS Withhold All Billing Figures

(*Continued from page* 1)

some quarters the belief was expressed that the action was taken because of reactions noted by the networks immediately following the publication of billing figures in the past.

Advertising agencies and other sources in radio will be able to obtain the reports for their private information, however, if they are subscribers to the Publishers' Information Bureau.

Hammerstein Series Renewed by Sterling

Sterling Products Co. has renewed the "Hammerstein Music Hall" for another 52 weeks, effective Feb. 25. The program is presented Fridays from 8 to 8:30 P. M. over 44 stations of the CBS network. Blackett-Sample-Hummert is the agency.

W9XUY Using KOIL Programs

OMAHA, Feb. 3.—W9XUY, owned and operated by KOIL, is now carrying KOIL's programs on 31.6 megacycles under an experimental license. Mark Bullock, chief engineer, and Al Bates, control engineer, are handling the operations.

Resigns as Radio Events Posts

Georgia Bachus has resigned as chairman of the board of Radio Events, Inc. She will, however, retain her stock interest and will continue with the company as writer, director and actress.

Omaha Stations and Musicians in a Row

OMAHA, Feb. 3.—The musicians' union here has notified station owners of a ban on remote pickups from ballrooms, night clubs and other places of entertainment, effective immediately.

Because of the union's action, WOW and the Central States Broadcasting Network have cancelled their agreements with the union to use the house orchestras recently employed as a result of the I.R.N.A. pact just declared operative. WOW had signed a two-year agreement for a new 12-piece orchestra at $21,000 a year, and Central States had agreed to hire a studio orchestra at $30,000 a year.

No break in the deadlock is in sight, although Ernest Nordeen, A. F. of M. head here, is trying to work out some solution with Jimmy Douglas, Central States program director, and John Gillin, manager of WOW.

National Registry Planning Expansion

Following several months of experimentation and study of the operations of its two subsidiaries, the National Radio Registry has adopted a corporate title, National Radio Registry, Ltd., and disclosed immediate revisions in policy. The Registry is a monthly classified directory of radio personalities.

Expansion activities of the company are being handled through branch representatives, the first appointee being William F. Smith for the Philadelphia area. Managing Director Chester Stratton will devote more time to outside sales and contacts: publicity and promotion is now being handled by Lou Frankel, formerly of *Variety* and *Tide*.

World Disc Service Used by 49 Agencies

Forty-nine agencies, placing a total of 108 selective broadcasting campaigns, utilized the vertical-cut wide range transcription facilities of the World Broadcasting System in 1937, according to Norton Cotterill, WBS, vice-president.

H. W. Kastor & Sons led the list of users with 19 separate campaigns, followed by Blackett-Sample-Hummert, which placed 13 programs. Batten, Barton, Durstine & Osborn was third with seven programs.

Kent Joins WNEW to Head New Programs

Alan Kent, after six years as announcer at NBC, has resigned to join WNEW, where, beginning next week, he will head a new one-hour musical program six times weekly, staffed with live talent.

He will also have an evening program, probably three nights a week, titled "Swing Session."

His programs, it is believed, will be offered to sponsors on a participation basis, similar to the WNEW programs handled by Martin Block.

Smith Quits Crosley for WQXR

Charles H. Smith, for the past three years manager of radio research for Crosley, Inc., has joined WQXR, where he will be in charge of research.

▶ *Radio Personals*

ALLAN COURTNEY, conduc
of "The Joymakers" participat
programs on WNEW, has tende
his resignation to the station. .
George C. Castles, Jr., has ag
joined the sales staff of WMC
resigned from there a year a
enter into business for himself. .
Adelaide Klein sails for Mexico F
11 on a vacation. . . . Karl Swens
currently playing the title role
"Lorenzo Jones," will have anot
leading part to his credit next w
when "Way Down East" returns
the air via transcriptions. . . . E
Carter, WMCA announcer, is a me
ber of the Caterpillar Club, the
ganization of aviators who have b
compelled to make forced parach
jumps. . . . Joseph Harty, traffic m
ager of WMCA, after a long abse
due to illness, will return to w
Monday.

+

Dr. Rino Colla Negri, Doctor
Philosophy in Economics, has join
the staff of announcers at the Int
national Broadcasting Corp. . . . Rob
Simmons will be the featured solo
on the Frank Black-Lucille Mann
show tonight. . . . John Corigliano, a
sistant concert master of the Philha
monic, will be the guest with Ma
Warnow's orchestra on the "Magazi
of the Air" Sunday.

Senator Criticizes Horror Note on A

WASHINGTON, Feb. 3.—With
Mae West program not yet forgotte
Chase & Sanborn today were aga
on the receiving end of critical a
tack, with Senator Clyde L. Herri
(Dem., Iowa) asking for a copy
last Sunday's script, in which Bor
Karloff declaimed Edgar Allen Poe
"The Tell-Tale Heart."

Declaring that the episode w
"gruesome," Senator Herring assail
the presentation of "horror scene
over the radio.

The Senator made it clear that h
had no complaint of either Karloff
acting or the dialog with the ubiqu
tous Charlie McCarthy which fo
lowed. However, he said, he did n
believe it proper to present progran
in which the horror theme dominate

Three Papers Aid Broadcast

COLUMBUS, Feb. 3.—Bob Shields i
broadcasting at 2:45 P. M. daily fror
WOSU, the Ohio State Universit
station, under supervision of th
O.S.U. School of Journalism in co
operation with the three daily news
papers. It is a journalism teaching ex
periment.

Start Police Amateur Hour

Beginning tomorrow, from 5 to 5:3
P. M., the Police Athletic League wil
be on the air over WBNX with
new amateur series, with talent to b
recruited from the ranks of P. A. L
members.

New Program Starts on WLW

CINCINNATI, Feb. 3.—"Strange Oc
cupations" is a new feature on WLW
in which men and women in unusual
jobs are interviewed. The program
is broadcast at 1:45 P.M. each Saturday, with Herbert Flaig at the mike.

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First in
Film and
Radio News
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Accurate
and
Impartial

. 43. NO. 30 NEW YORK, SATURDAY, FEBRUARY 5, 1938 TEN CENTS

EC Details ear-End Film tock Shifts

lbert Warner and Hertz Make Gift Transfers

By BERTRAM F. LINZ

Washington, Feb. 4.—Year-end nsactions of officers and directors the registered securities of their rporations included the disposition 10,000 Warner convertible deben- es by Albert Warner in gifts and disposition, also by gift, of 400 ares of the company's common stock Samuel Carlisle, it was reported day by the S. E. C.

Warner also disposed, by sale, of 00 shares of common stock during ecember, and at the end of the year ld 59,648 shares of common, 10,618 ares of preferred and 1,784,000 de- ntures, direct, and 5,460 debentures rough Holding Company A. Carlisle the close of the year held 700 shares common.

Disposition by gift of 447 shares of ramount Pictures second preferred ock was reported by John D. Hertz om his holdings through Lehman

(*Continued on page 3*)

efends Canada's merican Programs

Montreal, Feb. 4.—Use of American advertising programs by the Cana- an Broadcasting Corp. was defended L. W. Brockington, chairman of board of governors, last night over national hookup.

Such programs, he said, occupy ght and three-quarter hours of the rporation's 98-hour week and net a venue of $120,000. The corporation, added, had refused $250,000 for her commercials lacking entertain- ent value for Canadians.

American programs contribute funds

(*Continued on page 4*)

Additional developments in the Radio field on page 4.

Reversing It

Jack Meltzer pulled this one on Eddie Golden.

"Geniuses make the pictures now; executives sell them. The executives ought to make 'em for a while and let the geniuses try to sell 'em."

"Snow White" Gets Fifth Week at M.H.

For the first time in the history of the Music Hall, the world's largest film house, it will hold a picture five weeks. "Snow White and the Seven Dwarfs," which built consistently during the first three weeks of the run, will conclude a five-week engagement on Feb. 16.

The Music Hall made the decision on the strength of the gross yesterday, the first day of the fourth week. Attendance for the first three weeks reached 525,000 admissions, an average of 175,000 per week. Should the pace continue, the Music Hall anticipates the total for the five weeks to hit 800,000, the greatest in the history of the industry for a similar period at one theatre. The Music Hall seats 6,200.

The building power of the film is shown in the increase in grosses in successive weeks. The first week's

(*Continued on page 3*)

Four A Unions Reach Agreement at Parley

Apparent peace within the member unions of the Associated Actors & Artistes of America was reached at a meeting of the board of the international organization yesterday when the Screen Actors' Guild voted with a majority of the other unions to dismiss the charge of failure to properly organize its field, which the guild brought against Chorus Equity Asso-

(*Continued on page 3*)

Kleckner in Group Heard by Roosevelt

Washington, Feb. 4.—Government cooperation with business was asked of President Roosevelt today by a committee of "little business men," following a two-day conference at the Department of Commerce on the recovery problems of the small industries.

Joseph C. Kleckner, president of the Motiograph Corp., Chicago, who served as secretary of the loans-to-business group of the conference, was one of the 12 men constituting the committee, which visited the White House.

The group offered a 23-point program outlining what it thought the Government should do for the minor industries of the country, including repeal of the undistributed profits tax, development of machinery for the making of loans to small concerns, legislation to make labor unions as well

(*Continued on page 3*)

Production Census Planned in England

London, Jan. 26.—A complete census of film production and printing is to be taken by the Board of Trade.

Questionnaires are to be sent out to all firms engaged in production and laboratory work. The results of the survey will be published later this year.

The aim is to get details on people employed, players engaged, material used and the like.

Boys, Girls Are Invited To Miss Humanity's Place

By J. M. JERAULD

A few days ago United Artists sent out deckled edged cards reading as follows: "You are cordially invited to attend a cocktail party and press preview of the Miss Humanity Home at 162 East 33rd St., Manhattan, Friday, February 4th, at 4 P. M."

As is usual in cases of this kind the interior decoration editor of Motion Picture Daily set forth in search of this new star. He had met Miss Atlantic City and Miss Miami and Miss America, but Miss Humanity had escaped.

She still has. A taxicab ride to 162 East 33rd St. and a two-stair-at-a-time climb up to Miss Humanity's quarters revealed several things that were surprising and several that were not.

The surprising things were a birdseye maple dining room table in front of a big mirror, so that a man having dinner with his wife, or vice versa, immediately got the idea he was at a banquet; a radio at the end of a davenport that looked like a white fireless cooker with black knobs; inverted lights that looked like illuminated soup plates; lights that shone out of recesses in the walls and revealed when the women's noses were shiny; beds that had yellow satin covers; dressers that didn't look like dressers; doors that were set flush with the walls and had only doorknobs to prove they were doors; kitchens with illuminated ice boxes; electric ranges that didn't look like electric ranges; bathrooms; vacuum cleaners that sprayed Larvex to keep the moths out of the carpets.

The women "oh'd and ah'd" and

(*Continued on page 3*)

Fleischer to Construct Big Miami Studio

New $300,000 Plant to Be Ready Oct. 1

Fleischer Studios, Inc., producers of animated cartoons for Paramount release, has signed a contract with the Delaware Housing Co. of Miami for a studio to cost $300,000 in Miami and will complete its moving to Florida by Oct. 1.

The deal was set this week by Max and Dave Fleischer, who returned yesterday from Miami. The studio force of 200 has been asked whether they want to make the move, and 70 per cent have already signed up, according to the studio.

Concessions were made by the city of Miami, Dade County and the Delaware Housing Co., the major factor being that the studio ground and building will be tax free for 15 years. Also, a substantial part of the cost of the studio and ground will be absorbed locally, it was intimated. The city of Miami has pledged itself to build a road to cost $100,000 which will run in front of the building and connect with the Hialeah road leading to the racetrack.

Fleischer will establish his own

(*Continued on page 3*)

New Operator Bill Appears at Albany

Albany, Feb. 4.—Legislation designed to have two men in theatre projection rooms was introduced in the Assembly today by Robert Crews, Republican member classified as the spearhead of the liberal G.O.P. lower house group, as indicated to Motion Picture Daily recently by George Meany, president of the state Federation of Labor.

Approved by the A.F.L. in the Jamestown convention last August under the sponsorship of the I.A.T.S.E. the steering committee of the federa-

(*Continued on page 3*)

With Dictionary

With the spread of "Ghosts," the new lunchtime spelling game at the Lindy round table luncheons, Louis Berg, G. B. publicity head, says the most frequent order is: "Chopped chicken liver—and a dictionary."

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SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Orders Midland Co. Books to Be Opened

KANSAS CITY, Feb. 4.—Judge Albert L. Reeves in federal U. S. District Court yesterday continued the Midland Investment Co. in possession of the Midland Theatre and Midland office building properties, and ordered the Midland Investment Co. to open its books to a bondholders' committee.

Midland Investment recently petitioned for the right to reorganize under 77B of the bankruptcy act, and its reorganization manager, Securities Service Corp. of Chicago, has submitted a plan of reorganization.

A bondholders' committee has been formed by local financial and investment men, and was represented in court by Charles Blackmar and Ed Scheuffler, Kansas City attorneys. The bondholders want an impartial trustee appointed, and desire certain changes in the submitted reorganization plan.

Change Nebraska Prices

LINCOLN, Feb. 4.—Price changes include the Fremont, Fremont, Neb., dropping five cents to 10 and 20 cents, with duals and a serial. The Stuart here has set the balcony price at 25 cents all day. The entire house had been priced at 40 cents for evenings.

Hollywood Preview

"Of Human Hearts"

(M-G-M)

HOLLYWOOD, Feb. 4.—This production takes the lately super-modernized motion picture back to first principles and proves them sounder, surer and more satisfying than any that have been developed, fabricated or imported since the camera took up story telling.

Honore Morrow's book, "Benefits Forgot," is honest drama of the old school in which men were what they might be and women knew how to weep. As produced by John W. Considine, Jr., and directed by Clarence Brown—he waited 18 years for the chance—it packs the wholesome wallop of Town Hall Tonight melodrama with none of the spurious emotionalism of shoddy theatrics of the road company. It has what it takes to please every audience in the nation.

Walter Huston achieves another stirring portrayal of ministerial sternness in the principal role, with Beulah Bondi and James Stewart matching his performance perfectly as wife and son. Guy Kibbee, Charles Coburn, Charley Grapewin, Clem Bevans, Gene Lockhart, John Carradine, Leatrice Joy Gilbert, Gene Reynolds and the late Robert McWade supply faultless support. Bradbury Foote's screenplay is a triumph of coherence and balance with just about the most workmanlike dialogue heard this year.

Huston is a circuit riding minister in a small Ohio town before the Civil War. His son rebels against parental rule and goes away to become a doctor. After Huston's death the son's requests for money force his mother to sell her small treasures and she is destitute when she writes President Lincoln a letter which results in his summoning the boy, now a successful army surgeon, and sending him home.

On that simple narrative is hung as fine a motion picture as ever struck a screen—a clean, strong story told with directness and power. It came like a breath of fresh air to ventilate a season bogged down in soggy sophistication.

Running time, 105 minutes. "G."

Notice of Trial Is Filed in Loew Suit

Notice of trial on March 7 of the stockholder's action to restrain Loew's, Inc., from placing in effect the 12 profit-sharing contracts approved at the annual meeting of stockholders in January was filed in N. Y. Supreme Court here yesterday by Bernard Epstein, the plaintiff. The trial of the suit is expected to be begun within two weeks thereafter.

Arba Dike Faxon, holder of 10 shares of common stock, filed a second stockholder's suit in the Supreme Court yesterday. This suit also attacks alleged excessive bonus, stock and salary arrangements. It is considered likely that both suits will be tried together.

Defendants named in the second suit are Nicholas M. Schenck, David Bernstein, J. Robert Rubin, Louis B. Mayer, the estate of Irving Thalberg, Arthur M. Loew, David L. Loew, Al Lichtman, Edgar J. Mannix, Sam Katz, Edward A. Schiller, Leopold Friedman, George M. Armsby, Isidore Frey, John R. Hazel, Charles C. Moskowitz, William A. Parker, William A. Phillips, David Warfield, T. L. Perkins, John K. Searle, Eugene W. Leake, Harley L. Clarke, Charles M. Schwab, Harry M. Rice, Jacob L. Rubinstein and Albert M. Greenfield.

Constance Bennett Victor

LOS ANGELES, Feb. 4.—Constance Bennett yesterday was awarded a verdict of $35,000 by Superior Judge Charles S. Burnell in her breach of contract suit against G. B. She claimed a $35,000 guarantee offered in the event that she hold herself in readiness to produce "The Hawk," which never was made.

Imperial Defers Listing

WASHINGTON, Feb. 4.—Imperial Pictures, Inc., today joined the ranks of film companies desirous of postponing new financing until a more opportune time, petitioning the S.E.C. to defer the effective date of its registration of 861,286 shares of $1 par value common stock, filed with the commission Jan. 17.

A petition for deferment of the effective date of its registration statement was submitted to the S.E.C. Feb. 2 by Cinecolor, and yesterday International Cinema asked withdrawal of its statement covering 150,000 shares.

Wilmington Houses Sign

WILMINGTON, Del., Feb. 5.—Agreements with local Service Employes' Union B-94 have been signed by Loew's and Warner houses in Wilmington. The agreement was reached at a recent conference between union officials and A. J. Vanni, Warner zone manager; E. C. Callow, assistant, and Carter Barron, eastern division manager for Loew's.

Milliken Phila. Speaker

PHILADELPHIA, Feb. 4. — Carl E. Milliken of the Hays office was the principal speaker yesterday before the Business Men's Group of Philadelphia at the Penn Athletic Club. His subject was "The Motion Picture as an Ally of Business."

Wins Three-Cent Verdict

PARIS, Feb. 4.—Igor Stravinsky, composer, won a three-cent verdict here in his $10,000 damage action against Warners. He contended the title of his ballet, "The Fire Bird," was used for a Warner picture. He declared he will appeal the verdict.

Purely Personal

DR. HERBERT T. KALMUS, president of Technicolor, and Mrs KALMUS left for Boston immediatel after their arrival on the *Normandi* yesterday morning. MORGAN HOBART manager of the New York office [illegible] companied them part of the way. [illegible] are expected back early next week.

●

JUDY GARLAND will arrive in Nev York from the coast Monday morning. Her first in a series of persona appearances will be at the State her beginning Thursday, and she will g on to Providence, Pittsburgh and St Louis.

●

WILLIAM and MRS. SUSSMAN, wh returned yesterday on the *Normandie* reported they had an enjoyable tri touring England, France and Italy They were gone a month.

●

ROY DISNEY, brother of WALT DISNEY and his business manager, is du to arrive in Hollywood tomorrow from New York conferences with RKO officials.

●

ARTHUR W. KELLY, United Artist vice-president in charge of foreign distribution, will sail today on the *Carinthia* for a vacation in Nassau.

●

HARRY GOLDBERG, Warner Theatre advertising head, returned yesterday from a three-day trip to New Haven Albany and Philadelphia.

●

DERRICK DE MARNEY, featured in "The Girl Was Young" will sail from London today and will arrive in Nev York Thursday.

●

WILLIAM and MRS. BRANDT and MRS. LOUIS B. MAYER will sail today on the *Normandie* on a 22-day cruise to South America.

●

ARTHUR LEE, G. B. vice-presiden and general manager, flew to Buffalo yesterday to visit the company's exchanges there.

●

H. H. BUXBAUM returned yesterday to the 20th Century-Fox exchange from the Allied convention in Minneapolis.

●

SIDNEY R. KENT, expected back from Florida next week, will leave for the coast at the end of the month

●

KENNETH THOMSON, Screen Actors' Guild executive secretary, left for the coast on the Century yesterday.

●

CHARLES STERN, eastern district manager for U.A., will leave in two weeks on a southern vacation.

●

MONROE GREENTHAL and LYNN FARNOL have deferred that trip to Detroit until a later date.

●

JOHN P. EDMONDSON, National Theatres official, will return Monday from Norfolk, Va.

●

C. C. PETTIJOHN is expected in New York today from Minneapolis.

●

JACK COHN arrives in New York tomorrow from a Miami vacation.

leischer to Construct Big Miami Studio

(*Continued from page 1*)

rding studio on the premises, this an addition since recording is done in the Paramount News oratory. All present equipment will moved to Florida. The moving will rt in the summer and the new dio is scheduled to open Oct. 1.

The building will be one-story, of ared concrete and steel and will e air conditioning throughout. It l have 30,000 square feet of space, increase of 25 per cent over the sent studio premises at 1600 Broad-y.

With an additional plot for recrea-n and parking, and a patio in the ter of the development, it will cover otal of two square blocks, Fleischer d. The Delaware Housing Co. is nning to build low-cost homes for employes, to be financed in part Federal Housing loans, which will rented or sold. The dwellings will offered to employees for about 500, it was said.

Will Help Employes

While Sam Buchwald, general man-er of Fleischer, said that it has not en decided to what extent the com-ny would defray the cost of moving employes, he asserted the com-y has offered to pay transportation d temporary hotel bills for the em-oyes and their families. The New ork salaries will be maintained in iami, although living costs are wer. Buchwald said Fleischer's oor trouble of some months ago had bearing on the decision.

The studio will be built on a site 27th Ave. and 16th St., on the iami boundary line.

All functions now performed in ew York will be handled in the iami studio. Paramount will con-nue to handle the printing here, as the past, and color developing and inting will continue to be done by echnicolor on the coast.

Snow White" Gets Fifth Week at M.H.

(*Continued from page 1*)

ke was $108,000. This rose to 10,000 in the second week and 12,000 in the following seven days.

The Music Hall previously had ver held a film more than three eeks, 10 pictures having fallen in is category since the theatre opened ore than five years ago. The same age show will continue during the n of "Snow White."

Selznick's "The Adventures of Tom awyer," in Technicolor, will follow e current attraction on Feb. 17.

eorgia Ticket Tax Bill Is Introduced

ATLANTA, Feb. 4.—A so-called lux-y tax prepared in compliance with commendations of Gov. E. D. Rivers as been introduced in the Georgia egislature. It would tax theatre ckets and other admissions on a slid-g scale, ranging from two cents on ckets selling from 15 to 25 cents to) cents on tickets costing $2 or more.

"Livewires" Are Beating Recession, RKO Men Told

Ned E. Depinet

"Livewire exhibitors are licking the recession," declared Walter Branson leader of the Ned E. Depinet drive for RKO's sales forces, at a meeting called yesterday in one of the big rehearsal halls of the Music Hall.

It was one of the first meetings of the kind ever held by a major company. Instead of confining it to the exchange staffs Depinet summoned more than 300 employees of the home office and told them what had been done to date in steaming up bookings and what he expected to do.

Branson has just returned from a four-week cross-croountry tour during which he visited 38 RKO branches. The drive began Jan. 29 and will end May 13. Downstairs in the same building, he pointed out, "Snow White and the Seven Dwarfs" is establishing new records for receipts and length of run. Other product to be pushed during the drive, he said, included "Radio City Revels," "Bringing Up Baby," "Vivacious Lady," "The Joy of Living" and "Hawaii Calls."

Branson was accompanied on his tour by Harry Gittleson, editor of *Flash*, the house organ retitled for the drive, which has been issued weekly during his trip from Detroit, San Francisco and Kansas City. He was met at different points by E. L. McEvoy, eastern district manager; Nat Levy, eastern central district manager; and H. C. Cohen, J. H. MacIntyre and L. M. Devaney, district managers.

Branson will be in New York for 10 days.

New Operator Bill Appears at Albany

(*Continued from page 1*)

tion agreed at an Albany meeting in December to accord full backing to the measure. Meany expressed the opinion the measure would be introduced in both houses, although a Senate sponsor is not yet forthcoming.

The bill applies to first class cities, affecting New York and Buffalo. It was referred to the Cities Committee, of which Assemblyman Harold Armstrong of Schenectady is chairman.

Another bill of interest to the industry was introduced today by Assemblyman Bernard Moran, Brooklyn Democrat, providing for an amendment to Chapter 62 of the tax law. If enacted, it would add five mills per foot on film to be reviewed by the state censor, plus $1 for a certificate showing the payment of the tax. Moran sponsored similar legislation last year in an effort to break the taxation jam caused by the early refusal of the Republican Assembly to pass Governor Lehman's four-cent gasoline tax bill.

Boys, Girls Invited By Miss Humanity

(*Continued from page 1*)

stuck their elbows out at modernistic angles. The men wondered whether Scotch and soda was a modernistic drink, or something that couldn't be absorbed in the strange surroundings.

The only normal feature of the surroundings was Burt Champion. He reminded the observer that United Artists had issued the invitations. He also pointed to a sign reading "cocktails upstairs."

Burt confided that the apartment had been adapted from a set in "Goldwyn Follies." Miss Humanity was the—was the ideal person for whom the decorations had been designed. It was nice to have that cleared up. Miss Jones and Miss Smith and Miss Cohen were having trouble being nonchalant.

Upstairs where the hors d'ouvres and the—er, cocktails—were being served the atmosphere wasn't quite so rarified.

Four A Unions Reach Agreement on Parley

(*Continued from page 1*)

ciation earlier in the week. Dismissal of the guild's charge gives Chorus Equity continued jurisdiction in the night club and presentation house fields, claimed by the American Federation of Actors. The latter organization reportedly was maneuvering for I.A.T.S.E. support in an effort to extend its jurisdiction. Whether it will pursue such a move as a result of the rebuff yesterday by the Four A's board was not disclosed in the absence of Ralph Whitehead, A.F.A. head.

The Screen Actors' Guild, which had shown some inclination to support the A.F.A.'s claim earlier, voted with the majority of other Four A unions, indicating that a truce with the parent organization exists insofar as the guild is concerned. Kenneth Thomson, executive secretary of the guild, left for Hollywood following yesterday's meeting.

Leo Fischer, executive secretary of the American Guild of Musical Artists, was elected treasurer of the Four A's, succeeding Otto Steinert, resigned.

Davis to Be Dinner Guest

Warren H. Davis, assistant manager of the Proctor, Newark, will be guest of honor at a bachelor dinner to be given Feb. 14 at the Vittorio Castle, Newark. He will be married Feb. 20 to Aurora Cantalene. Guests at the dinner will be Bob Ungerfeld, Norman Krasny, Bucky Harris, City Clerk Harry Reichenstein, Jack Levy, George Steiner, William Phillips, Martin D'Arcy and Elliott McManus.

Designs New Machine

Peerless Film Processing Corp. has perfected a new portable processor designed to lessen the danger of damage to negative film in cutting, editing and printing, according to Edward Moyse, president.

This process is based on the vacuum principle and was designed by Victor C. Krupa, chief technician for the company.

SEC Details Year-End Film Stock Shifts

(*Continued from page 1*)

Brothers, who at the close of the month still held 4,553 shares. E. V. Richards, New Orleans director, reported the transfer of 1,400 shares of second preferred from direct ownership to ownership through the Rochelle Investment Corp., which held 5,000 shares at the close of the month.

Dissolution of his holding company was reported by Robert R. Young, Jersey City director in Pathe Film, the 10,283 shares of common which the companv held being transferred to direct ownership.

Disposition of 2,800 shares of Grand National Films common, leaving him with but 250 shares, was reported by Kirk W. Todd, Pittsburgh director.

In Loew's common, Arthur Loew reported the disposition of 195 shares, wiping out his holdings in that class; J. Robert Rubin the disposition of 2,000 shares, leaving him with 14,155 shares; and David Bernstein disposition, by gift, of 1,500 shares, leaving him with 7,080 shares.

Loew's, Inc., increased its holdings of Loew's Boston Theatres common stock by 727 shares during the month, giving it 98,545 shares at the end of the year.

Disposition of 200 Columbia pictures common voting trust certificates, by gift, was reported by Jack Cohn, who at the close of the year held 32,407 certificates.

Kleckner in Group Heard by Roosevelt

(*Continued from page 1*)

as employers responsible for the observance of contracts, reduced Government spending, anti-trust enforcement, abandonment of efforts to enact wage and hour legislation, investigation of the National Labor Relations Board and reduction of social security taxes in industries.

Wall Street

Kodak Best Board Gain

	Open	High	Low	Close	Net Change
Col.	12½	13	12½	13	+1
Cons.	1⅜	1⅜	1⅜	1⅜	.....
Cons. pfd...	5½	5½	5½	5½	.....
E. K.	150½	152	150½	152	+2
E. K. pfd..	162	162	162	162	.....
G. T. E.....	10⅞	11	10⅞	10⅞	+ ⅛
Loew	44⅝	45⅛	44¼	45	— ⅜
Para.	9	9⅜	9	9¼	+ ⅛
Para. 1.....	82	82	82	82	—3
Para. 2 ...	9	9⅝	9	9⅝	.....
Pathe	5	5⅜	5	5⅜	+ ¼
RKO	3¾	3⅞	3¾	3¾	— ⅛
20th Fox ..	21	22¼	20¾	22¼	+ ¾
20th pfd. ..	30	30	30	30	— ¾
W. B.	5¾	6	5¾	6	+ ¼
W. B. pfd..	35	35	35	35	—2½

Little Trading on Curb

	Open	High	Low	Close	Net Change
G. N.	⅝	⅝	⅝	⅝	.....
Sonotone ..	1⅝	1½	1⅝	1½	— ⅛
Tech.	16¾	16⅞	16⅛	16⅞	— ⅛

Bond Market Quiet

	High	Low	Close	Net Change
Loew 3½s '46....	98½	98¾	98¾	— ⅝
Para. Pict. '47....	73	72¾	73	+ ⅛

(Quotations at close of Feb. 4)

Radio Personals

ABE LYMAN has added two vocalists to his organization, Frank Parrish and Olga Sardi. . . Arthur and Mrs. Kudner, of the advertising agency, will sail on the *Normandie* today to South America. . . Mark Hawley, WOR newscaster, has named his daughter Marcia Time. . . Dr. Charles M. Courboin, WOR-Mutual organist, has designed the new organ of the Darlington Seminary, to be the largest in New Jersey. . . Blue Barron has engaged the Three Blue Notes, vocal trio, to appear with his band at the Edison. Barron, incidentally, has just been signed to a recording contract by Victor. . . The Southwinds, a quartet, have been signed for a new series of song programs on WHN, starting tonight at 6 P. M. . . Ann Gillis and Tommy Kelly, two local youngsters who have just completed roles in "Adventures of Tom Sawyer," will be interviewed on the "Radio Newsreel" tomorrow. . . The Vox Pop program has won the *Radio Guide* Award of Merit.

+

Larry Menkin will step in tonight as director of the "Stories of Industry" programs on CBS. . . . NBC artists bureau engagements for Feb. 7 are Howard Claney on the Dick Tracy show, and Barry McKinley and Felix Knight on the Chevrolet show, all transcribed at World.

"Women's Magazine" On Pacific Network

SAN FRANCISCO, Feb. 4.—"Women's Magazine of the Air," a new domestic science series for the Nestle Milk Products Co., will be presented over a split Pacific-Red NBC network for 13 weeks, beginning Feb. 15. The Leon Livingston Advertising Agency handled the account.

Gilmore Oil Co. has renewed "Gilmore Circus" for another year over six stations of the Pacific-Red network. Botsford, Constantine & Gardner is the agency.

Joe Weed Leaves for Canadian Convention

Joe Weed, head of Weed & Co., station representatives, left New York yesterday for a Canadian visit which will combine a call at All-Canada Radio Facilities, Ltd., in Toronto, and attendance at the convention of the Canadian Association of Broadcasters in Ottawa beginning Feb. 7.

Following the Canadian broadcasters' meetings he will return to New York before proceeding to the National Association of Broadcasters' convention in Washington Feb. 14.

Martin Going to NAB Meet

LINCOLN, Feb. 4.—Reginald B. Martin, deposed manager of KFAB-KFOR, plans to attend the NAB convention in Washington, he said today, and will probably locate on the west coast. J. Gunnar Back, dropped from KFAB-KFOR's continuity chieftainship, has already gone west. Paul Dodd, auditor, is acting manager of the stations, and Jim Cox heads the continuity department. Don Searle, general manager, has indicated no appointments to fill the two top positions vacated.

Follows Example

Following the example set by NBC and CBS, Mutual also will withhold from the press its monthly billing figures. Until yesterday it had appeared that Mutual would continue to release the figures as heretofore.

Hearings Ordered on KEEN, KFRU Pleas

WASHINGTON, Feb. 4.—The Federal Communications Commission has ordered hearings on the applications of KEEN, Seattle, for change of frequency from 1,370 to 1,420 kilocycles and increase of power from 100 to 250 watts, and Station KFRU, Columbia, Mo., for increase of power from 500 watts night, 1,000 watts day, to 5,000 watts.

The commission has received examiners' reports recommending the granting of applications of Platt & Platt, Inc., for a 1,000-kilocycle, 1,000-watt station at Poughkeepsie; Kanawha Valley Broadcasting Co., for a 1,500-kilocycle, 100 watt station at Charleston, W. Va., and WFBR, Baltimore, for increase of power from 500 watts night, 1,000 watts day to 1,000 watts night, 5,000 watts day.

Other reports recommended denial of applications of WIBG, Glenside, Pa., for increase of time from day to unlimited and increase of power from 100 to 5,000 watts, and John P. Harris for a new 710-kilocycle, 1,000-watt daytime station at Hutchinson, Kan.

Mutual Will Pick Up Hollywood Programs

Mutual will take a number of programs from Hollywood beginning Feb. 19, with KHJ of the Don Lee network feeding the programs to the network. The schedule currently calls for three uninterrupted hours from Hollywood each Sunday, from 9 P. M. to 12 midnight.

The programs and schedule are as follows:

9 to 9:30 P. M., "Hawaii Calls," from KGBM, Honolulu, to KHJ and the network.

9:30 to 9:45 P. M.—The Brown Sisters, vocal trio.

9:45 to 10 P. M., George Fischer's "Hollywood Whispers," returning to the network after a short absence.

10 to 10:30 P. M., "Hancock Ensemble," concert group.

10:30 to 11:30 P. M., "Old Fashioned Revivals," currently on the network and sponsored by the Gospel Broadcasting Association.

11:30 P. M. to 12 midnight, Ozzie Nelson's orchestra.

To Join WOMI Inaugural

CINCINNATI, Feb. 4.—Allen Franklin of the dramatic department, Eleanore Moore, soloist, and Lynn Cole, tenor, of WLW, will go to Owensboro, Ky., to participate in the inaugural broadcast over WOMI, a new station of the Owensboro *Messenger and Inquirer*, to be dedicated Feb. 7. The station will operate on 250 watts days, and 100 watts nights, on a frequency of 1,500 kilocycles. At 11:15 P. M., WLW will salute WOMI with a special remote broadcast by Emery Deutsch's orchestra, playing at the Hotel Netherland Plaza.

Jacob Paley Sells Stock to Daughter

WASHINGTON, Feb. 4.—Sale to his daughter in December of 4,000 shares of CBS Class A stock, leaving him with 21,458 shares, has been reported to the Securities and Exchange Commission by Jacob Paley, Los Angeles, director, it was disclosed today by the commission in its semi-monthly summary.

Other transactions in Columbia stock included the acquisition of 125 shares by Harry C. Butcher, Washington, officer, giving him 300 shares at the close of the year, and disposition of 200 shares by Samuel Paley, Philadelphia, director, leaving him with 18,000 shares.

In Crosley Radio Corp. common, Gwendolyn Crosley, Cincinnati, disposed of 1,378 shares by gift in December, leaving her with 129,532 shares, and Powell Crosley, Jr., reported disposition by gift of 689 shares, leaving him with 151,369 shares. J. Augustus Barnard, New York, director, acquired 200 shares, giving him 1,800 shares at the close of the month.

A report on Majestic Radio & Television common showed disposition by Joseph A. Sisto, New York, director, of 4,000 shares, leaving him with 25, and disposition by Harry Stein, New York, director, of 300 shares, wiping out his holdings in that class.

Defends Canada's American Programs

(*Continued from page* 1)

for construction and improvement of stations, he asserted.

"Commercial revenue for the current fiscal year ending March 30," he said, "will be less than $400,000. It is not the intention or desire of the corporation to go beyond $500,000, and that will be accepted only until we are self-supporting from other sources."

Building Union on the Air

Building Service Employees' Union, Local 54, affiliated with the A. F. of L., inaugurated a series of monthly broadcasts last night over station WEVD under the direction of Alexander Schwartz, general counsel. The first broadcast was on "Clean, Healthy Theatre." The union said it intends to present its aims to the public. It is negotiating agreements with local theatres.

Extend Father Coughlin Talks

OKLAHOMA CITY, Feb. 4.—Rev. Charles A. Coughlin's talks will be carried on the Oklahoma Network of seven stations each Sunday at 3 to 3:30 P. M. through KTOK, Oklahoma City, beginning Feb. 6. The program will not be carried by the Mutual system, but will be an independent web feed to the Oklahoma network, according to Joseph Lee, network director.

McKee Joins Erwin, Wasey

Homer McKee, head of the agency bearing that name, has joined the Chicago office of Erwin, Wasey & Co. as a vice-president. Robert McKee, who has been associated with his father as secretary-treasurer of Homer McKee, Inc., also is joining Erwin, Wasey's Chicago office, in an executive capacity. C. R. Vail continues in charge of the office.

Around the Country

Lincoln

Lyle DeMoss, KFAB's "man o street," was flabbergasted on his se ond anniversary, when up walked Go ernor Cochran and Mayor Copelan during his regular broadcast, to pr sent him a certificate of merit fro National Research Bureau, Inc. . . State Fair officials have indicated th will jump their radio appropriati next year 100 per cent. . . . Jal Rachman, who used to write thr columns daily on the now defun Omaha *Bee-News*, has three differe programs at KOIL. . . . Harry Kir has booked Herbie Kay for his bal room, Feb. 25, and will air a sho from there.

+

Hollywood

Richard Sheridan Ames, who writ "Screen Week," a review of films, h returned to KFI after a short leav . . Ben Sweetland has begun a ne series on "Human Understanding" o KFI. . . Eddie Cantor has given 13-week contract to Vyola Von "Fifi" on the Texaco show. . . H Chambers, KFWB announcer, ha become "em cee" for "Hollywoo Matinee," replacing Tommy Harri who will continue as singer. . . Ash mead Scott, producing the Jack Oaki show, has quit the spot. A film de for him is in the offing. . . Sylveste Gross of the KEHE announcing sta has resigned to assume duties as pro gram director and production head o KOGO, NBC Blue outlet in For Worth. . . Dean Markham, KHJ con tinuity head, has been selected to pro duce the Eddie Duchin commercia during the program's run here. . Glenhall Taylor has assumed produc tion responsibility on the Phil Bake show. The program will come to New York March 1, as reported.

Gulf Renews Baker Contract for Yea

The Gulf Refining Co. has rewarde Phil Baker with a year's renewal o his contract, effective Feb. 20. Th Gulf show is heard Sundays over a 62-station CBS hookup, from 7:3 to 8 P. M. Young & Rubicam is the agency.

Blank to Address Rotary Club

CHICAGO, Feb. 4.—L. Daniel Blank, regional director of the Central Branch of the Atlas Distributing Corp., will address the meeting of the Janesville Rotary Club of Janesville, Wis., Feb. 21, on showmanship in business. The meeting will be under the direction of Robert W. Bliss, publisher of the *Janesville Gazette* and owner of WCLO, which has the franchise for 28 Atlas programs in that area.

"Dog Heroes" to Suspend

"Dog Heroes," sponsored by the Modern Food Process Co. over the NBC-Blue Sundays from 4:45 to 5 P. M., will leave the air Feb. 27. Clements Co., Philadelphia, is the agency.

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utro Asserts Korda Asking lore Revenue

ill Ask U. A. Release If He Can't Get It

lexander Korda will seek a release m his agreement with United tists and an affiliation with another jor company unless U. A. gives his duct greater attention and obtains reased playing time for it, it was d here yesterday by John R. Sutro, lirector of London Films.

Sutro and his family have been stantially interested in London ms since its formation six years , he said. He arrived here Friday the *Normandie* to make a survey the general situation as it affects ndon Films' future in this country l to complete some discussions that rda cut short in order to return to gland recently to resume production.

"Our American situation was left irely in the air when Korda deted from New York and I am here

(*Continued on page* 4)

BC Will Broadcast ddresses of Women

A special NBC program based on he Role of Women in the Modern ate," originating in five countries d featuring Mrs. Franklin D. Rooset and Lady Astor, will be broadst on Feb. 25 over the NBC-Blue m 3 to 3:30 P. M., under the auices of the International Federation Business and Professional Women. is to be part of the celebration of ternational Day, which is being obved through the world.

Mrs. Roosevelt will talk from ashington and Lady Astor from ymouth, England. Other speakers ll include Mrs. Halvadan Koht, fe of the Norwegian minister of forn affairs, from Oslo; Mme. Olivia setti Agresti, from Rome and Dr. enee Girod from Geneva.

ducational Scripts At 120,000 in Year

WASHINGTON, Feb. 6.—Dr. John W. udebaker, United States Commisoner of Education, declared here sterday that more than 120,000 rao scripts for educational use have en distributed during the past year. Dr. Studebaker disclosed the figure

(*Continued on page* 10)

More Radio—Pp. 10-11

Dialect Director

Hollywood, Feb. 6.—There are assistant directors, dialogue directors and directors, but M-G-M this week came out with a new one.

Dave Weber has been appointed "dialect director" on "The Girl of the Golden West."

Selznick Agency Barred by Schenck

HOLLYWOOD, Feb. 6.—Barring of the Myron Selznick agency from the 20th Century-Fox studios has been ordered by Joseph M. Schenck, the company's board chairman. Schenck accused the agency of being "out of sympathy with constructive activities of the film industry."

Schenck issued a statement which said the Selznick agency sought to pyramid salaries of players they handle to where it would be ruinous to the studio and the industry. He invited players represented by Selznick to do business direct with the company.

In reply, Selznick labeled the Schenck statement "farcical" and said the perspective of Schenck was distorted. Selznick said he took pride in increasing the salaries of his clients.

20th-Fox to Sell Own Product Only

Twentieth Century-Fox will limit its distribution in 1938-'39 to its own product, according to plans for the new season shaped by company executives in connection with the announcement to be made at the annual sales conference in Kansas City, April 1 and 2 and at the European sales convention May 1 and 2 in Paris.

The company expects to make the

(*Continued on page* 11)

Naming of Regents Affects Censorship

ALBANY, Feb. 6.—Interest along Capitol Hill will center on the Board of Regents this week, with two vacancies to be filled Tuesday by the Legislature and a meeting scheduled Friday and Saturday, with controversy over "The Birth of a Baby" likely to come to a head.

In view of the recent action on the part of the Board of Regents in supplanting Dr. Frank P. Graves, as reviewer of appeals on rejected films, attention will be directed toward both happenings.

Assembly Republicans, Democrats and American Laborites will hold separate caucuses after Monday's session to choose candidates for the two vacancies. Similarly both parties will hold individual pow-wows after the Senate adjourns. On Tuesday, the Legislature will meet in joint session with the Republicans holding the upper hand, having 106 votes to 90 for the Democrats and five for the American Labor bloc.

Regent Roland B. Woodward, whose term is expiring, is scheduled to be renominated for a full term of 12 years by the Republicans. Their other candi-

(*Continued on page* 11)

Producers Studying Animated Features

The success of Walt Disney's "Snow White and the Seven Dwarfs" has started other cartoon producers thinking about production of feature-length cartoons. The Fleischer Studios have the matter under consideration, a spokesman said, and if this company goes in for features they will be released through Paramount.

Leon Schlesinger, who produces cartoons for Warners, has a plan for a feature-length subject to cost about $700,000. A decision may be made after he returns from his present Mediterranean cruise.

Seek Changes To Speed RKO Reorganizing

Aim Is to Offset Present Security Market Sag

RKO's principal creditors will convene this week in an effort to agree upon and draft amendments to the company's reorganization plan which would make possible an RKO reorganization within the next few months, it was learned on good authority over the weekend.

Amendments regarded by major creditors of the company as vital to an early reorganization include a reduction of the fixed charges applicable to the reorganized company and the drafting of terms for the projected $1,600,000 underwriting for the new company on a basis which would make subscription to the new securities sufficiently attractive to creditors and investors to offset the current unfavorable market conditions.

The success of the effort to hasten the reorganization of the company depends entirely upon the ability of the creditors to agree among themselves on the required amendments to the plan and, secondly, upon the approval of the amendments by the Federal court within a reasonable

(*Continued on page* 2)

Film Board Cases 3,088 During Year

A total of 3,088 claims for $625,767.24 was filed against exhibitors in the New York distribution area in 1937 for enforcement of contracts, it was said by Louis Nizer, counsel to the Film Board of Trade, in his annual report to the members.

The report, made public Saturday, discloses that 93 per cent of the claims were collected by legal means, while only 197 claims, involving $42,086.48, were disposed of by arbitration. The

(*Continued on page* 11)

Weaverville Turns Out as "Gold" Opens

WEAVERVILLE, Cal., Feb. 6.—The entire population of Weaverville, Cal., turned out for the world premier of Warners' "Gold Is Where You Find It" Saturday night. Despite snow, rain, slush and a gale, this little mountain village 50 miles from the nearest railroad decked itself in carnival attire to greet visiting stars, bonfires in the streets substituting for Kleig lights

(*Continued on page* 4)

Nominations for Academy Annual Awards Are Listed

HOLLYWOOD, Feb. 6.—The Academy today made public the nominations for the annual awards in the production, acting, directing and writing divisions, after the most comprehensive balloting in the history of the organization, supplementing other division nominations which have been disclosed.

The voting will begin within a week and continue until the formal announcement of winners at the Academy's annual dinner dance on March 3.

For the outstanding production of the year 10 pictures have been nominated; best performance by an actor, five; by a supporting actor, five; actress, five; supporting actress, five; direction, five; screenplay, five; original story, five. The nominations for the acting, writing and directing awards were voted by members of the Screen Actors' Guild, Screen Directors' Guild, Screen Writers' Guild and Screen Playwrights, Inc., as well as members of these crafts not affiliated

(*Continued on page* 4)

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Legion Approves 13 Of 14 New Pictures

The National Legion of Decency, in its list of 14 new pictures reviewed and classified for the current week, has approved 13 of the 14, eight for general patronage and five for adults, and classified one as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Forbidden Valley," "Gold Is Where You Find It," "Monastery," "Radio City Revels," "Scandal Street," "Squadron of Honor," "Where the West Begins," "A Yank at Oxford." Class A-2, Unobjectionable for Adults—"Double Danger," "Der Katzenteg" (German), "The Midnight Intruder," "My Old Kentucky Home," "Wenn du Eine Schwiegermutter hast" (German). Class B, Objectionable in Part—"Helene" (French).

End Superior Dispute

SUPERIOR, Wis., Feb. 6.—Wage disagreements between the projectionists and Roy McMinn, operator of the Beacon, have been settled. The new $100,000 house had been scheduled for opening Jan. 20. It took place Saturday.

Seek Changes To Speed RKO Reorganizing

(*Continued from page* 1)

length of time following their submission. Failure of the creditors to agree upon the desired amendments would necessitate the re-submission of an amended plan for new assents, which, even if a sufficient number were obtained, would delay consummation of the reorganization. An early reorganization might also be frustrated if court approval of the amended plan was withheld for any length of time.

However, it is predicted that if both a creditors' agreement on the amendments and prompt court confirmation materialized, approval of RKO's reorganization plan might be had by May or early June. The efforts to agree upon and draft amendments to the plan are expected to continue throughout the month with the intent of having them ready for submission to Federal Judge William Bondy by Feb. 28, the date of the next scheduled hearing on the reorganization.

Studio Head a Consideration

Whether the creditors' move for an immediate reorganization of the company would arrest the current deliberations of the Irving Trust Co., RKO trustee, over the appointment of new management executives is uncertain. One official source, however, indicating that it would not, pointed to the immediate necessity of designating a studio head for the impending planning of new season production. Unofficially, it is believed that no designation of a new studio head would be made without consultation with the principal creditors, both because the trustee is said to prefer a choice mutually agreeable and because a studio head designated over the protests of the major creditors would be unlikely to receive the support of the creditors three months from now if their efforts to complete the reorganization within that time met with success.

Artcinema Signs Deal

Artcinema Associates, Inc., has signed contracts for the distribution of 10 features and seven shorts with Affiliated Producers, Inc., Atlanta; Pyramid Exchange, Buffalo; Monarch Pictures Corp., Detroit; American Films, Indianapolis; Celebrated Film Exchange, Minneapolis; American Distributing Corp., Omaha; Monarch Pictures Corp., Pittsburgh, and Jack Roher and Emanuel Stein for Canada.

Three Guilds to Dance

HOLLYWOOD, Feb. 6.—The Screen Actors', Screen Writers' and Screen Directors' Guilds are planning a tri-guild dinner dance in late April. The arrangements committee consists of John Grey, Charles Brackett, James Cagney, Chester Morris and two others to be appointed by the directors.

More Lincoln Scales Cut

LINCOLN, Neb., Feb. 6.—Two more theatres in this territory have cut prices. They are the Majestic, Grand Island and the Sun Holdrege, both lopping off nickels to become 10c-15c houses.

Hats Come Off

Loew's theatres here are asking women customers to "please remove your hats." Each house shows a short trailer reproducing a letter from a patron in the borough in which the theatre is located. The letter explains why the wearing of headgear interferes with the enjoyment of the picture.

Since the request comes from a patron and not the management, it is believed offense is avoided.

Condor Sales Shown In Buckman Hearing

MADISON, Feb. 6.—Bankruptcy hearings on B. E. Buckman & Co. here before Miles C. Riley, special master, reveal that the company, underwriters of the stock of Condor Pictures, Inc., has sold approximately 300,000 shares of the stock at $3.25 a share, much of it to Wisconsin residents.

It has been testified that Buchman owns a substantial block of stock in Condor, which is now undergoing financial reorganization under 77B of the Federal Bankruptcy act. Testimony indicated that one subsidiary of the Hollywood company would pay up enough to satisfy all creditors, but little hope was held out for the investors.

The subsidiary, according to testimony, owns 600,000 feet of unused film of Frank Buck's "Bring 'Em Back Alive." The hearing is scheduled to be resumed Tuesday.

French Films Show Gain, Says Sussman

French product is making inroads on American distribution, due to improved quality of pictures made over there, it was said by William Sussman, 20th Century-Fox eastern division manager, who returned from Europe last week.

French product is better than in the past, he said. He found theatre business in France "fair."

England is enjoying great prosperity, this admittedly being due to the British armament program, he reported.

Business for American companies in Italy "is good depending on the pictures that you can get through the censors," Sussman said. Exhibitors in Italy have sufficient advance knowledge about American pictures so that they take only the better product, he found.

Rossi's Film Bills Will Go in Tonight

ALBANY, Feb. 6.—Two film bills are scheduled for introduction in the House tomorrow night by Assemblyman Nicholas A. Rossi. One aims to prevent sale of tickets when no seats are available and the other would require a matron for every 35 children. Both will be referred to the Codes Committee. The bills have been introduced at previous sessions.

Assemblyman Harold B. Ehrlich's bill aimed to clear up conflicts in existing laws and permit admission of children from eight to 16 years old when accompanied by a guardian or chaperone is slated to come up on third reading.

◀ *Purely Personal*

ROY HARRIS, winner of t
$5,000 M-G-M national ra
contest for a new title for "Bene
Forgot" (Of Human Hearts) w
arrive in New York Monday from t
coast. He will appear in a number
local high schools as a stunt for
New York opening of the pictur

•

HERBERT DEPEW has been transferr
from Detroit to New York to c
ordinate the executive editorial co
tact and sales division of t
New York unit of Jam Handy P
ture Service, Inc.

•

EDWARD PESKAY, vice-president
charge of Grand National distributic
arrived in New York Saturday f
conferences with EDWARD L. ALPE
SON, president.

•

EARL E. MCEVOY, who is affiliat
with the M-G-M production depar
ment on the coast, has become engag
to MIRIAM RAFERTY of New Rochell

•

ERICH WOLFGANG KORNGOLD, Vie
nese composer, is en route to Holl
wood where he will compose a sco
for "The Adventures of "Robin Hood

•

SAM SEIDELMAN, United Artis
manager in Mexico, has arrived
New York for home office confe
ences.

•

EMANUEL SILVERSTONE, Londc
Films representative, has left for
tour of U.A. exchanges in Canad

•

JOE VOGEL, MARVIN SCHENCK an
OSCAR A. DOOB motoring to Mian
Beach for a brief vacation.

•

NEIL AGNEW, Paramount vice-presi
dent in charge of distribution, is du
back from Atlanta today.

•

. . . *Denver*

J. H. FINSKE has gone to Okla
homa City for conferences with J. H
COOPER of Cooper Theatres.

J. T. SHEFFIELD has returned to hi
Seattle headquarters after a weel
here.

GENE GERBASE is on a sales tri
through New Mexico for his Republi
exchange here.

LEON COULTER, Loveland; W. G
WEISSELMAN, Palisade; GEORGE LUCE
Littleton, and GEORGE MCCORMICK
Canon City, all in Colorado, wer
visitors in town.

•

. . . *New Haven*

AL SCHUMANN of the Black Rock suffered a double fracture of the arm as a result of a fall.

HYMIE SCHWARTZ is off on a cruise to Havana.

JACK and MRS. FISHMAN have left by boat for an extended vacation at Miami Beach.

MRS. EDWARD G. RUFF is studying the air schedules for a southern trip in the near future.

Sells Nebraska House

LINCOLN, Feb. 6.—John Quinn, formerly owner of the Pilger, Pilger, Neb., has sold out to R. Briggs.

Short Subjects

Hong Kong, Gateway to China”

aul Devlin)

This is the first of a new series of Screen Traveler films recently duced by Andre de LaVarre, and m all indications they are going to e an excellent audience reaction. LaVarre has a new technique. He uses his cameras so as to give the ession to audiences that they are lly in the location of the places films. The photography and comsitions have an artistic, carefully died air that blends with the candid ots of the natives at their various rsuits. The narration is easy and asantly followed.

The Hong Kong material gives mpses of the island, its people, ac- ities, scenery, transportation sys- ns, industry, architecture, harbors d the beautiful resort of Repulse y. Running time, 10 mins. “G.”

Manila, Queen City of the Pacific”

aul Devlin)

Another of the highly acceptable vel films in the Screen Traveler ies. The audience will enjoy every t of it. This capital of the Philip- nes has been shot in all its diverting d interesting aspects. The quality the photography is excellent. There also a fine narration that never is ll. Running time, 10 mins. “G.”

Singapore, Crossroads of the East”

aul Devlin)

This will be easy to sell to the avel-minded audience. It is one of e new Screen Traveler series. With cellent photography and first rate rration a thorough yet brief survey this important Oriental city is of- red. There is international interest the Far East at present. That ould provide an opening for playing is short. Running time, 10 mins. .”

Malayan Jungles”

itaphone)

A pleasant travelogue. It reveals e interesting aspects of the Malay ninsula. There are brief and effec- vely narrated scenes of industry, ort, architecture, wild life, natives d landmarks. It is one of E. M. ewman's “Colortour Adventures.” unning time, 10 mins. “G.”

El Salvador”

izor-Columbia)

Produced by William Pizor, this avel subject in Cinecolor presents ief flashes of the Central American untry with fairly pleasing pictorial fect and the amount of interest ually to be found in this type of ort subject material. The pictur- que character of the country is indi- ted. Running time, 9 mins. “G.”

White Magic”

RKO)

An interesting subject, well photo- aphed and skillfully edited, this was oduced by Federic Ullman, Jr., head RKO Pathe News. Filmed in the lps and in Sun Valley, Idaho, it pictures the varied winter sports which have made Sun Valley famous, and features spectacular scenes as a group of skiis races down the side of a mountain. Running time, 10 mins. “G.”

“Modern Dixie”

(20th Century-Fox)

An interestingly composed and narrated collection of scenes of industry and life in and around New Orleans. The photography is good. A lot of material is utilized and among other subjects covered are cotton and rice cultivation, the shipping centers, cosmopolitan activities and the scenic and architectural points of interest. It should find good reception. Running time, 10 mins. “G.”

“A Radio Hook-Up”

(RKO)

Dorothy Stone, with her singing and dancing; Charles Collins, well known tap dancer, and Doug Leavitt, of the vaudeville stage, contrive to make this an entertaining novelty number. They are assisted with interludes by the Buckaroos, a singing group, and Yost's Singing Dozen, eight boys and four girls who harmonize effectively. Running time, 10 mins. “G.”

Hollywood Preview

“The Rangers' Roundup”

(Spectrum Pictures)

Hollywood, Feb. 6.—Designed directly to earn the favor of juvenile audiences, “The Rangers' Roundup” is crowded with elements that excite the enthusiasm of youngsters. The film includes much shooting, wild riding and plenty of individual and mass combat. Dialogue is held to a minimum as the camera tells the story. For grownups, in addition to action and a well done if not altogether new theme, the picture offers an exceptionally worthy musical content. With Fred Scott doing the singing, in addition to being the hero, the numbers are well spotted in the story and one song, “Just A Spanish Shawl,” drew hearty applause from adults who attended the preview.

Introducing several new twists, the story follows the approved outdoor action adventure formula, which is amplified with romance and comedy. Suspicious that a traveling medicine show is harboring a gang of outlaws, Scott joins the troupe. Ensuing action has him dividing his time between tracking down the desperados, meeting and falling in love with Christine McIntyre, and striving to rescue her weakling brother from the clutches of the gang. Eventually getting sufficient evidence on Karl Hackett, he turns him over to officers, meanwhile identifying himself as an undercover Texas Ranger.

In addition to his singing, Scott does a thorough job as a western hero, capably supported by Miss McIntyre, Al St. John, Hackett and a worthy group of riding actors.

It is the first Stan Laurel production. It was produced by Jed Buell and directed by Sam Newfield.

Running time, 55 minutes. “G.”

New York Preview

“Karl Fredrik Reigns”

(F. O. Renard)

A fair offering for a theatre with a Swedish patronage. There are English titles, but the dramatic content fails to strike a note that enhances its entertainment value. The story follows a routine course, utilizes routine devices and arrives at a routine conclusion. There are a number of political theories voiced in the action and scattered playing and singing of “The Internationale,” which has been identified with Communist and Socialist activities.

Basically the story concerns a young girl and her father, newspaperwoman and government official, respectively. The girl writes revealing stories of her childhood home from which she and her family were driven because of their labor theories. Her father legislates for better farm-worker conditions. The girl meets the young heir to her childhood dwelling place and falls in love with him, unaware of his identity. Meanwhile the estate has gone broke and an effort to get a government loan is made. This angle brings the owners to the mercy of the former worker who is now Minister of Agriculture. And in due course the girl discovers who her lover is, renounces him, is reconciled and finally becomes engaged. Her father negotiates to save the estate, the boy's mother, an aristocrat, is made to see the true state of affairs and he film concludes on a happy note.

A scattered few at the Belmont Theatre found merriment in the comedy antics of Dagmar Ebbesen as a housekeeper. The rest of the cast, probably unknown here, give standard performances.

Running time, 90 minutes. “A.”

Variety Club

Cincinnati

Cincinnati, Feb. 6.—Variety Club has purchased an “iron lung” which will be placed at the disposal of local hospitals for the treatment of children. It also will be available to any institution in the county which may require its use.

Kansas City

Kansas City, Feb. 6.—Directors of the local Variety Club have confirmed the new committee appointments of Chief Barker R. R. Biechele.

Arthur Cole heads the welfare and charity committee, and will name his own colleagues.

George Baker is chairman of the publicity committee, with these other members: Senn Lawler, W. P. Bernfield, Don Davis of WHB, W. G. Formby, Barney Joffee and Kenneth Force.

Entertainment is headed by Lawler, and composed of Davis, Joffee, Baker, Harry McClure and Stanley Chambers.

Sam Abend, financial wizard of the club, will captain the ways and means group. Members, in addition to Charles Shafer, include officers and directors: Frank Hensler, Earl Jameson, Finton Jones, Elmer C. Rhoden, George Baker, George Harttmann, Norris B. Cresswell, Arthur Cole, Biechele, Abend and Douglas Desch.

A shift in the house committee has been made with the declination of the chairmanship by Arthur Cole. Earl Jameson is chairman, with Cole, Harttmann, Jones, Bob Withers, and the three officers—Biechele, Abend and Desch—as members.

Omaha

Omaha, Feb. 6.—Chief Barker Walter M. Green has named the following standing committees for 1938:

Membership: Evert R. Cummings, chairman; Harry J. Shumow, D. V. McLucas, Ted Mendenhall, R. S. Ballantyne, M. G. Rogers, Hymie Novitsky, William J. Foley, LeRoy Miller and E. I. Rubin.

Entertainment: Joe Jacobs, chairman; A. M. Avery, Al Hill, Jack Epstein, William Miskell, Ted Emerson, I. M. Weiner, Cummings and McLucas.

House: S. J. Francis, chairman; Joe Rosenberg, Leo J. Doty and Novitsky.

Heart of Variety: Edward Shafton, chairman; Sam H. Stern, Rogers, McLucas and Shumow.

Finance: Sam Epstein, chairman; (committee to be selected by Epstein).

Publicity: Joe Jacobs.

Pittsburgh

Pittsburgh, Feb. 6.—Variety Club has set the date for its 1938 banquet. It will be held Oct. 30 at the William Penn Hotel, the day following the Pitt-Fordham football game at the stadium. John H. Harris is to serve as general chairman again.

Tent No. 1 is making arrangements for a sound truck to show pictures at orphan asylums and other charitable institutions.

Johnny Harris hopes to get to the coast to join his wife and son for a couple of weeks before they return home.

Sutro Asserts Korda Asking More Revenue

(*Continued from page* 1)

to determine just what our future course will be," Sutro said.

Asked about insistent reports that Korda has been trying to negotiate a deal with Paramount or M-G-M, Sutro said there were no definite developments on this score.

"Korda's contract with United Artists excludes his affiliation with any other company, and that's what makes the situation difficult," Sutro said. "The whole matter is very intricate and will require a lot of study. We will stay with U. A. if the company can obtain for us the revenue that we should get from this market. Otherwise, we will try to get another affiliation."

Sutro said Korda's $9,000,000 production program for 1938, calling for 15 features to cost $600,000 each, is expected to increase London Films' acceptance in this country. He said the American market was very much in Korda's mind in planning the program.

Sutro Not Korda Lawyer

A decision on the company's course may not be made during Sutro's stay here, which he expects will be about two weeks. He said he would report his findings to Korda and the company's directorate, and future plans would then be made. While Sutro is a barrister, he said he was not representing Korda in a legal capacity and denied reports that Korda contemplated suit against U. A.

Sutro also denied that he was here to seek finances for London Films' production program. He said the money would come entirely from London sources, including the Prudential Assurance Co., which is Korda's chief backer.

He said Korda had no intention of seeking to reopen the negotiations for purchase jointly with Samuel Goldwyn of control in U. A., which had collapsed. He indicated that as far as Korda is concerned, this matter is "dead."

Sutro may go to Hollywood, in which event he would extend his visit to a month, he said.

A. J. Laurie in New Post

TORONTO, Feb. 6.—A. J. Laurie, Ontario branch manager for three years of Empire Films, Ltd., more recently operating as Empire-Universal Films, Ltd., since the absorption of Canadian Universal Films, has been promoted to be assistant general manager of the Canadian distributing company by General Manager A. W. Perry.

Honor Ann Bauchons

HOLLYWOOD, Feb. 6.—Harold J. McCord, chairman of the film editors section of the Academy, has named Ann Bauchons, Paramount studio film editor, as chairman of the film editors' award committee. Five pictures nominated for film editor awards are: "The Awful Truth," "Captains Courageous," "The Good Earth," "Lost Horizon" and "100 Men and a Girl."

Nominations for Academy Annual Awards Are Listed

(*Continued from page* 1)

with these organizations or with the Academy.

The outstanding production nominations were voted by all the members of the Academy and guilds and all other organizations affected, marking the first time votes have been accepted from outside the Academy membership.

Virtually every phase of production is included among the awards to be given. The technical work is represented with awards from film editing, photography, art direction, sound recording, while several awards are made for various types of short subject production, including cartoons, two-reel comedies, novelty subjects and other one-reel material.

Nominations in the various divisions follow:

Outstanding Production—"The Awful Truth," Columbia; "Captains Courageous," M-G-M; "Dead End," Goldwyn-United Artists; "The Good Earth," M-G-M; "In Old Chicago," 20th-Fox; "The Life of Emile Zola," Warners; "Lost Horizon," Columbia; "100 Men and a Girl," Universal; "Stage Door," RKO; "A Star Is Born," Selznick International.

Best Performance by Actor—Charles Boyer in "Conquest"; Fredric March in "A Star Is Born"; Robert Montgomery in "Night Must Fall"; Paul Muni in "The Life of Emile Zola"; Spencer Tracy in "Captains Courageous."

Best Performance by Actress—Irene Dunne in "The Awful Truth"; Greta Garbo in "Camille"; Janet Gaynor in "A Star Is Born"; Luise Rainer in "The Good Earth"; Barbara Stanwyck in "Stella Dallas."

Best Supporting Actor—Ralph Bellamy in "The Awful Truth"; Thomas Mitchel in "The Hurricane"; Joseph Shildkraut in "The Life of Emile Zola"; H. B. Warner in "Lost Horizon"; Roland Young in "Topper."

Best Supporting Actress — Alice Brady in "In Old Chicago"; Andrea Leeds in "Stage Door"; Anne Shirley in "Stella Dallas"; Claire Trevor in "Dead End"; Dame May Whitty in "Night Must Fall."

Best Director—Leo McCarey for "The Awful Truth"; Sidney Franklin for "The Good Earth"; William Dieterle for "The Life of Emile Zola"; Gregory LaCava for "Stage Door"; William Wellman for "A Star Is Born."

Best Written Screenplay—Vina Delmar, "The Awful Truth"; John Lee Mahin, Marc Connelly and Dale Van-Every, "Captains Courageous"; Norman Reilly Raine, Heinz Herald and Geza Herczeg, "The Life of Emile Zola"; Morrie Ryskind and Anthony Veiller, "Stage Door"; Dorothy Parker, Alan Campbell and Robert Carstan, "A Star Is Born."

Best Original Film Story—Robert Lord, "Black Legion"; Niven Busch, "In Old Chicago"; Heinz Herald and Geza Herczeg, "The Life of Emile Zola"; Hans Kraly, "100 Men and a Girl"; William A. Wellman and Robert Carstan, "A Star Is Born."

Best Song Written for Film—"Remember Me," bv Harry Warren and Al Dubin for "Mr. Dodd Takes the Air"; "Sweet Lelanie," by Harry Owens for "Waikiki Wedding"; "That Old Feeling," by Lew Brown and Sammy Fain for "Walter Wanger's "Vogues of 1938"; "They Can't Take That Away from Me," by George and Ira Gershwin for "Shall We Dance"; "Whispers in the Dark," by Fredrick Hollander and Leo Robin for "Artists and Models."

Achievement by Assistant Director—Robert Webb, "In Old Chicago"; Russ Saunders, "The Life of Emile Zola"; C. C. Coleman, Jr., "Lost Horizon"; Hal Walker, "Souls at Sea"; Eric Stacey, "A Star Is Born."

Art Direction—"Conquest," M-G-M; "A Damsel in Distress," RKO; "Dead End," Goldwyn; "Every Day's a Holiday," Major-Paramount; "The Life of Emile Zola," Warners; "Lost Horizon," Columbia; "Manhattan Merry-Go-Round," Republic; "The Prisoner of Zenda," Selznick International; "Souls at Sea," Paramount; "Walter Wanger's Vogues of 1938," Wanger; "Wee Willie Winkie," 20th Century-Fox; "You're a Sweetheart," Universal.

Film Editing—"The Awful Truth," Columbia; "Captains Courageous," M-G-M; "The Good Earth," M-G-M; "Lost Horizon," Columbia; "100 Men and a Girl," Universal.

Cartoons—"Educated Fish," Paramount; "The Little Match Girl," Charles Mintz-Columbia; "The Old Mill," Walt Disney.

One Reel, Black and White—"A Night at the Movies," M-G-M; "Private Life of the Gannets," Educational-20th Century-Fox; "Romance of Radium," M-G-M.

Two Reel, Black and White—"Deep South," RKO; "Should Wives Work," RKO; "Torture Money," M-G-M.

Color Subjects: "The Man Without a Country," Warners; "Penny Wisdom," M-G-M; "Popular Science J-7-1," Paramount.

Ballots for the final voting will be mailed Feb. 15.

In Wisconsin Council

PORT WASHINGTON, Wis., Feb. 6.—O. E. Moeser, president of the Wisconsin Chair Co., manufacturers of theatre seats, is one of 17 business men named by Gov. Philip F. LaFollette as a member of the advisory council of the new state Department of Commerce created by the special session of the legislature last fall.

Gehrig, Ballew Co-Star

HOLLYWOOD, Feb. 6.—After viewing rushes and rough cuts of "Rawhide," Sol Lesser has decided to co-star Lou Gehrig and Smith Ballew in the film. Under the original deal, Gehrig was to have received feature billing, but under Ballew's name. Gehrig left this week for New York, having completed his role.

"Don't Cry," Band Are Big In Pittsburgh

PITTSBURGH, Feb. 6. — Sub-zer weather failed to hurt business. Th Stanley came up with another winne in "Thoroughbreds Don't Cry" an Hal Kemp's band, getting a [illegible] $24,250, while "The Hurricane's" $19, 000 at the Penn was good enough t give it a second week at the Warner.

"You're A Sweetheart" at the Alvi took $7,200, or just a bit better tha average. The Fulton kept its dual "52nd Street" and "Murder on Diamond Row," for 10 days, inserting th Farr-Braddock fight pictures for th last half, which boosted the take t $6,800.

Total first run business was $62,35 Average is $45,000.

Estimated takings for the week ending Jan. 27:

"YOU'RE A SWEETHEART" (Univ.)
ALVIN—(2,000), 25c-50c, 8 days. **Gross** $7,200. (Average, $6,500)

"52ND STREET" (U.A.)
"MURDER ON DIAMOND ROW" (U. A.
BRADDOCK-FARR FIGHT
FULTON—(1,750), 25c-40c, 10 days. **Gross** $6,800. (Average, 7 days, $4,500)

"THE HURRICANE" (U. A.)
PENN—(3,300), 25c-50c, 7 days. **Gross** $19,000. (Average, $11,000)

"THOROUGHBREDS DON'T CRY" (M-G-M)
STANLEY—(3,600), 25c-60c, 7 days. Stage Hal Kemp's band, Maxine Gray, Rober Williams and Red Dust, Edna Sedgewic and Four Kraddocks. **Gross:** $24,25 (Average, $18,000)

"NIGHT CLUB SCANDAL" (Para.)
"FIGHT FOR YOUR LADY" (RKO)
WARNER—(2,000), 25c-40c, 8 days **Gross:** $5,100. (Average, $5,000)

Weaverville Turns Out as "Gold" Open

(*Continued from page* 1)

and dynamite explosions providin sound effects. George Brent, Margaret Lindsay, Olivia De Havilland Mary Maguire, Beverly Roberts Wayne Morris and a studio part were given a rousing welcome wit local dignitaries joining in a nationwide radio hookup describing th event. In honor of the event Manage Harry Butler of the theatre which ha no name installed theatre seats i place of benches.

Capable of accommodating 450 people ordinarily, more than 1,500 wer packed into the auditorium with speculators asking and getting $5 fo tickets.

Following presentation of the fil the hall was cleared of seats for cider-doughnut dancing party with th citizenry dressed in pioneer minin day costumes. As a blizzard ushere in the dawn Weaverville was stil celebrating.

Manager Butler announced the community had proved it was big enoug and picture conscious enough to hav shows every day.

Town Gets First House

KETCHUM, Okla., Feb. 6.—The firs theatre in the history of this town ha been opened here by Durward Mathis manager. He stated he and his uncle Ray Mathis, Commerce, Okla., owne of several theatres, had purchased tw lots in Ketchum, upon which they will build a larger theatre if condition warrant.

SHE'S BACK

to make you perk up and take Box-Office nourishment!

DEANNA

. . . a burst of melody!
. . . a commotion of gay happenings!
. . . the merriest heart the world has ever known!

at her very best for you!

DEANNA DURBIN

IN A NEW UNIVERSAL PICTURE

"MAD ABOUT MUSIC"

with

HERBERT MARSHALL

GAIL PATRICK • ARTHUR TREACHER

Elisabeth Risdon • Jackie Moran
WILLIAM FRAWLEY • Franklin Pangborn • Nana Bryant • Charles Peck
Helen Parrish • Marcia Mae Jones • Christian Rub

Screen Play by Bruce Manning and Felix Jackson
Original story by Marcella Burke and Frederick Kohner
Music and Lyrics by Jimmy McHugh and Harold Adamson
Directed by NORMAN TAUROG
Associate Producer, JOE PASTERNAK

CHARLES R. ROGERS
Executive Vice-President IN CHARGE OF PRODUCTION

HEAR
DEANNA
SING

"Serenade to the Stars"
'Chapel Bells"
"I Love To Whistle"
with CAPPY BARRA'S
ARMONICA Ensemble)
ounod's AVE MARIA
ith VIENNA BOYS'
HOIR)

THE GLORY GIRL OF
"3 SMART GIRLS" and
"100 MEN AND A
GIRL"

A PROFIT-PICTURE PROCESSIO

from the NEW UNIVERSAL!

FEBRUARY

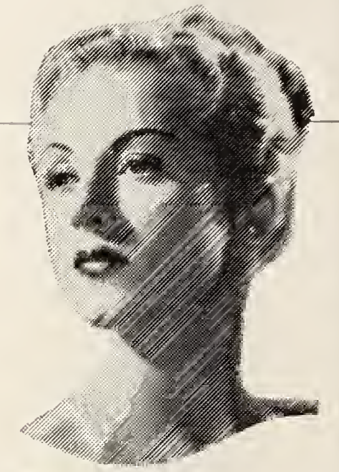
"MAD ABOUT MUSIC"

MARCH

"GOODBYE BROADWAY"

with ALICE BRADY
CHARLES WINNINGER
Tom Brown • Frank Jenks • Dorothea Kent
*TOMMY RIGGS and his BETTY LOU BARRIE
Based upon "The Shannons of Broadway" by James A. Gleason

APRIL



Danielle
DARRIEUX

Directed by HENRY KOSTER (who made "3 SMART GIRLS" and "100 MEN AND A GIRL")

in "THE RAGE OF PARIS"

Story by Bruce Manning & Felix Jackson • Produced by B. G. De SYLVA

FOLLOWED BY

* The New King of Radio!

EDGAR BERGEN AND CHARLIE McCARTHY

in a JOHN M. STAHL Production

BRINGING YOU the NEXT

DEANNA DURBIN PRODUCTION!

Deanna in full topflight! More winning than ever in a special story to be written by Konrad Bercovici.

* To New Universal come the two comedy sensations of Radio — Edgar Bergen and Charlie McCarthy — Tommy Riggs and his Betty Lou Barrie

PRINTED IN U. S. A.

Holiday" and Mae West Are Coast Smash

Los Angeles, Feb. 6.—If any more stomers had tried to get into the ramount during the week the walls d have bulged. "Every Day's a ay" was aided by a personal aparance of Mae West and with rrah Minevitch and his band heading the stage show. The $36,400 take is more than double par.

It was a big week for other spots, o. "Happy Landing," on a dual th "City Girl," turned in a strong 3,381 at the Chinese and a still ronger $16,264 at Loew's State. Iollywood Hotel" took $16,000 at arners' Hollywood and $14,900 at arners' Downtown.

Total first run business was $136,-0. Average is $115,200.

Estimated takings for the week ending Feb. 2:

"SNOW WHITE" (Radio)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 ys, 6th week. **Gross:** $12,635. (Average, ,000)

"HAPPY LANDING" (20th-Fox)
"CITY GIRL" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** 3,381. (Average, $12,500)

"MAYERLING" (Pax Film)
ESQUIRE—(900), 55c-$1.10, 7 days, 3rd eek. **Gross:** $3,500. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 7 days, 3rd week. **ross:** $8,700. (Average, $8,000)

THE RETURN OF MAXIM" (Amkino)
GRAND—(750), 35c-40c, 7 days. **Gross:** ,200. (Average, $1,200)

"I'LL TAKE ROMANCE" (Col.)
"SHE MARRIED AN ARTIST" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days. **ross:** $6,100. (Average, $8,000)

"HAPPY LANDING" (20th-Fox)
"CITY GIRL" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **ross:** $16,264. (Average, $14,000)

"I'LL TAKE ROMANCE" (Col.)
"SHE MARRIED AN ARTIST" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days. **ross:** $6,100. (Average, $8,000)

EVERY DAY'S A HOLIDAY" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. tage: Mae West, Borrah Minevitch Harmonica Rascals, F. & M. revue. **Gross:** 36,400. (Average, $18,000)

"HOLLYWOOD HOTEL" (F.N.)
WARNER BROS. (HOLLYWOOD) — 3,000), 30c-65c, 7 days. **Gross:** $16,000. Average, $14,000)

"HOLLYWOOD HOTEL" (F.N.)
WARNER BROS. (DOWNTOWN) — 3,400), 30c-65c, 7 days. **Gross:** $14,900. Average, $12,000)

'Hollywood Hotel" Best Houston Bet

Houston, Feb. 6.—"Hollywood Iotel" went to $7,700 at the Metropolitan, passing par by $700. It was he only first run attraction to get nto the profit column.

"The Hurricane," in its second week at Loew's State, grossed $7,000.

Total first run business was $23,400. Average is $26,000.

Estimated takings for the week ending Jan. 27:

"KING KONG" (RKO)
KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $3,000. (Average, 7 days, $5,000)

"FIGHT FOR YOUR LADY" (RKO)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,700. (Average, 7 days, $5,000)

"HURRICANE" (U. A.)
LOEW'S STATE—(2,700), 25c-50c, 7 days, 2nd week. **Gross:** $7,000. (Average, $7,000)

"THRILL OF A LIFE TIME" (Para.)
MAJESTIC—(2,250), 25c-50c, 5 days. **Gross:** $4,000. (Average, 7 days, $7,000)

"HOLLYWOOD HOTEL" (F. N.)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $7,700. (Average, $7,000)

Out Hollywood Way

Hollywood, Feb. 6.—Warners have raised **Hugh Herbert**, **Wayne Morris** and **Anita Louise** to stardom, making a list of 27 players given "star" rating on the lot.

Pete Smith will make a short on ice hockey for M-G-M, using Loyola University's championship team. . . **Frank Morgan** is at Palm Springs for a three-week rest, before embarking on a three-month European visit. . . The third annual formal dinner-dance of the M-G-M Studio Club will be held Feb. 12 at the Biltmore Bowl. The proceeds will go to the welfare fund.

"Our Leading Citizens" has been selected as a co-starring vehicle for **Bob Burns** and **Martha Raye** at Paramount. **Jeff Lazarus** will be executive producer and **Maurice Revnes** associate. . . Paramount plans another picture based on the Texas Ranger theme, to be titled "Lives of a Texas Ranger," with **Fred MacMurray** and **Lloyd Nolan** in leading roles. **Frances Dee** will get the top feminine spot. **Jeff Lazarus** will also handle this, with **Dale Van Every** as associate.

+

Casting—**Gale Page**, new Warner contractee, draws the role opposite **Humphrey Bogart** in "Crime School." . . **Dick Purcell** also has been cast. . . **Barnett Parker** and **Cora Witherspoon** in "Marie Antoinette," M-G-M. . . **May Robson** in "Marching Herds," Paramount. . . **Elvira Rios**, Latin American singer, here for Paramount's "Tropic Holiday."

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Contracts—Warners gave five-year-old Janet Kay Chapman a term contract after the rushes of "Little Lady Luck" were viewed.

"Hurricane" Up in 3rd Week at Cincy

Cincinnati, Feb. 6.—"Hurricane" continued to sweep to a high take on its third downtown week at the RKO Grand, pulling $3,900, up $1,150 on the average for that house. It was held over again.

"Happy Landing" took $19,000, or $7,000 over average, at the RKO Albee, and was moved to the RKO Capitol. "Mannequin" had a $14,500 week at the RKO Palace, where average is $10,000. "She Married an Artist," with the St. Moritz Ice Follies on the RKO Shubert stage, gave that house a $12,500 take. Average is $12,000. Business at the other houses was fair.

Total first-run business was $64,300. Average is $58,700.

Estimated takings for the week ending Feb. 3:

"HAPPY LANDING" (20th-Fox)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $19,000. (Average, $12,000) Moved to RKO Capitol.

"MANNEQUIN" (M-G-M)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $14,500. (Average, $10,000) Moved to RKO Lyric.

"SHE MARRIED AN ARTIST" (Col.)
RKO SHUBERT—(2,150), 40c-60c, 7 days. **Gross:** $12,500. (Average, $12,000)

"MAN-PROOF" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,250. (Average, $6,500)

"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $4,000. (Average, $6,500)

"HURRICANE" (U.A.)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $3,900. (Average, $2,750) Held over.

"ADVENTURE'S END" (Univ.) (2 days);
"UNDER SUSPICION" (Col.) (2 days);
"SHE LOVED A FIREMAN" (F.N.) (3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,350. (Average, $2,450)

"LOVE IS A HEADACHE" (M-G-M)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $3,800. (Average, $6,500)

Reopen Several in K. C.

Kansas City, Feb. 6.—Theatres reopened in Kansas City include the Bijou, Roanoke, and LaSalle, Mutual Theatres unit. Fox Midwest is expected to reopen the Brookside, new last year, within a few weeks. The Empress, downtown house first run, is planning to reopen in a few weeks.

"G-Men" Milwaukee Leader with $7,500

Milwaukee, Feb. 6.—"Trapped by G-Men," with Hildegarde, Milwaukee's own continental star heading the stage show, took the week's high honors, $7,500, at the Riverside. This was $2,500 above average.

"Hollywood Hotel" and "She Loved a Fireman" grossed $6,500 at the Warner for second high money, just $1,500 to the good, while "Mannequin" and "Charlie Chan at Monte Carlo" collected $9,000 at Fox's Wisconsin, beating par by $1,000.

Rain, followed by the year's coldest weather, held down business at the box-office and other houses failed to meet par.

Total first run business was $30,000 Average is $26,500.

Estimated takings for the week ending Jan. 27:

"WOMEN IN PRISON" (Col.)
"THRILL OF A LIFETIME" (Para.)
PALACE—(2,400), 35c-50c, 5 days. **Gross:** $2,500. (Average, $5,000)

"52ND STREET" (U.A.)
"CHANGE OF HEART" (20th-Fox)
PALACE—(2,400), 35c-50c, 2 days. **Gross:** $1,500. (Average, $5,000)

"TRAPPED BY G-MEN" (Col.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: Hildegarde, Art Frank, Rigoletto Bros. and Aimee Sisters, Wally and Verdyn, Four Mimic Melodiers. **Gross:** $7,500. (Average, $5,000)

"THE HURRICANE" (U.A.)
"SHE'S GOT EVERYTHING" (RKO)
STRAND—(1,400), 35c-50c, 7 days. **Gross:** $3,000. (Average, $4,500)

"HOLLYWOOD HOTEL" (F.N.)
"SHE LOVED A FIREMAN" (F.N.)
WARNER—(2,400), 35c-50c, 7 days. **Gross:** $6,500. (Average, $5,000)

"MANNEQUIN" (M-G-M)
"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $9,000. (Average, $8,000)

Protest House in Akron

Akron, Feb. 6.—Proposed construction of another neighborhood theatre in the exclusive west hill residential district here is opposed by the Akron I.T.O.A. and residents living near the site of the new house. The City Council has been asked to ignore requests from the theatre interests to alter zoning regulations to permit construction of the theatre.

"Hurricane" 2nd Week Hit In Cleveland

Cleveland, Feb. 6.—"Hurricane," playing a second week downtown, at Loew's Stillman, took first honors, $7,000. This topped the house average by $1,000. Its first week was at Loew's State. It is being held a third week at the Stillman.

"Hollywood Hotel" made a good showing at Warners' Hippodrome, where it grossed $13,000, which was $1,000 better than average. "Stage Door," playing a third week downtown, held up to the end of its run at the Allen, where it moved after a smash opening week at the Hippodrome. The take was $6,000, which is average for the first week with a new picture.

The weather was bad, with high winds, heavy snow and a 30-degree drop in temperature.

Total first run business was $54,000. Average is $61,500.

Estimated takings for the week ending Jan. 28:

"STAGE DOOR" (RKO)
ALLEN—(3,000), 30c-35c-42c-55c, 7 days, 3rd week. **Gross:** $6,000. (Average, $6,000)

"HOLLYWOOD HOTEL" (W.B.)
WARNERS' HIPPODROME — (3,500), 30c-35c-42c-55c, 7 days. **Gross:** $13,000. (Average, $12,000)

"MANHATTAN MERRY-GO-ROUND" (Republic)
RKO PALACE—(3,100), 30c-42c-60c-75c, 7 days. Stage: Ethel Waters and her Colored Revue. **Gross:** $16,000. (Average, $20,000)

"NAVY BLUE AND GOLD" (M-G-M)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $12,000. (Average, $15,000)

"HURRICANE" (U.A.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $6,000)

"New High," Fight Film Montreal Top

Montreal, Feb. 6.—"Hitting a New High" hit the high spot among first runs with the help of the Farr vs. Braddock fight pictures by registering $9,500 at the Capitol this was average.

During a week that was affected by severe cold weather, "Wells Fargo" accounted for $9,500 as the sole attraction at the Palace against average of $11,000 while "Tovarich," plus a second feature, equalled par of $7,000 at the Princess Theatre.

A fifth week of "The Hurricane" at the Orpheum grossed $3,500, as compared with average of $5,000; the picture was held for a sixth week.

Total first run business was $37,000. Average is $40,500.

Estimated takings for the week ending Jan. 29:

"HITTING A NEW HIGH" (RKO)
FARR VS. BRADDOCK FIGHT
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,500. (Average, $9,500)

"THOROUGHBREDS DON'T CRY" (M-G-M)
"FIT FOR A KING" (RKO)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $7,500. (Average, $8,000)

"THE HURRICANE" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 5th week. **Gross:** $3,500. (Average, $5,000) Held for sixth week.

"WELLS FARGO" (Para.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $9,500. (Average, $11,000)

"TOVARICH" (W. B.)
"LOVE IS ON THE AIR" (W. B.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $8,000)

Seeking Time Extension in FCC Requests

WASHINGTON, Feb. 6.—Special experimental authorization to operate full time on their present powers of 25,000 and 5,000 watts, respectively, using directional antennas after sunset, has been asked of the Federal Communications Commission by KVOO, Tulsa, and WAPI, Birmingham.

The two stations now share time on the 1,140-kilocycle frequency and are desirous of making experiments to see whether simultaneous operation can be made possible through the use of directional antennas, it was explained.

Other applications filed with the commission included a new petition from the Laredo Broadcasting Co., Inc., for a 630-kilocycle, 500-watt station at Laredo, Tex., and request from WSFA, Montgomery, Ala., for an increase in night power from 500 to 1,000 watts. Midwest Broadcasting Corp., which has an application for a new 100-watt station at Provo, Utah, amended its petition to change the requested frequency from 1,370 to 1,210 kilocycles.

Fresno Plea Granted

An operating license has been issued to George Harm for a new station, KARM, at Fresno, Cal., on the 1,310-kilocycle frequency, using 100 watts power.

The commission also authorized KALB, Alexandria, La., to increase its day power from 100 to 250 watts; WBRC, Birmingham, to increase day power from 1,000 to 5,000 watts, and WMMN, Fairmont, W. Va., to increase power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

Denial was ordered of applications of Gomer Thomas for a 1,420-kilocycle, 100-watt station at Bellingham, Wash.; T. E. Kirksey for a 930-kilocycle, 250-watt station at Waco, Tex., and John C. Hughes for a 1,310-kilocycle, 100-watt daytime station at Phenix City, Ala.

Educational Scripts At 120,000 in Year

(*Continued from page* 1)

in commenting on the 25 new high frequency broadcasting channels allotted by the Federal Communications Commission for exclusive use of education. He declared his belief that the designation of these educational channels will result in radio towers being built beside most American schools in the "not too distant future."

Radio may be used to stimulate the interest of pupils in subjects which they are not too eager to learn, in Dr. Studebaker's opinion. Adult education may be expected to receive a new impetus from the use of radio, he said. Manufacturers are expected to build radio sets specifically for school use, he pointed out.

To Broadcast Press Ball

WMCA will broadcast an account of the annual Press Photographer's Ball on Feb. 18 from 11:30 to 11:45 P. M. Jack Eigen will be at the microphone at the Commodore.

Radio Personals

JOSE ITURBI will conduct the Rochester Philharmonic Orchestra Feb. 17 over the NBC-Blue. . . Arthur Donovan, the referee, will do a guest spot on Bill Stern's "Sports Scraps" Feb. 13 on the Blue. . . Barbara Stanwyck and Don Ameche will do a scene from Eugene O'Neill's play, "The Straw," on the Chase & Sanborn Hour next Sunday. . . Eddie Johnson, drummer, will headline the "Musical Steelmakers" program next Sunday on Mutual. . . Benay Venuta is scheduled to make a personal appearance in Philadelphia this week. Marcella Hendricks will fill in for her on Vic Erwin's "Musical Cartoons" tonight on WOR.

✚

Patsy Kelly will be Al Jolson's guest on the latter's CBS program on Feb. 15. . . Joe Cook will join Al Pearce on "Watch the Fun Go By" as a guest over CBS on next Tuesday. . . James Stewart, Virginia Bruce and John Carradine will be Robert Taylor's guests Thursday on "Good News of 1938" over NBC. . . Margaret Anglin on Friday will be heard on the "Hammerstein Music Hall," CBS program. . . Norman Siegel, radio editor of the *Cleveland Press,* is en route to Hollywood.

Jules Verne Series to Start

"Mysterious Isle" is the title of a new program based on Jules Verne's stories which will start tomorrow on WHN from 6:15 to 6:30 P. M. The programs will thereafter be heard at the same time on Tuesdays and Thursdays. WPA Federal Theatre Players will take part in the productions.

Berle Air Show Called Off

HOLLYWOOD, Feb. 6.—Milton Berle's plans to head a coast-to-coast air show have fallen through because of the insistence of the sponsor, Crescent Cracker Co., to have the show emanate from New York. Berle is tied up here with an RKO film commitment.

New Program Starts on WHKC

CINCINNATI, Feb. 6.—"Choosing a Career," a new program, has started over WHKC, and will be a regular 5:45 P. M. Saturday feature. Various local executives of schools, civic and other organizations will offer advice and suggestions.

Plan New WPA Radio Show

"Lives of Great Composers," new program adapted for radio by the WPA, will begin next Sunday on WINS at 6 P. M. Vernon Radcliffe will direct the first period.

Gessner to Discuss Films

Dr. Robert Gessner of New York University's film study group will discuss "What Do You Know About the Movies" tomorrow night on WHN from 8:30 to 9 P. M.

Anna May Wong on "Hotel"

Anna May Wong will make her first "Hollywood Hotel" guest appearance on Friday, Feb. 11. She will do a scene from her new picture, "Dangerous to Know."

Week's Hearings Arranged by FCC

WASHINGTON, Feb. 6.—The Federal Communications Commission has made public its calendar of hearings for the current week, as follows:

Feb. 7, before an examiner: Applications of Broadcasters, Inc., for a new 1,420-kilocycle station at Gastonia, N. C., with 100 watts night, 250 watts day; F. C. Todd, for a 1,420-kilocycle station at Gastonia, N. C., with 100 watts night, 250 watts day; Greater Greenwood Broadcasting Station for a 1,420-kilocycle station at Greenwood, S. C., with 100 watts night, 250 watts day, and W. A. Barnette, for a 610-kilocycle, 250-watt daytime station at Greenwood, S. C.

Feb. 9, before an examiner: Applications of Harry M. Ayers for a 1,420-kilocycle, 100-watt daytime station at Anniston, Ala.; S. B. Quigley for a 1,200-kilocycle, 100-watt daytime station at Mobile, and Roberts-McNab Co. for a 1,310-kilocycle station at Livingston, Mont., with 100 watts night, 250 watts day.

Will Settle Conflict

Feb. 10, before the commission: Contesting applications of Dallas Broadcasting Co., Oak Cliff-Dallas County Broadcasting Co. and Centennial Broadcasting Corp., for a 1,500-kilocycle, 100-watt daytime station at Dallas, and A. L. Chilton for a 990-kilocycle, 1,000-watt station, also at Dallas, and application of KPQ, Wenatchee, Wash., for change of frequency from 1,500 to 1,360 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts.

Feb. 10, before an examiner: Applications of N. B. Egeland for a 1,500-kilocycle, 100-watt daytime station at Fort Dodge, Ia., and KAST, Astoria, Ore., for change of frequency from 1,370 to 1,200 kilocycles, increase of time from day to unlimited and increase of day power from 100 to 250 watts.

Feb. 11, before the commission: Oral argument on applications of Chase S. Osborn, Jr., for a 1,440-kilocycle, 500-watt station at Fresno, and KRE, Berkeley, for change of frequency from 1,370 to 1,440 kilocycles and increase of power from 100 watts night, 250 watts day. to 500 watts night, 1,000 watts day.

Feb. 11, before an examiner: Application of KUJ, Walla Walla, Wash., for change of frequency from 1,370 to 560 kilocycles and increase of power from 100 to 250 watts.

Oklahoma Alumni in Program

OKLAHOMA CITY, Feb. 6.—The Oklahoma Alumni Association of the University of Oklahoma will broadcast by remote control from the campus at Norman, Okla., 8:30 to 9:30 P. M., Wednesday, over KTOK here. The program will also be fed from KTOK to the Oklahoma Network of six other stations in Oklahoma. Talent of undergraduates of the university and alumni, in dramatic, musical and vocal fields will make up the hour's program.

Betts Added to WLW Staff

CINCINNATI, Feb. 6.—Harold Betts, vocalist of WSPD, Toledo, has been added to the WLW staff by Chester Hermann. WLW-WSAI program consultant. Betts is heard daily as "The Romantic Bachelor."

Around the Country

Omaha

The Four Dons, formerly on WE
are now playing at Hotel Hill, O
. . . Belle West's "Polly the Sho
on KOIL has been awarded a c
tificate of merit by the National
search Bureau. . . . Freddie Ebe
has been named director of WOV
12-piece studio orchestra. . . . P
Brawner and Dorothy Bennett ha
the title roles in "Ole and Margg
a Swedish dialect program, produ
on KOIL, Omaha, and KFAB, L
coln, both CBS stations. . . . Fos
May's daily "Man on the Stree
formerly sponsored by Chevrolet,
now sponsored by General Electi
. . . KOIL's dramatic staff is featu
ing a new series on the Foreign I
gion, directed by Arthur Faust, s
tion dramatic director.

✚

Philadelphia

L. H. Bailey has resigned as ma
ager of WHAT and will be replac
by W. Porter Ogelsby, Jr. . . Walt
Newton, formerly of KNOW, Aust
Tex., will join the WIP announci
staff, replacing Sandy Guyer. . . M
Parker, Booth's Pale Dry news co
mentator via WCAU, is on his fi
vacation in five years. . . Carolyn A
Cross, director of the WIP Hom
makers' Club for the past five yea
has resigned. . . The Harry Feige
baum Agency has bought 100 spot a
nouncements for Ismak Rug Co. ov
WIP. . . H. B. LaQuatte Agency h
purchased time twice weekly
KYW's Home Forum in the interes
of Gorton Pew Fisheries Co. .
Presba, Fellers and Presba, Inc., ha
taken 15 minutes of KYW's Music
Clock six times a week for the Ols
Rug Co. of Chicago.

Bachman Chocolate Co. is sponso
ing Larry Vincent and the Tell Siste
via WCAU, on a thrice-weekly mus
cal program. . . Marie La Tell, nig
club songstress, has joined the singi
staff of WIP. . . Boake Carter is no
doing all his broadcasts from
specially constructed studio in his su
urban home. . . P. B. White & C
through Harry Feigenbaum agenc
has renewed the "For Men Only" pr
gram for another year over WIP.

✚

San Francisco

"Cy Hiram's Country Store" ha
been added to KGGC's schedule as
daily feature. . . . Hal Gibney wa
chosen by lot to broadcast from a ski
dangling by a rope 22 floors above th
street, during a KPO pickup from th
top of the new Central Towers Build
ing. . . . Mary Mayer has been adde
to the cast of KFRC's "Mornin
Merrymakers," airing a daily three
minute commentary, "Women in th
News" . . . KRE has started a dail
"sidewalk interviews" series . . . J
Clarence Myers, veteran Pacific coas
newscaster, has started a nightly new
comment series over KYA for Samuels Jewelry Co. . . . Joe Hernandez
former local newspaper columnist
who broadcast his first race two year
ago at Tanforan, has been picked t
announce the Santa Anita Handica
over CBS on March 5.

Radio

'OW, Omaha, Makes Peace in Music Row

)MAHA, Feb. 6.—Remote control adcasts by Omaha radio stations m dance ballrooms will continue a special truce pending further .ations with the Omaha Musiis' Union.

Permission for remote control adcasts had been withdrawn by the al union and as a result WOW anunced it would sever relations with eddie Ebener's 12-piece orchestra, ich had just started working at the tion under a $21,000 per annum ntract.

Following the truce, John Gillin, OW general manager, said the orestra would be retained. KOIL, ich had not signed a contract for a dio orchestra, was considering the ion's action.

New Accounts on Iowa Web

)ES MOINES, Feb. 6.—New busis for the Iowa Network includes: aker Oats Co., five quarter-hour ekly transcriptions on KSO-WMT, ough Fletcher & Ellis; United ug Co., five quarter-hours weekly nscriptions on KRNT-WMT, ough Street & Finney; Acme Feed ., daily markets on KRNT added to MT, renewed for third year through E. Shepard, Inc.; Scott Paper Co., ree announcements weekly on RNT-WMT, through J. Walter ompson; Smith Bros. Mfg. Co., ree programs weekly on KRNT-MT through R. J. Potts; Interstate keries, 30-minute weekly transcripn on KRNT, through R. J. Potts; A announcements for 15 weeks on 5O-WMT, through Lord & Thomas.

Ferneau on Mutual Hookup

COLUMBUS, Feb. 6.—Frank Ferneau, aying at the Parisian Room of the eil House, is the first local orchesa leader to get on a national hook. It is over WHKC coast-to-coast the Mutual web. His orchestra is the air Monday from 9 to 9:30 M.; Wednesday, 6 to 6:30 P. M., th WHKC taking the last 15 mines on the 5 to 5:30 P. M. Friday oadcasts. He also broadcasts locally er WHKC Monday, Wednesday, iday and Saturday, 7:30 to 7:45 M., E.S.T.

WLW Program to Continue

CINCINNATI, Feb. 6.—The Pinex errymakers on WLW are to conue their broadcasts throughout '38. The contract has just been tended by the Pinex agency, Rusll M. Seeds Co., Inc.

"The Hoosier Housewarming," a LW variety show, has gone comercial under the sponsorship of F. d F. Laboratories, a Blackettample-Hummert account. The conact is for 13 weeks.

Foster May a Candidate

OMAHA, Feb. 6.—Foster May, OW newscaster, has filed his name the Democratic primary ballot as a ndidate for Congressman from this strict. May was an unsuccessful canidate for a similar nomination two ears ago from the Lincoln district.

Macy Starting New Program Over WOR

R. H. Macy & Co. today will inaugurate a new series of broadcasts over WOR called "Consumer Quiz Club," an audience participation program on the problems encountered by shoppers.

The period will be heard Monday through Friday from 12:45 to 1 P. M. Fred Uttal will be in charge. He will do the questioning on household merchandise and wearing apparel. The correct answers will be based on information verified by the Macy Bureau of Standards.

Planning Course in Radio

PITTSBURGH, Feb. 6.—Penn State College is planning a four-year course in radio training leading to a Bachelor of Arts degree, according to Arthur C. Cloetingh, head of the dramatics department. He has been spending time at KDKA making a study of air technique and operation.

Cloetingh hopes to have the curriculum ready by the opening of the new term in the fall, although enrollment will be limited to only a few pupils at the beginning.

C. E. Williams Joins CSBS

OMAHA, Feb. 6.—C. Earl Williams, program director at KFEQ, St. Joseph, for four years, has been named announcer for CSBS, specializing in farm shows over KOIL, Omaha, and KFAB, and KFOR, Lincoln.

Paul C. Brawner, a member of the KOIL dramatic staff for two years, and Harold Burton Thorpe also have been added to the Central States announcer staff.

WWSW Sells New Program

PITTSBURGH, Feb. 6.—WWSW has sold "Quizzo," a new version of the question-and-answer program originated by Ray Schneider, announcer, to the Streamline Markets for 13 weeks. It will go on the air twice weekly for 15 minutes. With Schneider and Walter E. Sickles handling the program.

Wallace WCOL Production Head

COLUMBUS, Feb. 6.—Bill Wallace, chief announcer of WCOL, NBC affiliate, has been appointed production manager of that station. William Hamilton will move into the post vacated by Wallace.

Joins WKRC as Announcer

CINCINNATI, Feb. 6.—Nield Sampson, formerly with WHP, Harrisburg, has joined WKRC, local CBS outlet, as announcer. He also presents a daily news program which he originates.

Falconnied Joins WFLA Staff

ST. PETERSBURGH, Feb. 6.—Harold Falconnied, veteran announcer, has joined the staff of Clearwater's WFLA, and will be assigned to WSUN, Tampa, sister station.

Foster Quits WLW for WOR

CINCINNATI, Feb. 6.—Donald Foster, sound engineer for WLW and WSAI, sister Crosley stations, has joined WOR, Newark.

20th-Fox to Sell Own Product Only

(*Continued from page 1*)

same number of pictures as this year, 52 on the regular program. In addition, 12 more were scheduled, including four in the "Outdoor" series and two in the "Tarzan" series, both produced by Sol Lesser, four Will Rogers reissues and two Eddie Cantor specials. The Lesser affiliation will be dropped at the end of the current season, it was said.

The company will also make its own shorts, planning 52 one-reelers, to be released on the basis of one a week. They will be produced by Truman Talley in New York. Plans have been completed for the construction of a shorts studio adjacent to the Movietone News Building at 54th St. and 10th Ave. Educational, which has released through 20th Century-Fox, is negotiating for another major outlet.

S. R. Kent, president; Walter J. Hutchinson, foreign manager, and probably Joseph M. Schenck, chairman of the board, and a studio representative will attend the Paris meeting, which will be held at the Hotel George V. Whether the annual sales convention of the British organization will precede or follow that of the continental organization has not been decided. This will depend on the schedule of the American officials and the date when they arrive on the other side. Separate meetings will be held for the two divisions, however.

This year's meeting in Kansas City will be held nearly two months prior to the company's customary convention date, this giving 20th Century-Fox an early start in officially launching its new selling season. Selling for 1938-'39 has been under way for some time, however. John D. Clark, general sales manager, will not hold a district managers' conference this year.

If the Gracie Fields-Victor-McLaglen-Brian Donlevy production tentatively titled "He Was Her Man" is released this season, the regular program will be increased to 53. Although two Eddie Cantors were scheduled, there will be no second Cantor starring vehicle available, but a second special of equal magnitude may be produced and released to those who purchased the specials contracts.

Report 4,000 Film Exhibits Going Out

Approximately 4,000 school, college and public librarians now are receiving research exhibits linked with current pictures of outstanding literary, historical or social significance, the M. P. P. D. A. reported on Saturday. The present number of cooperating librarians represents a gain of more than 100 per cent over those participating one year ago. The activity was inaugurated only 18 months ago and in that time has aided in the exploitation of more than 100 features.

Research exhibits on individual pictures are sent by company home offices to all librarians requesting them. The Hays office clears approved stills and displays to the participating libraries with which local exhibitors, thereafter, are free to effect tieups coincident with their bookings of the pictures.

Research cards on "The Buccaneer" and "Tom Sawyer" are now being distributed to the 4,000 participating libraries.

Film Board Cases 3,088 During Year

(*Continued from page 1*)

total amount of the claims is about $100,000 less than in 1936, but this is no indication of any diminution in the number of disputes, since where a circuit is in default, one claim may cover a large amount, Nizer said.

The disputes chiefly involved nonfulfillment of contract, balances due and lost film. Claims were filed by all member companies of the Film Board with the exception of Monogram, which did not start distribution until the current selling season and therefore, it was explained, had no claims covering this year's contracts.

Naming of Regents Affects Censorship

(*Continued from page 1*)

date will come from New York City, to replace former Chancellor James Byrne, who resigned last summer. So far Republican chieftains have kept this candidate's name secret.

Friday's meeting of the board is expected to result in appointment of a sub-committee to form the official body of rejected film reviewers.

Disposition of the appeals filed on "Nocturno" and "Remous" (English version titled "Whirlpool") is also slated to come before the board.

Ohio Makes Only 24 Cuts in 451 Reels

COLUMBUS, Feb. 6.—The state division of film censorship reviewed a total of 451 rels in January from which 24 eliminations were ordered. This compares with 701 reels and 30 eliminations in December.

In January, 1937, there were 502 reels reviewed and 28 eliminations.

Hoffberg Gets "Boatman"

Distribution rights in the United States for "Les Bateliers de la Volga," (The Volga Boatman), have been acquired by J. H. Hoffberg.

Wall Street

Light Board Gains

	Open	High	Low	Close	Net Change
Col.	13	13	13	13	.....
Cons.	1½	1⅜	1¼	1⅜	.....
E. K........	152	155	152	154	+2
G. T. E....	11	11	11	11	+ ⅛
Loew	45	46½	45	46½	+1½
Para.	9¼	9⅝	9¼	9½	+ ¼
Para. 2.....	10	10	9⅞	9⅞	+ ¼
Pathe	5⅜	5⅜	5¼	5¼	— ⅛
R. K. O.....	3⅞	3⅞	3¾	3¾	.....
20th Fox....	22	22	21¾	21¾	— ½
W. B.......	5⅞	6⅛	5⅞	6⅛	+ ⅛

Curb Rise Fractionally

	Open	High	Low	Close	Net Change
Sonotone....	1⅝	1⅝	1⅝	1⅝	.....
Technicolor.	17¼	17½	17¼	17⅜	+ ¾
Trans-Lux..	2¾	2¾	2¾	2¾	+ ⅛
Univ. Corp.	3	3	3	3	+ ⅛

Small Bond Change

	High	Low	Close	Net Change
Keith 6s '46.......	83	83	83	.....
Loew 3½s '46......	98½	98½	98½	.....
Para. Pict. 6s '55.	91½	91½	91½	+ ½
Para. Pict. '47....	73	73	73	.....
W. B. 6s '39......	72¾	72¼	72¼	— ¼

(Quotations at close of Feb. 5.)

DU PONT

Fine Grain

— Fine Grain is one of the outstanding features of the versatile DuPont cine film products.

— For your next production take advantage of the fine grain of DU PONT SUPERIOR PAN.

Du Pont Film Manufacturing Corporation
INCORPORATED

9 Rockefeller Plaza
New York. . . . N. Y.
Plant . . Parlin, N. J.

SMITH & ALLER, LTD.
6656 Santa Monica Blvd.
Hollywood . . . California

BETTER THINGS for BETTER LIVING through CHEMISTRY

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lert.
ntelligent
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ndispensable
 the Motion
icture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 32 NEW YORK, TUESDAY, FEBRUARY 8, 1938 TEN CENTS

I.P. Producer roup Elects . M. Schenck

ouis B. Mayer Is Named Vice-President

Hollywood, Feb. 7.—The Asso- ion of Motion Picture Producers ay met with Will Hays in its ual session and elected Joseph M. enck president, succeeding Louis Mayer whose term has expired. yer was named first vice-president, k L. Warner second vice-president Fred W. Beetson was renamed ex- tive vice-president and secretary- asurer.

Officers of Central Casting Corp., sidiary of the association, were amed as follows: Beetson, presi- t; Campbell McCulloch, vice-presi- t, and William Reeves, secretary. rectors of the association were also ned as follows: Harry Cohn, R. J. ringer, Joseph M. Schenck, Louis Mayer, Henry Herzbrun, Pandro rman, Hal E. Roach, Charles R. gers and J. L. Warner. Berman

(Continued on page 9)

IBS January Sales Total $234,352,44

Mutual's billings for January totaled 34,352.44, highest January revenue the history of the network. The nuary, 1937, total was $187,362, and e January 1936, billings were $166,- 6.

The four leading advertisers for nuary were Lydia Pinkham, $29,- 7.05; Musterole, $16,100.35; Luth- an Layman's League, $15,729.75; d Hecker's Products for H-O, 5,719.35. However, Hecker's, for

(Continued on page 12)

nnouncer Guild to Vote on Affiliation

The American Guild of Radio An- uncers and Producers yesterday aced a referendum in the mails in an fort to determine whether the union ill maintain its present independent atus or affiliate with the C.I.O. or . F. of L.

The decision to poll the member- ip is an outgrowth of the meeting the national representatives of the .G.R.A.P., held over the weekend. oy S. Langham, CBS producer, and

(Continued on page 12)

More Radio—P. 12

C. E. A. Invites Kennedy to Be Honor Guest at Annual Banquet

London, Feb. 7.—Joseph P. Kennedy, newly appointed United States Ambassador to Great Britain, has received an invitation to attend the annual banquet of the Cinematograph Exhibitors' Association, as guest of honor.

The banquet, to be held on March 8, is generally considered the outstanding social event of the year in the British film industry. American interests here are enthusiastic about the invitation, believing that it will have considerable influence in assisting Anglo-American trade relations. It is pointed out that the banquet is particularly timely, in view of the current consideration of the new British Films Bill.

Kennedy is scheduled to sail for England from New York on the *Manhattan*, on Feb. 23, to assume his post. Should he accept the invitation, it will mark one of his first public appearances in England. Ernest Brown, British Minister of Labor, will attend the banquet.

RKO Appointments Not to Be Delayed

The designation of new management officials for RKO will not be deferred as a result of the current efforts of principal creditors of the company to agree on amendments to the RKO reorganization plans which, the creditors hope, would make possible completion of the reorganization within the next three months, it was learned on good authority yesterday.

Conferences on the management appointments have been continuing daily and indications are that decisions will be made within the next week or 10 days at the most. At present it appears that the appointments will include an operating executive and an administrative officer in addition to production and theatre operating heads. However, no final decisions have been made yet and, consequently, it is not definite that all four appoint-

(Continued on page 10)

Schaefer Resigns "U" Foreign Post

Gus Schaefer, former export manager for Universal, formally resigned from the company yesterday immediately upon reaching an agreement with Universal officials on the settlement of his contract. The pact carried a 52-week cancellation clause and, it is understood, payment in full for the one-year period will be made to Schaefer in accordance with the settlement.

Schaefer, who had been continental European manager for Paramount for many years prior to joining Universal last summer, plans to leave at the end of the week for a four-week fishing trip either to the Gulf of Mexico or Florida. He has concluded no definite arrangements for a new association thereafter. Schaefer was replaced at Universal last month by Joseph Seidelman and since that time has been without assignment from the company.

Mexico Troubles for Film Men Gain, Says Seidelman

Despite improvement in revenue, operating conditions in Mexico are becoming increasingly difficult and some of the American distributors are contemplating closing their offices in Mexico City, it was said yesterday by Sam Seidelman, United Artists sales manager for that territory.

A record gross of 5,000,000 pesos, equivalent to $1,300,000, was done by the eight major companies in Mexico in 1937 with a total distribution of 420 features. However, labor's control of industry, censorship problems and mounting taxes make the continuance of business precarious, Seidelman said, stressing that despite the fact the American companies had their best year in Mexico last year, this does not mean that they made money.

There is an ever-present threat of Government confiscation of property, said Seidelman. Business men fear that the land confiscation which is well under way will spread and that, under pressure from radicals and labor unions, various types of business will be affected, he declared.

Payroll overhead of the American

(Continued on page 10)

M-G-M to Hold Its Total to 52 Next Year

No Sales Convention Is Set, Says Lichtman

For 1938-'39 M-G-M will schedule the same number of pictures as the current season in which the company will release a maximum of 52 and a minimum of 44, Al Lichtman, executive assistant to Nicholas M. Schenck, president, disclosed on his arrival yesterday from an extended stay on the coast. He does not plan to return soon, he said.

The company will have no national sales convention this year, regional conferences to be conducted by William F. Rodgers, general sales manager, and other distribution executives, being planned instead, Lichtman said.

"We don't need a sales convention," Lichtman observed, indicating that the company's policies and sales methods will be carried over without great change. The studio is making plans for next year and has lined up stories

(Continued on page 6)

Theatre Help Aim Of Sirovich Bill

By BERTRAM F. LINZ

Washington, Feb. 7.—Plans of actors' organizations to make Representative Sirovich's proposed Department of Science, Art and Literature a vehicle for a Government subsidy to revive the legitimate theatre at the expense of other forms of dramatic art were revealed here today by witnesses before the New York Congressman's Patents Committee at the opening of new hearings on the legislation.

Except for critical comment, witnesses before the committee paid no

(Continued on page 10)

RKO Undisturbed by "Snow White" Rating

RKO officials yesterday expressed no concern over the fact that the British censor board has refused a "universal" certificate to "Snow White and the Seven Dwarfs," but has given the film an "A" classification, which prohibits children from seeing the film unless accompanied by adults. It is understood the British censor action was based on the belief that the scenes in the haunted woods in the film are too exciting for children.

However, it was pointed out at the

(Continued on page 10)

MOTION PICTURE
DAILY
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RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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More Declare No Yardstick Can Be Put on Advertising

By A-MIKE VOGEL

Further reactions sought by Motion Picture Daily on N. L. Nathanson's opinions on advertising, published here recently, tend to add to the expressed belief that no yardstick can be applied to the theatre advertising budget. Nathanson said much advertising was wasted. He favored cutting down on individual attractions and spending more upon selling the screen in behalf of the permanent prosperity of the theatre.

It was the opinion of Neil F. Agnew, Paramount's vice-president in charge of sales, that concentration of advertising should be applied to the advantage of individual dates when currently played. The Paramount vice-president and general sales manager held of greatest importance point-of-sale advertising on single attractions up to the point of saturation. Institutional promotion should be secondary to this, he thought.

Robert W. Gillham, Paramount advertising and publicity director, was another of those interviewed who felt that where waste in advertising was encountered it could be blamed on misdirection. Gillham advocated a varying selling attack, according to the needs of individual situations, and pointed out the advantages of repetitive advertising.

Replies Differ

Exhibition executives in the field questioned, replied variously:

"We have done some institutional advertising for the various houses operated by the United Detroit Theatres," said Earl J. Hudson, advertising director, "but we found, even with institutional appeals in full sway, that our grosses suffered when we lacked Class A pictures as attractions.

"Perhaps an ideal combination, where institutional advertising is felt to be desirable, is to let the show dominate the ad space with a good-sized display panel as part of each layout, in which the institutional angle is stressed in copy."

In accord with Nathanson was Samuel Goldstein, head of Western Massachusetts Theatres, who said 75 per cent of the amount now spent on theatre advertising "can be saved by every real showman."

Goldstein felt that exhibitors were depending too much upon methods in vogue 20 years ago when there was little publicity given films. In the "horse and buggy" days of the industry, he said, lack of information sources on pictures made it necessary for theatremen to expend large amounts in digging up selling copy. With the wide publicity given pictures today by newspapers, radio and magazines, Goldstein contended that expensive advertising campaigns on individual attractions were no longer necessary.

Meyer Shows Exceptions

While agreeing in principle with the Nathanson viewpoint, Sidney Meyer pointed out recent exceptions. The general manager of the Wometco Circuit, in Miami, referred to two recent pictures. One had received tremendous word-of-mouth buildup due to the popularity of the star and entertainment value of the story and for these reasons, he pointed out, required only a substantial ad on opening day to accomplish maximum business. The second, without names though possessing selling appeal, was given a much stronger and expensive advance, and due to the big campaign brought in grosses which otherwise could not possibly have been obtained, Meyer declared.

He found that while "too much is being spent in advertising pictures, there can be no steadfast rule laid down," which concurred with the views of E. C. Beatty, president, W. S. Butterfield Theatres, Inc. Beatty was in accord with Nathanson on institutional advertising and had found campaigns of this nature brought good results. As with advertising on individual attractions, Beatty favored adapting schedules to local conditions.

Fleischer Moving No Benefit, Says Union

The projected transfer of the Fleischer cartoon studios to Miami by Oct. 1 last night brought a statement from the Commercial Artists and Designers Union, C.I.O., that the move "will be of no ultimate benefit to the employes."

The studio termed this statement "a surprise, in view of the cordial relations existing with our employes." Of the 200 Fleischer employes, 64 are members of the union, the studio said. At a conference in the offices of Phillips and Nizer, Fleischer attorneys, the studio agreed to accept without reservation the demands made by the union. These demands were that wages be not reduced in Florida; guarantee of one full year's employment and maintenance of hours, vacations, sick leaves and other benefits. Fleischer volunteered to pay the employes' traveling expenses to Florida, their hotel accommodations there for a month and traveling expenses to any employe who decides to return to New York within a year.

Union Pleased, Says Studio

"These terms appeared so fair to the union representatives that they openly conceded our good faith," the studio said, adding that "They stated that they had no suspicion that any labor advantage was the reason for moving to Florida and accepted our explanation for moving."

The "vast majority of the employes" have indicated their willingness to tion on the guild. Kennedy upheld the guild contention that no evidence by the plaintiff shows that the letter caused damage or membershp loss.

MITCHELL MAY, Jr.
CO., INC.
•
INSURANCE
Specializing
in requirements of the
Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Playwrights-Guild Suit Is Dismissed

Los Angeles, Feb. 7.—Superior Judge Robert Kenney today dismissed without leave to amend the suit for $200,000 libel damages brought by Screen Playwrights, Inc., against the Screen Writers Guild over an alleged defamatory letter written to a playwright member by a guild member in the recent membership drive of the rival writer organizations. The letter written by Philip Dunne to P. G. Wodehouse, asserted that Screen Playwrights, Inc., was formed by producers to break up the guild and that the organization was a company union.

In dismissing the action Judge Kenney sustained a demurrer of the guild brought by Attorney Leonard Janofsky in which he claimed the Dunne letter was not defamatory nor libelous and was written by Dunne in response to a Wodehouse request for information on the Guild. Kenney upheld the guild contention that no evidence by the plaintiff shows the letter caused damage or membership loss.

◂ Purely Personal ▸

Earl Wingart of 20th Cer
tury-Fox will escort June Lan
Ethel Merman and Cesar Romer
to Philadelphia tomorrow for th
opening of "In Old Chicago" at th
Erlanger there Thursday night.
morrow afternoon they will be inte
viewed by the press.

•

Sid Rogell, RKO studio manage
arrived yesterday on the Century. H
will go to Wilkes-Barre tomorrow t
be married to June Clayworth. H
said he and his bride will be in Ne
York some time next week. He wa
met at the train by Benny Rubin.

•

M. L. Simon, editor of *The Dis*
tributor, M-G-M house organ, ha
been making weekend trips to ex
changes for feature stories on loc
personnel. He plans a trip to Char
lotte and Philadelphia soon.

•

Tommy Kelly and Ann Gilli
stars of "The Adventures of To
Sawyer," will leave today for Elmir
N. Y., where they have been invite
to lay a wreath on the grave of Sam
uel Clemens.

•

Dave Loew arrived from the coa
yesterday with a print of "Wide Ope
Faces," his first picture for Columbi
He will vacation here for about thre
weeks before returning to the coast.

•

Sonja Henie will be guest of hon
tomorrow at a cocktail party at th
Waldorf-Astoria to be given by th
American Women's Association.

•

Harrison Forman, technical co
sultant on "Lost Horizon," will spea
to the film study group at Columbi
University tomorrow.

•

Wesley Ruggles on Sunday left b
train for Hollywood. His next as
signment is a Bing Crosby picture a
yet untitled.

•

Joseph Bernhard, Warner theatr
executive, left yesterday for Clevelan
He was accompanied by Harry Gol
berg.

•

Victor Shapiro arrived yesterda
from Hollywood on the Century.

•

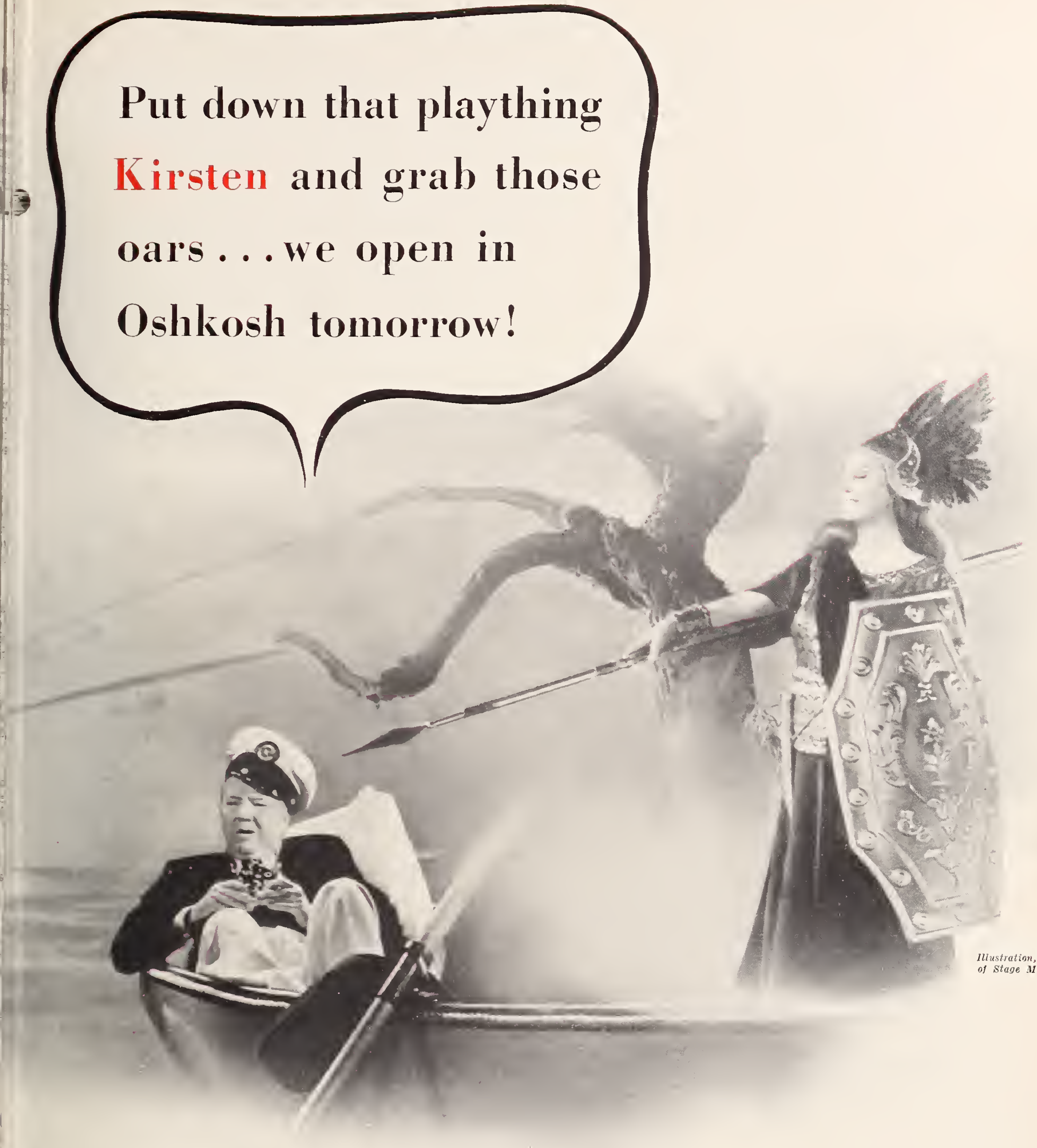
Neil F. Agnew returned from At
lanta yesterday.

Develop Fair Posters

It took two theatre advertising me
to inject film showmanship ideas int
state and county fair posters. Osca
A. Doob, advertising and publicit
director for Loew's Circuit, an
Ernest Emerling, his assistant, as
side-line, have developed a set of pape
for the outdoor shows that have bee
praised by leaders in the field. Th
posters, which are being distribute
by the Berkshire Lithograph Co., ar
24-sheets, three-sheets, one-sheets an
cards.

"Monastery" Is Booked

"Monastery" has been booked int
the Squire. It will follow "Kathleen,"
now current at the theatre.


Put down that plaything Kirsten and grab those oars . . . we open in Oshkosh tomorrow!

Illustration, Courtesy of Stage Magazine

Think Admiral Fields is taking the Valkyries for a ride? . . . .

(SEE NEXT PAGE)

"The biggest
OPENING
of the year"
FEBRUARY
18th
Paramount Pictures

W. C. FIELDS in **"THE BIG BROADCAST OF 1938"** with **Martha Raye • Dorothy Lamour**
Shirley Ross • Ben Blue • Bob Hope • Lynne Overman • Rufe Davis • Leif Erikson • Grace Bradley • Specialties by Kirsten Flagstad • Tito Guizar • Shep Fields and his Rippling Rhythm Orchestra • A Paramount Picture • Directed by Mitchell Leisen
Screen Play by Walter DeLeon, Francis Martin and Ken Englund • Based on an Adaptation by Howard Lindsay and Russel Crouse of a Story by Frederick Hazlitt Brennan

'Old Chicago" Big $17,800 On the Loop

CHICAGO, Feb. 7.—"In Old Chicago" d a record-breaking week with a s of $17,800 which is more than uble the average $8,000.

Another 20th Century-Fox picture Happy Landing," did a big business the Roosevelt to gross $16,700 hich is $5,700 above the normal ark. "The Buccaneer" at the Chiago was over the average mark with 33,000 for a second week and was eld for a third period for the first aree-week engagement any film has ver received at the Chicago. Jane Vithers and "Manhattan Merry-Go-ound" at the Palace took $19,600. t the State-Lake "Night Club Scanal" showed a profit as did "Boy of e Streets" at the Garrick.

Total first run business was $137,-)0. Average is $122,500.

Estimated takings:

Week Ending Feb. 3:

"IN OLD CHICAGO" (20th-Fox)
APOLLO—(1,400), 75c-$1.50, 2 shows daily, days. **Gross:** $17,800. (Average, $8,000)

"BUCCANEER" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd eek. Stage: William Hall and Revue. **ross:** $33,000. (Average, $32,000)

'BOY OF THE STREETS" (Monogram)
GARRICK—(900), 35c-55c-65c, 7 days. **ross:** $6,600. (Average, $6,500)

"LOVE IS A HEADACHE" (M-G-M)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. tage: Vaudeville Revue. **Gross:** $17,500. Average, $18,000)

"MANHATTAN MERRY-GO-ROUND" (Republic)
PALACE—(2,509), 35c-55c-75c, 7 days. tage: Jane Withers and Revue. **Gross:** 19,600. (Average, $19,000)

"NIGHT CLUB SCANDAL" (Para.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. tage: Verne Buck and Revue. **Gross:** 13,400. (Average, $13,000)

Week Ending Feb. 4:

"HAPPY LANDING" (20th-Fox)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days. **ross:** $16,700. (Average, $11,000)

"HURRICANE" (U.A.)
UNITED ARTISTS—(1,700), 35c-55c-75c, days, 3rd week. **Gross:** $14,800. (Average, 15,000)

K. C. Has Woman Booker

KANSAS CITY, Feb. 7.—Eleanor Bell, treasurer of American Films, nc., which was formed recently to listribute independent product, is Film Row's only woman booker. Miss Bell was associated with W. L. Norris and W. P. Humston in Consolidated Film Distributors and in Monogram Pictures of Kansas City, nc.

Refuse French Film Loan

PARIS, Jan. 29.—The French Finance Commission of the Chamber of Deputies has refused a request of the Government for a loan of 35,000,000 rancs ($3,000,000), to enable the French Cinema Co. (Gaumont Film-Aubert), in receivership since 1934, to continue in operation.

Form Shenandoah Union

SHENANDOAH, Ia., Feb. 7.—Local No. 610, I.A.T.S.E., with headquarters here, has just been organized with 18 members. Officers are: Lewis E. Howard, Red Oak, Ia., president; Belden Pendell, Clarinda, Ia., vice-president; James E. Moon, Shenandoah, secretary-treasurer, and Fred Smith, Shenandoah, business agent.

"Lifetime," Band $16,250 at Omaha

OMAHA, Feb. 7.—"Thrill of a Lifetime" and a stage show headed by Ted Lewis at the Orpheum took top honors for the week, grossing $16,250 in seven days for a gain of $9,050 over weekly par of $7,200. Prices were tilted from 40 to 55 cents.

"Mannequin" and "You're Only Young Once" surprised by doing $8,100 at the Omaha, topping seven-day average by $2,600. This gross included a Saturday midnight preview of "The Buccaneer."

The Brandeis grossed $6,400 with "Hollywood Hotel" and "Under Suspicion" to beat weekly average of $4,000 by $2,400.

Total first run business was $30,750. Average is $16,700.

Estimated takings:

Week Ending Feb. 2:

"HOLLYWOOD HOTEL" (W.B.)
"UNDER SUSPICION" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $6,400. (Average, $4,000)

"MANNEQUIN" (M-G-M)
"YOU'RE ONLY YOUNG ONCE" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days. Midnight preview "The Buccaneer" (Para.). **Gross:** $8,100. (Average, $5,500)

Week Ending Feb. 3:

"THRILL OF A LIFETIME" (Para.)
ORPHEUM—(3,000), 35c-55c, 7 days. Stage: Ted Lewis. **Gross:** $16,250. (Average, $7,200)

"Stage Door" Detroit Top With $13,600

DETROIT, Feb. 7.—"Stage Door" stepped out front in a big way in spite of a general admission cut of 10 cents. The take at the Madison was $13,600, which was over normal by $3,600.

"It's Love I'm After," with a Major Bowes unit at the Michigan, pulled $22,500, over par by $2,500. "International Settlement," with Hal Kemp heading a stage show, turned in $21,000 at the Fox.

Total first run business was $76,400. Average is $70,000.

Estimated takings for the week ending Feb. 3:

"TARZAN'S REVENGE" (20th-Fox)
"BORROWING TROUBLE" (20th-Fox)
ADAMS—(1,770), 15c-40c, 7 days. **Gross:** $4,500. (Average, $5,000)

"INTERNATIONAL SETTLEMENT" (20th-Fox)
FOX—(5,100), 15c-65c, 7 days. Stage: Hal Kemp band, Maxine Gray, Bob Allen, Saxie Dowell, Eddie Kusby, Edna Sedgwick, Bob Williams and Red Dust. **Gross:** $21,000. (Average, $20.000)

"IT'S LOVE I'M AFTER" (WB)
MICHIGAN—(4,100), 15c-65c, 7 days. Stage: Major Bowes' Collegiate revue. **Gross:** $22,500. (Average, $20,000)

"DAUGHTER OF SHANGHAI" (Para.)
"THOROUGHBREDS DON'T CRY" (M-G-M)
STATE—(3,000), 15c-40c, 7 days. **Gross:** $4.800. (Average, $5,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $10,000. (Average, $10,000)

"STAGE DOOR" (RKO)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $13,600. (Average, $10,000)

Borzage for "Comrades"

HOLLYWOOD, Feb. 7.—M-G-M has chosen Frank Borzage to direct "Three Comrades," based on the Remarque novel.

"Menace" and Band Indianapolis Best

INDIANAPOLIS, Feb. 7.—"Invisible Menace" and Ted Weems' band took $11,600 at the Lyric, $3,600 into the black, in a week when this season's most severe cold snap hampered grosses. The stage show was mainly responsible for the take, which started out like a record-breaker, but was curtailed by the frigid weather.

"Hollywood Hotel" also triumphed over the chill at the Indiana, where $6,700 was received, $700 over. "Hurricane" held up well in its second week at Loew's, with $6,500.

Total first run business was $30,500. Average is $28,500.

Estimated takings for the week ending Jan. 28:

"DR. SYN" (G. B.)
"LIVES OF A BENGAL LANCER"
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,400. (Average, $3,000)

"SHE'S GOT EVERYTHING" (RKO)
"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,300. (Average, $4,500)

"HOLLYWOOD HOTEL" (W. B.)
"THE JURY'S SECRET" (Univ.)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $6,700. (Average, $6,000)

"HURRICANE" (U. A.)
"PAID TO DANCE" (Col.)
LOEW'S—(2,800), 25c40c, 7 days, 2d week. **Gross:** $6,500. (Average, $7,000)

"INVISIBLE MENACE" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Ted Weems Band Show. **Gross:** $11,600. (Average, $8,000)

"Landing" on Dual $8,750 Seattle Hit

SEATTLE, Feb. 7. — Big money for the week went to "Happy Landing," on a dual with "Bulldog Drummond's Revenge" at the Paramount. The $8,750 gross passed normal by $2,750. It was held.

"The Hurricane" wound up its fifth week with $5,200. This was $200 better than a first week normal take. "Mannequin," on a dual with "She's Got Everything," hit $8,500 at the Fifth Avenue, and the bill was moved to the Music Box.

Total first run business was $39,250. Average is $36,500.

Estimated takings for the week ending Feb. 4:

"EVERYBODY'S DOING IT" (RKO)
"IDOL OF THE CROWDS" (Univ.)
BLUE MOUSE—(950), 25c, 5 days. **Gross:** $2,700. (Average, $4,000)

"MANNEQUIN" (M-G-M)
"SHE'S GOT EVERYTHING" (RKO)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $8.500. (Average, $7,000)

"THE HURRICANE" (U. A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 5th week. **Gross:** $5,200. (Average, $5,000)

"HOLLYWOOD HOTEL" (F.N.)
"BEG, BORROW OR STEAL" (M-G-M)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,750. (Average, $4,000)

"LOVE IS A HEADACHE" (M-G-M)
"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $5,650. (Average, $6,000)

"GREENWICH VILLAGE" (Col.)
"SPRINGTIME IN THE ROCKIES" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Fitz & Cahill. **Gross:** $4,700. (Average, $4,500)

"HAPPY LANDING" (20th-Fox)
"BULLDOG DRUMMOND'S REVENGE" (Para.)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $8,750. (Average, $6,000)

"Hurricane" Leads Denver With $12,000

DENVER, Feb. 7.—"The Hurricane" stepped out front on the week with a take of $12,000 at the Denver. This beat par by $3,500. An opening day record was cracked and the film was moved to the Aladdin for a second week.

Running a close second for box-office honors were "The Last Gangster" and "She's Got Everything" at the Orpheum where the $11,000 gross was also $3,500 to the good.

Total first run business was $36,700. Average is $33,250.

Estimated takings for the week ending Feb. 3:

"DEAD END" (U. A.)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver. **Gross:** $3,000. (Average, $3,500)

"WELLS FARGO" (Para.)
BROADWAY—(1,500), 25c-40c, 7 days, following three weeks at the Denham and a week at the Aladdin. **Gross:** $2,500. (Average, $2,500)

"THRILL OF A LIFETIME" (Para.)
DENHAM—(1,392), 25c-35c-40c, 7 days. **Gross,** $4,200. (Average, $5,500)

"HURRICANE" (U. A.)
DENVER—(5,525), 25c-35c-50c, 7 days. **Gross:** $12,000. (Average, $8,500)

"THE LAST GANGSTER" (M-G-M)
"SHE'S GOT EVERYTHING" (RKO)
ORFHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $11,000. (Average, $7,500)

"MANHATTAN MERRY-GO-ROUND" (Republic)
"A GIRL WITH IDEAS" (Univ.)
PARAMOUNT—(2,096), 25c-40c, 7 days. **Gross:** $2,000. (Average, $4,000)

"TARZAN'S REVENGE" (20th-Fox)
"HOLLYWOOD HOTEL" (F. N.)
RIALTO—(878), 25c-40c, 7 days. Stage: "Tarzan's Revenge" following a week at the Paramount. "Hollywood Hotel" following a week each at the Denver and Broadway. **Gross:** $2,000. (Average, $1,750)

"Merry-Go-Round" $9,300 at Buffalo

BUFFALO, Feb. 7. — "Manhattan Merry-Go-Round" turned in the best gross of the week, $9,300, at the Lafayette. This was $2,800 over normal.

"Hollywood Hotel" at the Buffalo went to $15,400, up by $1,400, and "The Hurricane," in its second week at the Great Lakes, was still over a first week average mark at $8,900. The other two first run spots were dull.

The Niagara Falls falling bridge episode diverted plenty of prospective customers. An estimated 200,000 of the curious went to the Falls to stare at the tumbled structure.

Total first run business was approximately $42,500. Average is $42,300.

Estimated takings for the week ending Jan. 29:

"HOLLYWOOD HOTEL" (W.B.)
BUFFALO—(3,000), 35c-60c, 7 days. **Gross:** $15,400. (Average, $14,000)

"HURRICANE" (U.A.)
GREAT LAKES—(3,000), 30c-50c, 7 days, 2nd week. **Gross:** $8,900. (Average, $8,000)

"WISE GIRL" (RKO)
"THERE GOES THE GROOM" (RKO)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $5,600. (Average, $7,500)

"NIGHT CLUB SCANDAL" (RKO)
"HIGH FLYERS" (RKO)
CENTURY—(3,000), 25c-35c, 5 days. **Gross:** $3,300. (Average, 7 days, $6,300)

"MANHATTAN MERRY-GO-ROUND" (Republic)
"PORTIA ON TRIAL" (Republic)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $9,300. (Average, $6,500)

M-G-M to Hold Its Total to 52 Next Year

(*Continued from page* 1)

for the new season, Lichtman added.

M-G-M's plans for production in England do not include Alexander Korda, Lichtman said in response to a query in connection with reports the London Films head had discussed this possibility while here.

The company's British production plans will proceed as originally planned, Lichtman declared, regardless of other companies' decisions to defer their production over there until adoption of the new British quota. The second British production, "Citadel," based on the novel by Dr. A. J. Cronin, will go into work in April, with King Vidor directing, he disclosed. This will leave four more to be made by M-G-M in London under the supervision of Ben Goetz, the first, "A Yank at Oxford," having been set for release this month.

Kenneth MacKenna, M-G-M story editor, who returned with Lichtman, reported that the studio had purchased two stories during his stay of a month there. That Lichtman himself is taking more than a casual interest in the selection of stories was indicated by the fact that he alighted from the train with a script under his arm.

Judy Garland Sings On Train Platform

Judy Garland, M-G-M's 15-year-old prodigy, arrived on the Century from the coast yesterday morning. Mel Heymann, Milt Weiss and others of the publicity staff and Ernest Emerling of Loew's were on hand with a small piano and a piano player.

"You've got to sing something," Weiss told her as the newspaper photographers got their cameras ready.

Judy began singing "How Dry I Am." Emerling tried to have the red caps chime in. But they weren't dry, apparently. "Sing 'Carry Me Back to Old Virginny'," Emerling suggested, motioning to the red caps to form a quartet. By that time the photographers had their pictures taken.

Depositions Ordered In Rose-M-G-M Suit

Depositions before trial of David O. Selznick, Frank Dolan, Lucien Hubbard and Edward L. Marin were ordered taken in Los Angeles before March 4 by Federal Judge Henry W. Goddard in the U. S. District Court here yesterday.

The testimony is required in connection with the infringement suit brought by Henry Rose, a playwright, against M-G-M, Loew's, Inc., and Frank Dolan. Rose claims plagiarism of his play, "Burrow, Burrow," in "A Man of the People."

Davilla Verdict Is Cut

A $5,000 judgement in favor of Joseph J. Davilla, a songwriter, against the Brunswick-Balke-Collender Co. of New York was reduced to $1,057 by the U. S. Circuit Court of Appeals yesterday. Davilla alleged that his song, "You Made Me Like It, Daddy," was infringed when the defendant allegedly manufactured recordings of the song for broadcast and home use under the title "You Made Me Like It, Baby." The Apellate Court ruled that Davilla was entitled only to profits actually proven. Attorney's fees of $2,000 were reduced to $1,000.

Warner Brothers Pictures, Inc., Warner Brothers Enterprises, Inc., Brunswick Radio Corp., Brunswick Record Corp., and Tony Parenti were originally named as defendants in the suit, but no judgment against them was recovered.

Operators Get Increase

New Haven, Feb. 7.—Booth operators in "B" and "C" houses will receive a 10 per cent wage increase, according to Matthew Kennedy, business agent of Local 273 in the New Haven territory, including Ansonia and Derby. The contracts will run for 17 months, retroactive to Jan. 1, last.

Hollywood Previews

"Scandal Street"

(*Paramount*)

Hollywood, Feb. 7.—Outside of showing that Lew Ayres and Louise Campbell are in love, most of "Scandal Street's" first reel is meaningless. The second, third and fourth, which picture analysts probably will be quick to note have been included for padding purposes, are a collection of incidents and character specialties. Humorous for the most part, they show Edgar Kennedy doing a series of slow turns as his wife, family and neighbors get on his nerves; a neighborhood bridge party with all its polite, if catty, small talk; Jan Duggan rehearsing her juvenile dancing pupils for a recital; Virginia Weidler indulging in her penchant for telling tall tales; Roscoe Karns amorously inclined toward Miss Campbell and becoming involved in a shady business deal with Porter Hall.

Along about the fifth reel, the film gets around to its plot. Neighborhood gossip, which in small towns means scandal, has linked Karns and Miss Campbell. When he is found dead, she is accused of his murder. Circumstantial evidence, developed by biased feminine testimony, draws a tight web about her. The returning Ayres finds himself facing a tough problem to unearth evidence that will clear his fiancee. It is then that little Miss Weidler, actually the show's star, gives vent to another bit of wild imagination that so shocks Hall that he confesses the killing. Of course all the women are quick to let Miss Campbell know that, despite their testimony, they knew she had nothing to do with the murder.

Concentrating on small town characters, "Scandal Street" undoubtedly will find its field in smaller town and neighborhood theatres.

Bertram Millhauser and Eddie Welch adapted Vera Caspary's story and James Hogan directed.

Running time, 62 minutes. "G."

"Cassidy of Bar 20"

(*Sherman-Paramount*)

Hollywood, Feb. 7.—Spectators in the gallery of the preview theatre indicated by appropriate noises, for and against, pattern approval of this item in the Hopalong Cassidy series. The creation is not the greatest in the series, nor yet the least, ranging, perhaps, about midway between those points. It is, in any event, another appearance of durable Bill Boyd in the name role with guns popping and virtue triumphant, which appears to be what is wanted by a great many worshipers of right and might in happy unity.

This time Boyd, accompanied by Russell Hayden and Frank Darien, rides to the relief of Nora Lane, whose ranch is coveted by black-hearted Robert Fiske, "as tough an hombre as ever etc." There's some gunpowder argument about fence lines and a lot of shooting takes place before Boyd puts everybody in his proper place and rides away, still accompanied by his trusty companions, to further adventure.

Produced by Harry Sherman and directed by Lesley Selander, the film moves deliberately through familar grooves with ample time allowance for the jeering of the villain and the cheering of the hero. All in all, it's about par for the Cassidy course.

Running time, 56 minutes. "G."

Mrs. Gargan Rites Today

Funeral services for Mrs. Irene Flynn Gargan, mother of William and Edward Gargan, film players, will be held today at the St. Francis Xavier Church in Brooklyn. Mrs. Gargan died on Thursday.

Services for Mrs. Payette

Washington, Feb. 7.—Funeral services for Mrs. Mary Ellen Payette, were held here on Saturday. Mrs. Payette was the mother of John J. Payette, Warner zone manager, and George Payette, manager of the Maryland, Hagerstown.

Film Lioness Due Today

Meewa, four-month-old lioness which was featured as the pet of Dorothy Lamour in "Her Jungle Lover," has been presented to the Central Park zoo by the owner, George Archainbaud, Paramount director. The young feline will arrive this morning to take up her new midtown abode.

Equipment Exhibit Plans Are Dropped

Plans for an equipment exhibit to be held in connection with an M.P.T.O.A. convention have been abandoned for this year due to lack of support for the project among equipment companies, it was learned yesterday.

The M.P.T.O.A. still has made no final decision on whether or not i will hold a 1938 convention, altho it is definite that earlier plans to hold one in Chicago this spring have been abandoned. Despite the fact that the organization customarily holds its conventions in the late winter or early spring, M.P.T.O.A. officials still insist that there is a possibility of a convention being held this year, in which case the meeting would be slated for next fall.

Arrangements for an equipment exhibit were not being promoted by the M.P.T.O.A. The national exhibitor organization merely agreed to cooperate to the extent of holding its convention simultaneously with the exhibition in the event the equipment companies succeeded in arranging such a show. The failure of the equipment companies to complete arrangements is understood to have resulted in the abandonment of the plans for a spring convention in Chicago, however.

Sunday Situation in Charlotte Uncertain

Charlotte, N. C., Feb. 7.—The question of Sunday opening here is in the air since City Attorney Basil M. Boyd has declared illegal the action of the City Council in permitting Sunday operation. Boyd based his decision on the fact that the vote was less than two-thirds of the membership.

Church organizations are preparing to oppose any further movement for operation on Sundays. Rev. Willis G. Clark, chairman of a committee named to prevent liberalization of the Sunday laws, has declared his intention to call a joint meeting of church officials and laymen to fight any changes in the law.

Halt Saturday Midnight Shows

Hickory, N. C., Feb. 7.—The Board of Aldermen here have amended a city ordinance which prohibits midnight showings on Saturday.

Wall Street

Fractional Board Changes

	Open	High	Low	Close	Net Change
E. K.	155½	155	153½	154¾	+ ¾
G. T. E. ..	11	11⅛	11	11	.....
Loew	47	47	46¼	46¼	— ¼
Para.	9⅜	9½	9¼	9¼	— ¼
Para. 2.....	9⅞	9⅞	9¾	9¾	— ⅛
RKO	3⅞	4	3¾	3¾	.....
20th Fox ..	21¾	21¾	21⅝	21⅝	— ⅛
20th pfd. ..	30	30	30	30	.....
W. B.	6	6	5¾	5¾	— ⅜

Light Curb Activity

	Open	High	Low	Close	Net Change
Monogram	1⅞	1⅞	1⅞	1⅞	+ ⅛
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	17⅝	17⅝	17⅛	17⅛	— ⅜
Trans-Lux	2¾	2⅞	2¾	2⅞	+ ⅛
Univ. Corp.	3	3	3	3	— ⅛

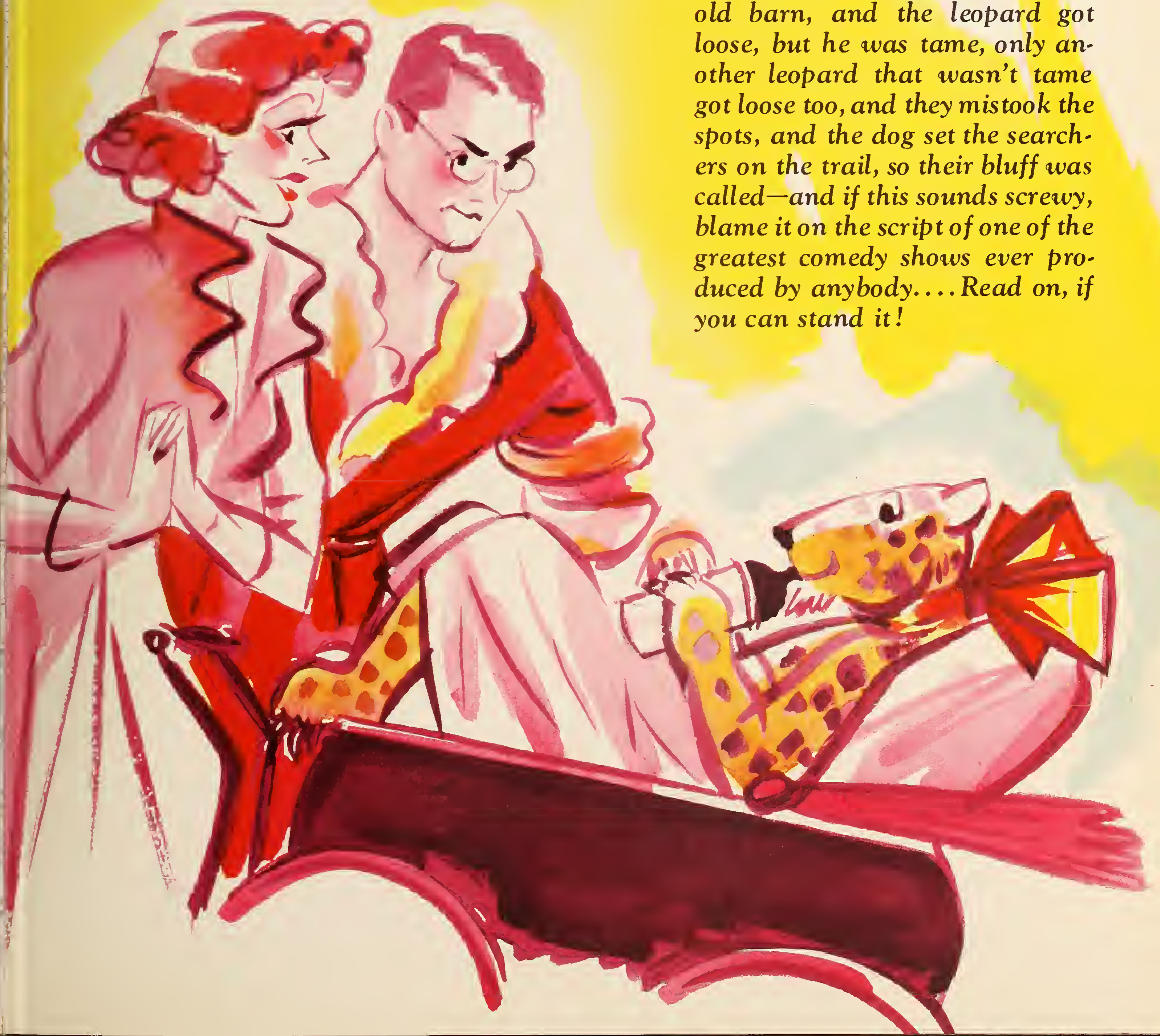
Bonds Decline

	High	Low	Close	Net Change
Para. Pict. 6s '55	91½	91½	91½	.....
Para. Pict. '47....	73	72¾	72¾	— ¼
W. B. 6s '39......	72	72	72	— ¼

(Quotations at close of Feb. 7)

Love, Honor and Oh Baby!

They had to have a "baby" in a hurry—this timid college Prof. and the dizzy society dame . . . . Never mind why! . . . And the skeleton of the prehistoric monster was being researched in the old barn, and the leopard got loose, but he was tame, only another leopard that wasn't tame got loose too, and they mistook the spots, and the dog set the searchers on the trail, so their bluff was called—and if this sounds screwy, blame it on the script of one of the greatest comedy shows ever produced by anybody. . . . Read on, if you can stand it!



"Stage Door" Hepburn in a knockout comedy role!... "Awful Truth" Grant topping all past performances! . . . A supporting cast of name comics—and the leopard and the dog—in one of the grandest big-time shows that ever started a ripple that grew to a roar as crowds kept piling in.

Katharine
Hepburn
Cary **Grant**
in a
Howard Hawks
production
of

Bringing Up Bab

with
CHARLIE RUGGLES
Barry Fitzgerald *May Robso*
Walter Catlett *Fritz Fel*
Directed by
Howard Hawks
Associate Producer — CLIFF REID
Screen Play by Dudley Nichols and Hagar Wilde

RKO RADIO PICTURES

M.P. Producer Group Elects J. M. Schenck

(Continued from page 1)

eplaces Samuel Briskin as RKO rep-ntative on the board, the only ange in personnel.

After discussing association budgeary affairs the producers turned to roblems raised by the forthcoming hrine and American Legion conventions. They voted to participate in onclaves without determining actual etails. In the discussions it was rought out that entertainment of visitors at studios is becoming a serious roblem and that it is increasingly dificult to find ways of entertaining arge groups and yet not delay production and the routine activities of the tudios.

Child Admission Bill Is Set Back 10 Days

ALBANY, Feb. 7.—Legislation intended to remove the contradiction in the existing statutes on the subject of admission of children over eight and under sixteen, sponsored by Assemblyman Harold B. Ehrlich of Erie county tonight was set back ten days by the introducer.

Ehrlich told MOTION PICTURE DAILY that his bill might unintentionally work a hardship on small exhibitors in outlying communities in forcing them to hire matrons during the daytime. He further stated that he will change his bill and effect a clarification of the existing penal law by the elimination of certain words. When the bill has been amended, he said, he is confident that no further opposition will be shown.

Backed by the Children's Aid Society of Buffalo, the bill is expected to remove opportunities for leading children astray by unscrupulous adults.

Report Conboy for Regents

ALBANY, Feb. 7.—Reports here are to the effect that Martin Conboy, New York attorney, will be nominated by the Democrats for the vacancy on the Board of Regents first district. Republicans hold the advantage in the voting.

Powell Appeals on Tax

WASHINGTON, Feb. 7.—Review of an alleged deficiency of $14,585 in his 1934 income tax return was asked of the Board of Tax Appeals today by William Powell.

Powell's petition set forth that the Internal Revenue Bureau had disallowed a deduction of $22,732 for demolition of a residence, which he contended was a business loss, and had held his salary for the year to be $195,000 instead of the $180,000 he reported.

"Youngstar Day" at Ampa

Ampa's luncheon meeting at the International Casino Thursday has been designated "Youngstar Day" and several young screen luminaries are expected to attend. Among these are Tommy Kelly and Ann Gillis of "Tom Sawyer," and Judy Garland may also appear. A short business session will follow the entertainment.

Out Hollywood Way

HOLLYWOOD, Feb. 7.—JAMES CAGNEY and GINGER ROGERS will be costarred in Warners' "On Your Toes." The film will clear up a commitment by Miss ROGERS to make one film for Warners, as promised some time ago. CAGNEY first must do "Boy Meets Girl" and "Angels with Dirty Faces."

ROSITA MORENO, wife of MEL SHAUER, has been signed to star in a film with LUIS SANDRINI, Argentine comedian, to be made in Buenos Aires. She will leave Hollywood Feb. 13. . . . BETTE DAVIS will star in "Comet over Broadway," FANNIE HURST story, which BENJAMIN GLAZER will produce. . . . "Gambling Lady" has been set as the title of the KAY FRANCIS vehicle at Warners which BESS MEREDYTH is writing. GLAZER will produce this also. . . . Paramount has switched production plans and has placed the JACK BENNY musical, • "Around the World with Artists and Models," in preparation. This postpones "Never Say Die."

Paramount's "Marching Herds" has been retitled "The Lone Star Rises."

✚

Casting—ROSELLA TOWNE, MARY MAGUIRE and RONALD REAGAN in "Student Nurse," Warners. . . . The MAUCH twins will appear in a Warner western, as yet untitled. CRANE WILBUR, who is doing the screenplay, also will direct. . . . FRANCES DEE, HARRIET HILLIARD and RAY MILLAND to head the cast of Paramount's "Cafe Society.". . . DENNIE MOORE in "All Rights Reserved" (tentative title), Warners, with ROSALIND RUSSELL getting the role originally scheduled for BETTE DAVIS.

OSWALD, KEN MURRAY'S stooge, has been cast in Columbia's "You Can't Take It With You.". . . DONALD BRIGGS in "Wooden Wedding," M-G-M. . . GREGORY GAYE in "Test Pilot," M-G-M. . . . ELAINE ARDEN, Greek dialectician, to be featured in "Athenian Antics," first of a series of six shorts she will make for Paramount. . . . JASON ROBARDS in "Maxmilian and Carlotta," Colonial. . . . GALE PAGE'S first role under her Warner contract will be opposite HUMPHREY BOGART in "Crime School.". . . WILLIAM FRAWLEY and MONTAGU LOVE in "Professor, Beware," Lloyd-Paramount. . . . HELEN MACKELLAR in "Crime School," Warners. . . . ELISABETH RISDON in "Cowboy from Brooklyn," Warners. . . . JONATHAN HALE in "Wooden Wedding," M-G-M.

✚

Writers—SY BARTLETT and OLIVE COOPER are working on the script of Paramount's "Racing Form.". . . JOSEPH SCHRANK on "Dark House." . . . JAMES MULLHAUSER joins the DAVID L. LOEW writing staff on the adaptation of "The Gladiator," novel by PHILIP WYLIE.

✚

Music—JO STAFFORD and the seven boys who compose the "Aristocrats" sing band on the OAKIE show, have been signed by 20th Century-Fox for "Alexander's Ragtime Band.". . . HUGO REISENFELD has been signed by DAVID L. LOEW to handle the music score of "Wide Open Faces," JOE E. BROWN vehicle for Columbia release.

✚

Directors—Warners has assigned WILLIAM MCGANN to direct "When Were You Born?"

Ford to Leave Next Week for Republic

Charles E. Ford, whose resignation as editor of Universal Newsreel will become effective Saturday, will leave for the coast early next week to assume his new post as a producer for Republic Pictures. Ford's first assignment at Republic is expected to be a serial.

Since returning from a Florida vacation a week ago, Ford has been completing production details on two shorts of Universal's "Going Places" series and this week will complete a production outline on which he has been working for some time in connection with sequences for the John Stahl production with Edgar Bergen and Charlie McCarthy.

Harry Kalmine to Sail

HOLLYWOOD, Feb. 7.—Harry Kalmine, Warner theatre zone manager in Pittsburgh, will sail for New York Tuesday via the Panama Canal after inspecting forthcoming product on the Warner lot. Mrs. Kalmine will accompany him.

To Crown Goodman

Swingmaster Benny Goodman is to be crowned king of swing at ceremonies on the Paramount stage Wednesday night at 10 o'clock. Beatrice Lillie will present the first award in the Paramount band poll. A supper will follow backstage.

Academy Nominates For 2 More Groups

HOLLYWOOD, Feb. 7.—Academy nominations in the sound recording division published here today include "Lost Horizon," "The Good Earth," "Wells Fargo," "Hitting a New High," "Topper," "In Old Chicago," "100 Men and a Girl" and "The Life of Emile Zola."

The Academy committee will select the winner after a series of showings of the films.

Nominations for the cinematography awards are "Dead End," "The Good Earth" and "Wings Over Honolulu." A 10-hour session was necessary to view the 11 films submitted.

Skirball Leaves Hospital

CLEVELAND, Feb. 7.—William N. Skirball has left Mount Sinai Hospital, where he has been confined for the past five weeks with pneumonia. He is now at his home at Keewaydin Farms, Gates Mills.

Morris Epstein Resigns

Morris Epstein, manager of the New York Grand National exchange, has resigned, effective Saturday. He has made a new connection which he will announce later in the week, he said.

Charnas Joins Warner

Harry Charnas, recently returned from a Florida vacation, has rejoined Warners as a special exploitation representative for the distribution department. Gradwell Sears, general sales manager, made the appointment.

NEVER MAKE LOVE
WITH A FROG
UNDER YOUR HAT
The Adventures of
Tom Sawyer

It croaks at the wrong moment
in David O. Selznick's
great Technicolor production
of Mark Twain's

Theatre Help Aim Of Sirovich Bill

(*Continued from page 1*)

attention to motion pictures or radio, discussing them only when questioned by Chairman Sirovich.

The Sirovich resolution would enable the Government to carry on the theatre project started under the WPA, which now is in a very unsatisfactory condition and due for further curtailment, the committee was told.

Motion pictures and radio have taken most of their outstanding personalities from the stage; television may take what are left, and the Government should subsidize the legitimate drama, it was declared.

The measure provides for creation of a new department to be headed by a member of the President's cabinet. It would cost approximately $4,000,000 to start, with several times that much required for the construction of the "appropriate building" which Representative Sirovich visualized for the department on Capitol Hill.

Hearings were held on the legislation during last Congress, Sirovich explained, but due to the pressure of other business no action was taken on the measure. The current hearings, which are scheduled to run all week, are designed to bring up to date the information then gathered by the committee, and the bill is to be turned over to a sub-committee for such revision as may be found necessary before it is reported to the House.

Mexico Troubles for Film Men Gain, Says Seidelman

(*Continued from page 1*)

distributors in Mexico City increased 150 per cent in the last 14 months, this being accounted for by higher salaries and larger staffs brought about by compulsion from the highly-organized labor unions, he reported.

Censorship is becoming more strict, he said. While officially there is no film censorship in Mexico, the authorities point out what deletions they would like to have made and if the distributors or exhibitors do not comply they are penalized in various, and devious, ways, according to Seidelman.

There are 428 wired theatres in the country and not more than 12 which still play silent pictures, or, rather, sound pictures without the sound track, Seidelman said. Twenty-five theatres were built in Mexico in 1936 and four large houses are under construction now in the capital city, with seating capacities ranging from 4,200 to 5,500. No further theatre construction is in sight, however, he added.

Seidelman cited "Aya El Rancho Grande," made in Mexico City with Tito Guizar, to show that domestic product is making headway. The picture cost a little more than $20,000. U. A. is distributing the film in Latin America, exclusive of Mexico, and has already turned over 250 per cent more than the cost of the picture to the producer, in addition to U. A.'s distribution charges. The success of this film has boomed production in Mexico City, with the result that studio costs have increased, Seidelman said. The picture has met with success also in Spanish-speaking localities in the United States.

U. A. will distribute "Refugees in the Embassy of Madrid." This was made by the Fama company.

Seidelman will remain here for conferences with Arthur Kelly, U. A. foreign manager, who is expected to return from a cruise in two weeks. This is his first visit here in a year and nine months. In addition to Mexico, Seidelman supervises sales in Central America and northern South America.

Picketing 6 Months

Hartford, Feb. 7.—A. F. of L. union pickets have completed six solid months of picketing the E. M. Loew Theatre. Besides the union men, Loew men also walk the streets, bearing placards denying existence of labor trouble at the theatre. An injunction against the pickets was denied the company, which is now suing for $5,000 damages.

FLY
TWA
first

SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday, Sunday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA
For Further Information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

Note to "Scrip" Holders
Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

TWA first

SHORTEST-FASTEST COAST TO COAST

RKO Undisturbed by "Snow White" Rating

(*Continued from page 1*)

RKO home office that there are very few films which receive "universal" rating, and that in any event, there are few children who see films when unaccompanied by adults. It is understood that the distributors in England are accepting the decision and plan no appeal from the censor board's rating. RKO in England has no intention of making any cuts in the film in order to obtain a "universal" certificate.

Walker Will Preside

Former Mayor James J. Walker will act as master of ceremonies at the Press Photographers' Ball at the Commodore Feb. 18. He will be aided by Eddie Garr, Jay C. Flippen, Harry Hershfield and Danton Walker. There will be three bands, headed by Eli Dantzig. More than 50 celebrities of the stage, screen and radio are scheduled to put in an appearance.

Monogram to Expand

Monogram is planning to enlarge its offices and is contemplating leasing space on the 22nd floor of the RKO Building formerly occupied by Republic. The additional offices will be for the advertising, publicity and art departments. A decision will be made following the return of W. Ray Johnston from the coast.

Delay "Ecstasy" Ruling

PORTLAND, Feb. 7.—Judge Claude McCulloch in U. S. District Court has taken an action on "Ecstasy" under advisement. Judge McCulloch ordered Portland city officials and W. G. Smith, counsel for Jewel Prod., to submit briefs.

RKO Appointments Not to Be Delayed

(*Continued from page 1*)

ments will materialize. Moreover, it is possible that the designation of an administrative officer, if made at this time, would be in the nature of a temporary appointment for the duration of the reorganization. Presumably such a post would be in conn tion with Radio-Keith-Orpheum Corp., the parent company which is in reorganization, and not with any of the operating subsidiaries which are not in reorganization, and as such the appointee would be an aide of the Irving Trust Co., RKO trustee.

The current efforts of the principal creditors to agree on amendments to the RKO reorganization plan which, if successful, would advance the company's reorganization from fall to late spring, are unrelated to the current deliberations over the designation of new management. Proponents of the reorganization plan, other principal creditors and the Federal court all are agreed upon the desirability of early reorganization for RKO. The trustee and its counsel, Donovan, Leisure, Newton & Lumbard, are equally convinced of the immediate need of filling management vacancies, particularly the post of production head.

The RKO reorganization plan admittedly is not feasible in its present form. The current efforts of the principal creditors are aimed at revisions in the plan which would make it so. If the creditors are able to agree on amendments prior to Feb. 28, the next scheduled hearing date on the plan, it is assumed that they may go before Federal Judge William Bondy at that time and request that the plan be returned to Special Master George Alger for hearings on the amendments.

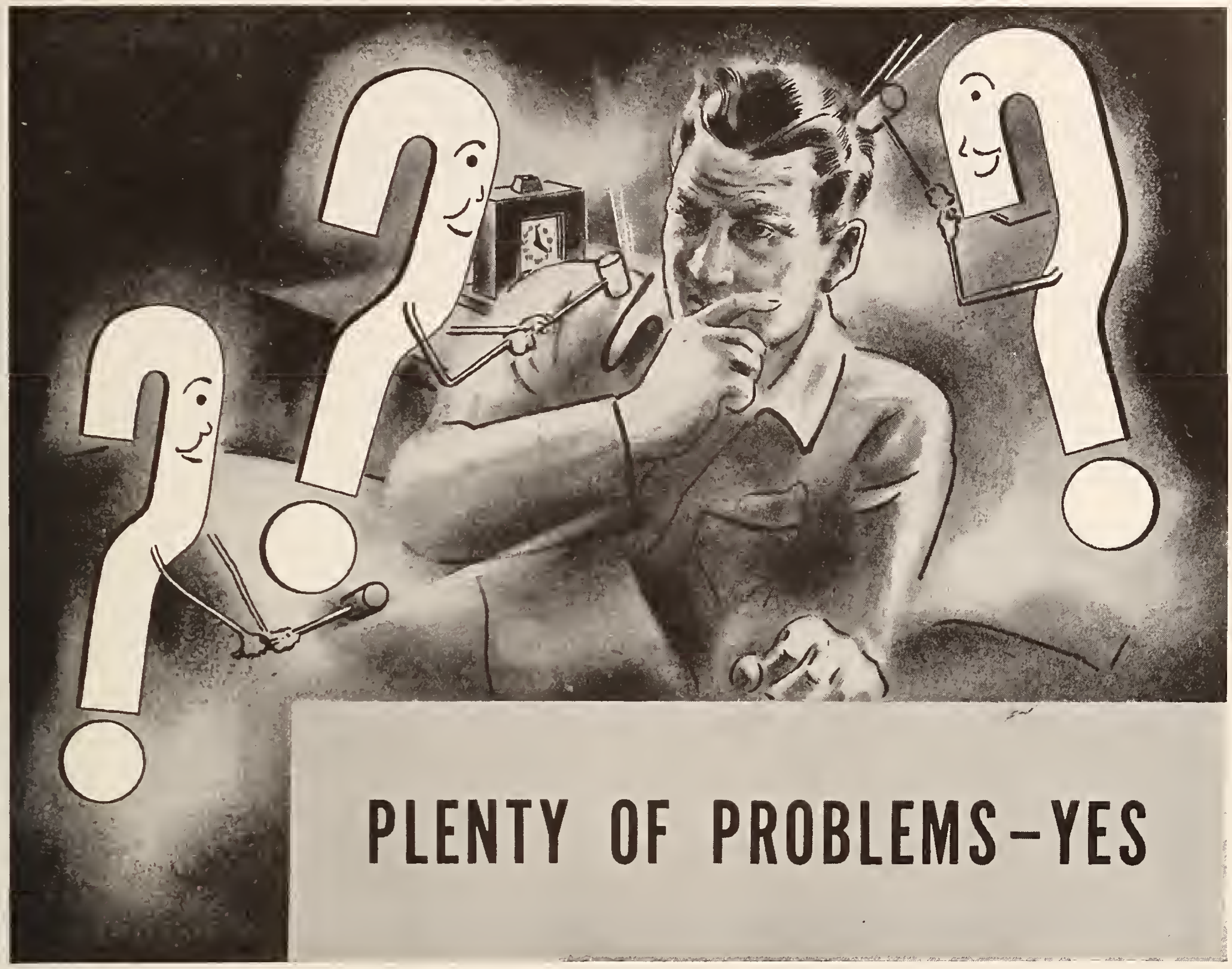
Look for $500,000 On "Snow" Run Here

With attendance holding up strongly, the Music Hall management yesterday estimated that the five-week gross on "Snow White and the Seven Dwarfs" would exceed $500,000 and the attendance would be higher than 800,000. The picture grossed $64,800 in the first four days of the fourth week, Thursday to Sunday, inclusive, which was as good as the corresponding days of the first week, it was said.

On the strength of the staying powers of the picture, the Music Hall had been contemplating holding it beyond a fifth week, which will start Thursday, but film commitments will prevent this, it was said at the theatre. United Artists pressed for a date for "Tom Sawyer," which has been set to follow "Snow White."

"In Old Chicago" in a fourth week at the Astor, grossed $14,785. "Hurricane," at the Rivoli, has shown consistency as a draw, garnering $25,000 in the third week. This week, the fourth, looks promising for the Goldwyn film since the Saturday and Sunday take was $12,000.

The last three days of the 10-day run of "Swing Your Lady" gave the Strand $6,000, but the theatre will do an estimated $20,000 with "The Kid Comes Back." "Boy of the Street" did $9,300 in its second week at the Globe, which is good for the house. Commitments with the RKO circuit prevented extending the run, according to Monogram.



PLENTY OF PROBLEMS—YES

. . . but the big problem, how to increase public interest in motion pictures, is easy to solve. Here's the answer. Simplified High Intensity projection that puts picture quality on the screen, makes every picture seem a better picture, whether it is black and white or color.

When you install Simplified High Intensity projection you put your theater in line for successful competition with the best houses. You are giving patrons as much for their money as they get anywhere.

Yet this modern projection is not expensive. It gives two to three times as much light on the screen, but at so much less cost per light unit, that one admission per show will cover it.

More than 3500 theaters have installed Simplified High Intensity projection during the past four years. Theaters accounting for a majority of the nation's seating capacity now offer modern high intensity projection. So should you.

Write for new, illustrated free booklet, "The Eternal Triangle in Picture Projection."

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High Intensity
PROJECTION
WITH "NATIONAL" "SUPREX" CARBONS
ECONOMICAL AND MODERN

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Radio Personals

ED CURTIN of the NBC press division is back from a vacation. . . . Jackie Heller will open at the Riverside Theatre, Milwaukee, Feb. 11. . . . Edith Jackson, secretary to B. J. Hauser, manager of station promotion for NBC, will leave Feb. 15 to marry Raymond B. Price. . . . Burgess Meredith will sing, no less, when he appears on Paul Whiteman's program Feb. 11 over CBS. . . . Ralph Bellamy and Congresswoman Mary Norton will be interviewed by Kate Smith on the latter's program Feb. 10. . . . Jack Knight, veteran United Airlines pilot, will appear on "We, the People" over CBS Feb. 17.

◆

Enid Szantho, who will make her debut at the Met this month, will be guest soloist with the Philadelphia Orchestra Feb. 14. . . . Mark Warnow has moved his office and staff into larger quarters in the CBS building. . . . Sam Wingfield, publicity director of Kenyon & Eckhardt, will address the Advertising and Selling Alumni tonight.

◆

Sam Taylor, WHN's screen gossiper, will have Roy Harris as his air guest tonight. He is the youngster who won the $5,000 M-G-M title prize. . . . Lee Grant, director of the orchestra on the WMCA "Grandstand and Bandstand," will leave for a vacation shortly. . . . Don Kerr, WMCA announcer and "em cee," will celebrate his first year with the station today.

Set Plans for RCA Fair Exhibit

The RCA building at the 1939 World's Fair will be in the shape of a huge radio tube, according to plans just completed. The display in the building will embrace all the products of RCA Communications, Radiomarine Corp., the Radio Institutes and NBC. Experimental television programs will be staged from the exhibit, as well as regular broadcasts. Construction of the building is expected to begin April 1.

Bachenheimer Quits Firm

Bachenheimer, Dundes & Frank, Inc., agency has changed its name to Dundes & Frank, Inc., with the resignation of M. F. Bachenheimer. The agency's current radio accounts include the Modern Age Book Co. program on WABC; Hilton Clothing Co. program on WMCA, and a program of Soviet music on WQXR. A program for the Confidential Loan Co., just expired on WHN, will be renewed shortly.

New Show Starts Thursday

Bob Brenner will begin a new series Thursday over WNEW at 9:15 P. M. The show, titled "Radio Column," will feature news and gossip of radio, interviews with guests and will have a contest angle. Mary Small will be the first guest.

Clarence T. Hutchins Dies

Clarence Tracy Hutchins, 57, executive of the J. Walter Thompson agency, died yesterday at Roosevelt Hospital of injuries suffered when he was struck by a taxicab last week. He is survived by his wife and one daughter, Lorabel.

Claims Television System Cuts Costs

A new "image emitting" system of television, which is expected to reduce manufacturing costs greatly on the home television receiver, has been invented by Allen B. DuMont, president of the DuMont Laboratories of Upper Montclair, N. J. According to the inventor, the new system is also expected, through the use of a narrower radio band for television broadcasting, to make it possible for two or three stations to operate where only one may now send.

The system will receive any type of picture regardless of what definition or image size is sent out, according to DuMont. Using his system, he says, all that will be necessary is to turn on a set and tune it to the required wave length, as in sound broadcasting reception. Because the number of tubes in a television receiver operating on his principle may be reduced by six or seven, the manufacturing costs will be pared by 25 to 35 per cent, he says.

Planning Removal of WDEL in Wilmington

WILMINGTON, Feb. 7.—Application for the removal of a portion of a tract of land from the city map for contemplated building purposes has been filed with city officials by Station WDEL, Inc., NBC red network outlet here. WDEL was high bidder for the land from the city recently and asks the removal from the city map of portions of the tract laid out as extensions of several streets.

In event the proposed street extensions are not removed from the official map of Wilmington the city later would be able to take over the laid out street sections through condemnation proceedings and extend the streets through the WDEL tract. Filing of the application is in line with the reported plans of WDEL to transfer its transmitter and antenna from a downtown office building to the new location. While officials of the station could not be reached The Federal Communications Commission has issued permits for the change.

Baking Firm Renews Lombardo CBS Show

General Baking Co., oldest client on CBS has renewed Guy Lombardo's orchestra for an additional 52 weeks of broadcasting, Sundays from 5:30 to 6 P. M. General Baking has been sponsoring programs on CBS for eight consecutive years. Batten, Barton, Durstine & Osborn is the agency.

Another veteran CBS time user, the Horn & Hardart Co., has renewed its "Children's Hour" over WABC for a full year, effective Feb. 20. The program is heard Sundays from 10:30 to 11 A. M. over WABC only. The Clements Co. of Philadelphia handles the program.

General Foods has signed with CBS for the new Boake Carter program, which will start Feb. 28, Mondays through Fridays, from 6:30 to 6:45 P. M., with a repeat for the west coast, 8:45 to 9 P. M. Benton & Bowles is the agency.

Crosley Signs Cherniavsky

CINCINNATI, Feb. 7.—Josef Cherniavsky has been added to the musical staff of WLW and WSAI.

Early Risers

Birmingham, Feb. 7.—Listeners suggest the program for "The Sleepyhead's Serenade," WAPI's early morning program from 6:30 to 7:30 daily. Lionel Baxter, chief announcer, is in charge, and he reports phone calls at the rate of 1,800 to 2,000 per week for everything from operatic arias to popular swing music and hillbilly favorites.

Talk Wage Deal for Central States Men

OMAHA, Feb. 7.—Don Searle, general manager for Central States Broadcasting System, and representatives of the Association of Broadcasting Technicians will meet this week to iron out details of a wage increase agreement for the 23 technicians employed by Central States.

Represented by Ray McGrath, Omaha lawyer, and D. J. Dunlop of Chicago, A.B.T. business agent, the technicians delivered an ultimatum to Searle that unless higher wages were paid, union members would walk out. Searle averted shutting down the stations late Saturday afternoon by approving a tentative agreement.

All C.S.B.S. technicians are union members, Dunlop said. WOW and WAAW, both Omaha, are being organized at present, but the union has made no move for negotiations.

Under the tentative agreement technicians will receive starting salary of $130 to $216.66 for a five-year man. Supervisors will receive $216.66 to $238.33 for a three-year man and senior supervisors $238.33 to $260 top.

The agreement calls for a 48-hour six day week and lists six holidays during the year. Technicians are assured time and a half for overtime in the agreement. Dismissal notices and paid vacations are also part of the agreement.

Radio Sales Opens Birmingham Office

BIRMINGHAM, Feb. 7.—Radio Sales, a division of CBS handling all national spot advertising for Columbia-owned stations throughout the country, has opened a southern office in the Protective Life Building here.

The office is under the direction of Dewey Long, former sales manager for WBT, Charlotte. Long, it is understood, will handle radio sales in the south, as well as national spot advertising for WAPI, "The Voice of Alabama," the 5,000-watt clear channel station in Birmingham, which recently joined the Columbia network.

Star Programs Sets All-Canada as Agent

Star Radio Programs, Inc., has just signed All-Canada Radio Facilities, Ltd., as its exculsive representative throughout the Dominion. Sales and representation of Star programs and services to Canadian stations will be handled directly from All-Canada's main office in Toronto and branches in Montreal, Winnipeg, Calgary and Vancouver.

Star Radio is represented at the Canadian Association of Broadcasters convention in Ottawa by G. F. Herbert, manager of All-Canada.

Announcer Guild t
Vote on Affiliati

(Continued from page 1)

organizer of the A.G.R.A.P., pres
at the meetings.

A two-thirds majority of the m
bership will be required to deterr
the future status of the announc
and producers' union. The unior
present has a membership of appr
mately 285 members, contained
chapters across the country.
chapter will have one vote. Thus,
votes of 20 chapters will swing
decision.

A.G.R.A.P. will celebrate its
anniversary April 2. The organizat
was founded at WABC by Langh
and quickly reached an impor
status in the industry. Up to the p
ent it has resisted efforts to affil
with either of the two labor organi
tions. The outcome of the voting
be known by April 1.

MBS January Sales
Total $234,352.

(Continued from page 1)

Silver Dust, spent an additional $1
645.51 for Mutual time during J
uary.

Other leading advertisers, and th
expenditures: Elizabeth Arden, $1
158.92; Gordon Baking Co., $14,0
22; Gospel Broadcasting Associati
$10,907.25; Journal of Living Publi
tions, $10,420.50; Local Cooperat
Campaign, $11,748.92; Vadsco Sa
Corp., $11,612.40; J. B. Williams C
$9,155.00.

Announcer Guild in NBC Deal

The American Guild of Radio A
nouncers and Producers has signed
contract with NBC covering t
sound effects staffs of WEAF a
WJZ, it has been learned. It mar
the guild's first successful effort
gain recognition at NBC after almo
a year of effort. The contract cove
salaries and salary increases, sick a
vacation benefits and other standa
union benefits.

Other new contracts obtained by t
A.G.R.A.P. are with WAAT, Jers
City, and WORC, Worcester, cove
ing production men, script writers a
announcers.

Four A Forms Pacific Council

A new sectional council of t
American Association of Advertisi
Agencies, called the Pacific Counc
embracing the territory west of t
Rockies, has been established by t
executive board of the associatio
Formation of the council carries wit
it representation on the national exec
tive board. Officers and governors
the new council are: David M. Bot
ford, Botsford, Constantine & Gard
ner, Portland, Ore., chairman; Hun
ter M. Vinton, Gerber & Crosley
Portland, secretary-treasurer; Edmun
M. Pitts, J. Walter Thompson, Sa
Francisco, vice-chairman; August J
Bruhn, McCann-Erickson, Los An
geles, and Richard P. Milne, Miln
& Co., Seattle, governors for two-yea
term.

Supple Quits NBC Publicity Post

Ed Supple, CBS artists' bureau pub
licity contact, has resigned. He wil
be succeeded by Al Metzler, formerl
manager of the George Lottman publicity office in New York City. Supple's future plans are unknown at the moment.

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Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 33 NEW YORK, WEDNESDAY, FEBRUARY 9, 1938 TEN CENTS

Canadians Ask Government to Dissolve CBC

ay Private Firms Would Advance Industry

Montreal, Feb. 8.—Abolition of e Canadian Broadcasting Corp. and replacement by an independent na-nwide radio network with the re-iving set license reduced to $1 a ar will be urged on the Dominion vernment by the Canadian Broad-sters' Association. This action was cided upon yesterday at a closed eeting at Ottawa.

In discussing the move Phil La nde of CKAC, Montreal, a direc-r of the C.B.C., said he believed is would make a "more effective" dio organization and "would further e progress of radio in Canada enor-ously."

Details of the proposal were not ade known.

Transport Minister C. D. Howe id "any feeling private operators ay have that the state is competing fairly with them is a temporary tuation." He predicted that Govern-ent competition would decrease ther than increase.

CA Estimates Its Net at $9,000,000

RCA, in an advance statement yes-rday, estimated its profit for 1937 $9,000,000. Pending the final audit, is preliminary estimate indicated an crease of approximately $2,844,100 ver the net profit of the previous ear. The complete report will be vailable later this month.

Gross income of RCA for the year as estimated at $112,650,000, com-ared to $101,186,300 in 1936. After ost of operations, net income before

(Continued on page 8)

BC Seeks Purchase Of 2 Strong Stations

Ottawa, Feb. 8.—Two new high owered stations are to be brought n Canada within the next year if unds are made available to the anadian Broadcasting Corp. through ncreased license fees, Transport Min-ster C. D. Howe told the House of ommons here today. It was Howe's ormal reply to the public protest

(Continued on page 8)

More Radio—P. 8

Stanley Drops His Scheme on English Quota

Industry Had Rejected Alternative Plan

By AUBREY FLANAGAN

London, Feb. 8.—Oliver Stanley, president of the Board of Trade, declared today at the meeting of the House of Commons Committee on the Films Bill that he would take no further action on his alternative quota proposal, following general rejection of the plan by the various organized branches of the film industry.

At the same time he rebuked producers for the roundabout manner of rejecting the proposal, instead of replying to Stanley's request for reactions with a frank "yes" or "no" as he had asked. He said he had worked out the various proposals and the measure must stand or fall as a whole.

A new proposal to regulate wages and hours, presented today by Tom Williams, Socialist member, was ruled out of order by Stanley, but he accepted the principle embodied in the proposal and said he would assist in

(Continued on page 7)

Mass. Allied Won't Aid "Divorce" Bill

Boston, Feb. 8.—Allied today declined to support a theatre divorcement bill at a hearing before the Mercantile Affairs Committee of the Legislature. The bill was filed by Representative Edward Sirois "by request." Allied asked that the bill be held over until the next session. Representatives of the M.P.T.O.A. asked for its immediate death.

The committee reserved decision.

Projector to Use Erpi-RCA Patents

Development of new projection and sound equipment, the latter combining for the first time patent devices controlled by both Erpi and RCA was explained yesterday by Earl G. Hines, president of International Projector Corp., and also head of General Theatres Corp., parent company. The occasion was a luncheon held at India House in Hanover Square.

The new sound apparatus achieving this pooling of patents in a single mechanism, will be introduced in April, said Hines. These developments follow acquisition of Erpi patent

(Continued on page 7)

MPTOA May Decide On Oklahoma Meet

That the M. P. T. O. A. will not hold a convention this spring, but may meet next fall in Oklahoma City was admitted by Ed Kuykendall, president, in a bulletin distributed to members of the organization yesterday.

"While no definite decision has been reached," the bulletin states, "and no definite plans have been presented

(Continued on page 7)

Report Cohen-Para. Settlement Is Near

Hollywood, Feb. 8.—Settlement of difficulties between Emanuel Cohen of Major Pictures and Paramount may be effected within a few days, it was admitted here tonight by Loyd Wright, attorney for Cohen. Wright said conferences are under way to obviate the necessity for litigation but he would not state the basis upon which an agreement might be predi-

(Continued on page 7)

"U" Product Lineup to Be Set on Coast

Blumberg Going West to Confer with Rogers

Production conferences at the Universal studio will begin next Wednesday with the arrival there of Nate J. Blumberg, president, who, with Charles R. Rogers, executive vice-president, will set the company's production schedule for the balance of the year and initiate new season production plans.

Blumberg plans to leave New York on Sunday. The visit will be his first to the Universal studio. Larry Waterman, Blumberg's secretary, will precede him by two days to prepare studio office quarters for the Universal head's extended stay on the west coast. John Joseph, advertising and publicity director, will also leave here on Friday for the studio. Marshall Grant, Universal's eastern story and talent head, left for the studio yesterday.

Completion of plans for the company's current production season is scheduled to be the first order of business. Universal has four more pictures slated for release, two of which are not yet in work, and no definite production plans set beyond that. The Danielle Darrieux and Edgar Bergen and Charlie McCarthy pictures will be started first and the balance of the season's schedule decided upon thereafter.

GN to Close Home Office This Week

Grand National will close its home office in the RKO Building at the end of this week and establish the departments at the exchange in the Film Center Building.

Edward L. Alperson, president, and William J. Neary, assistant treasurer, who has been handling the controller's duties since the resignation of Aaron

(Continued on page 4)

Milestone in Salary Suit Against Roach

Los Angeles, Feb. 8.—Lewis Milestone today filed suit seeking $81,666 back pay, penalties and damages against Hal Roach Studios in an action which invokes the state law requiring an employer to pay an employe a penalty, not to exceed 30

(Continued on page 7)

WPA Officials Laud Work But Dodge Sirovich Bill

By BERTRAM F. LINZ

Washington, Feb. 8.—Seven WPA officials called to testify before the House Patents Committee in support of the Sirovich resolution for a Department of Fine Arts, today presented prepared statements totaling more than 18,000 words, discussing what the theatre, arts, writers and other projects were accomplishing, but absolutely without mention of the Sirovich legislation.

Most important of the WPA witnesses was Mrs. Hallie Flanagan, national director of the theatre project, who reported that appropriated funds spent in two years by that project totaled $25,000,000, in addition to contributions from non-government sources of radio time, cash and services exceeding $2,500,000. Admission receipts of the various plays staged during the period were over $1,000,000.

The WPA has just started its

(Continued on page 4)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
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Wilcox Plans Color Picture on Victoria

LONDON, Feb. 8.—Herbert Wilcox on April 13 will place in production a Technicolor picture titled "Victoria and Albert," to star Anna Neagle and Anton Walbrook. The film's story will concentrate on the private life of Queen Victoria, starting with her wedding and ending with her death. C. Aubrey Smith is scheduled to play the part of Wellington.

The film on the life of Admiral Lord Nelson has been postponed by Wilcox until June to permit the engagement of a particular star to play the role of Nelson, generally believed to be Leslie Howard. The new Wilcox company, Imperator Productions, has six features scheduled for 1938.

Rosenthal to Republic

HOLLYWOOD, Feb. 8.—Aaron Rosenthal, who resigned recently as comptroller at Grand National, today joined Republic as assistant business manager under E. H. Goldstein.

'Follies' Dated in Rivoli

The New York premiere of "The Goldwyn Follies" has been set for the Rivoli on Wednesday morning, Feb. 16.

May Act on A.F.A.'s Support of IA Claim

Action on complaints that the American Federation of Actors, an affiliate of the Associated Actors & Artistes of America, is giving support to the I.A.T.S.E. claim to jurisdiction over the entertainment field may be taken following the report of an investigating committee which is scheduled to make known its findings to a board meeting of the Four A's next Monday.

Actors' Equity Association, also an affiliate of the Four A's, deferred action yesterday on proposals for its absorption of Chorus Equity Association. Chorus Equity recently won uncontested jurisdiction over night club and presentation house performers, which had been claimed by the American Federation of Actors. Rejection of the latter's claim is believed to have led to the organization's sympathetic flight in the direction of the I.A.T.S.E. The council of Actors Equity will consider the Chorus Equity amalgamation plan at a special meeting tomorrow.

Action on the proposal of the League of N. Y. Theatres to curb theatre ticket speculation by means of an Equity contract favoring producers who subscribed to the regulatory proposals was also deferred by Equity's council yesterday. The council recommended that the producers designate a committee to explain the plan in greater detail at a future meeting of the council.

Report I. A. Plans Jurisdiction Fight

HOLLYWOOD, Feb. 8.—Unverified reports here today were to the effect that George Browne, I. A. T. S. E. president, and his assistant, William Bioff, would arrive here over the weekend to push the fight to extend jurisdiction over all production crafts including actors, writers and directors. Browne and Bioff, as well as other members of the I. A. T. S. E. executive council, will meet Thursday in San Antonio. Harland Holmden, international vice-president in charge of the Hollywood locals, left today to attend the conclave.

Harold Smith, in charge of four I. A. T. S. E. studio locals here in the absence of Holmden, could not verify the report and said he knew nothing of the plans of either Browne or Bioff.

Gather for San Antonio Meet

SAN ANTONIO, Feb. 8.—Officials of the I. A. T. S. E. arrived here today for the union's semi-anual executive board meeting which will get under way Thursday. While no jurisdictional disputes exist, it was said, the meeting is scheduled to last three days. Headed by George Browne, president, delegations from all parts of the country will attend. Among those from New York are James Brennan and Dick Walsh, international vice-presidents. Sessions will be held at the Gunter Hotel.

Goldwyn in Dual Fight

HOLLYWOOD, Feb. 8.—Samuel Goldwyn has communicated with the Chicago Parent-Teachers' Association, commending it for its fight on double features, and offering his assistance in the campaign. The Los Angeles County Parent-Teachers' Association has begun a similar drive against duals.

Poor Fish

Waterbury, Feb. 8.—Loew's Poli here had a lobby display consisting of an aquarium in which was suspended a hoop. The gag was that any one seeing a fish swim through the hoop received a pair of tickets free. What the watchers were not told was that the hoop had been prepared with a circular piece of glass and the fish, therefore, could not swim through.

Committees Set for Allied States Meet

Committee appointments have been completed for the national convention of Allied States Association, to be held at the William Penn Hotel, Pittsburgh, May 17-19.

Plans are being made by M. A. Rosenberg, convention chairman, for the entertainment of all women delegates to the meeting which is expected to be heavily attended.

The various committees, their respective chairmen and members follow:

General Convention—William L. Brown, chairman; William Gray, Philip Brozier, Alex S. Moore, Samuel Gould, J. B. Kane, Charles R. Blatt, J. J. McFadden, H. Goldberg, H. Serventi, James Slanicus, Peter Profili, J. A. Nordquist, John Ogliotti.

Banquet—Carl A. Poke and E. T. Beedle, co-chairmen; Charles S. Philbrook, Floyd Bender, Harry Fleishman, Frank Panoplos.

Entertainment of Delegates—William R. Wheat, Jr., chairman; Norman C. Huhn, Floyd Bender, N. A. Malanos, Joseph Gellman, A. F. Glazer.

Publicity—Dr. C. E. Herman, chairman; Fred A. Beedle, Harry Hendel, G. M. Purcell, J. H. Rankin, John A. Blatt, John C. Friburg, R. F. Klingensmith.

Transportation and Hotel—Harry W. Walker, chairman; Wm. J. Walker, Harry Rachiele, F. H. McKnight, William D. Davis, E. H. Goldberg.

Exhibits—Frank Panoplos and Sam Fleishman, co-chairmen; Fred J. Herrington, William Finkel, Norris Roth, Norman C. Huhn.

Convention Arrangements—Bart Dattola, chairman; E. H. Goldberg, Frank H. King, George Corcoran, Israel Roth, Peter Antonoplos, Stephen Santa, Speer Marousis.

Credentials—Bennett Amdur, chairman; H. L. Shearer, Herman Stahl, Fred Duerner, Gilbert Gellman, William J. Blatt, John C. Bixler, Oliver A. Kinchel, A. P. Way.

Reception—M. N. Shapiro, chairman; Rudolph Navari, J. Silverman, Archie Fineman, Harry Stahl, Jack White, Nathan Rosen, Larry Puglia, Fred Beedle, M. A. Malanos.

Registration—William Finkel, chairman; Bart Dattola, Carl A. Poke, Harry Fleishman, William J. Walker, J. G. Carruthers, R. S. Higgins.

U.A. Exploiteers Start

Twenty-three exploitation men of United Artists left yesterday for their respective fields. Seventeen will handle the first national dates on "The Goldwyn Follies," three will cover single dates on "The Adventures of Tom Sawyer" and three will work on "I Met My Love Again."

Previews for Strand

A new policy of regular Friday night previews will be inaugurated Friday when "Gold Is Where You Find It" will be shown at the two regular performances after 6 P. M. in addition to the current attraction, "The Kid Comes Back."

Czechs Honor Mayer

Louis B. Mayer has been decorated with the Order of the White Lion by Czechoslovakia, the highest award a person in civil life can receive from the Government, according to advices to the home office from Prague.

Purely Personal

HECTOR DODDS, chief film edi at the 20th Century-Fox stud arrived yesterday from the coast air with a print of "The Baroness the Butler." The film was scree at the New York office later day.

•

LOU LIFTON, Monogram advertis and publicity director, will le Thursday for a 10-day vacation Hollywood, Fla., accompanied MRS. LIFTON.

•

SONJA HENIE will leave tomorr for Miami. After the final appeara in her tour there, she will remain a three-week vacation, then return Hollywood.

•

W. A. SCULLY, Universal gene sales manager, is on an extended t of company exchanges in the cent west and south, to be gone about th weeks.

•

H. J. YATES is expected back fr the coast on Thursday. J. R. GRAI GER, new Republic president, is not pected until next week.

•

CLINTON M. WHITE, G. B. assist general manager, left yesterday for two-day visit at the Albany excha

•

ELEANOR POWELL made anot barnstorming tour of Loew theat with JAY C. FLIPPEN last night.

•

CONSTANCE CUMMINGS and her h band, BENN LEVY, will sail today the *Queen Mary* for Europe.

•

ARTHUR GREENBLATT, eastern di sion manager for G. B., is spending few days in Philadelphia.

•

DAVID and MRS. LOEW are in to from the coast. They are staying the Sherry-Netherland.

•

BEN PIAZZA has arrived from t coast and is at the Sherry-Netherla

•

DAME MAY WITTY will sail tod on the *Washington* for England.

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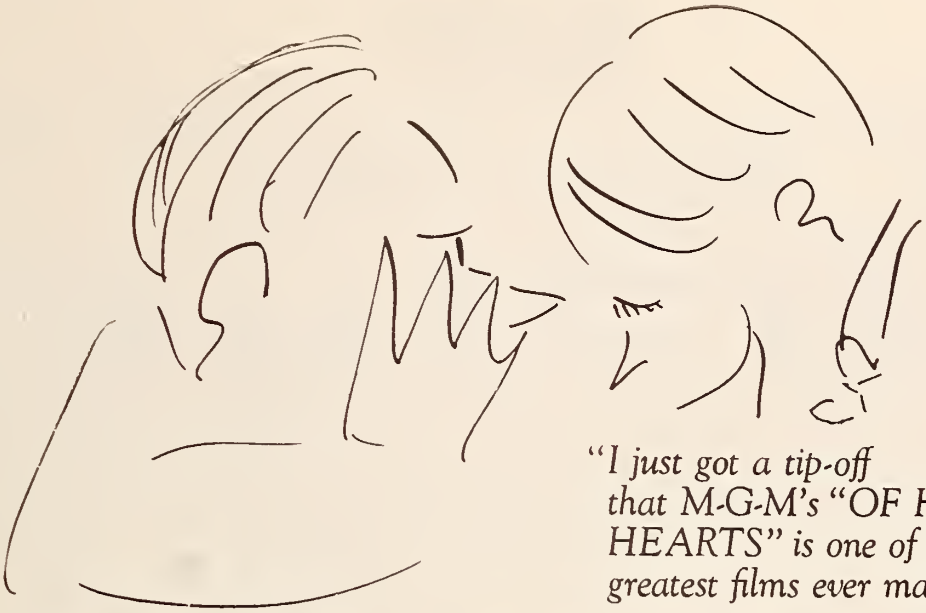

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GN to Close Home Office This Week

(*Continued from page* 1)

Rosenthal, will make their headquarters at the Hollywood studio. Edward J. Peskay, general sales manager, will divide his time between New York and the coast.

Among those who will have offices at the exchange are: Peskay; Anne Rosenthal, attorney; Jack Barnstyn, foreign sales manager; Sol Edwards, eastern division manager; Saul J. Krugman, assistant to Peskay; Stanley Hatch, who supervises exhibition contracts; Ruth Seidman, in charge of the print department, and John Miller, in charge of payroll. The company has been operating with a skeleton clerical and stenographic staff.

Several prospects have inspected the home office premises with a view to a sublease, it was said. Grand National's lease on the offices runs about two more years. The company is asking $13,300 a year for the duration of the lease.

Edwards left last night on a 10-day tour of exchanges in Albany, Buffalo, Pittsburgh, Detroit, Cleveland, Cincinnati, Boston and New Haven. He may also go to Chicago. Krugman is now making a swing of southern exchanges and Peskay visited western branches before returning here last weekend.

"Landing" Will Run Four Weeks at Roxy

"Happy Landing" will start a fourth week at the Roxy on Friday, the first picture to be held that long since Shirley Temple's "Baby, Take a Bow," also distributed by 20th Century-Fox, played the house in 1934.

The Sonja Henie film is the fifth to earn four weeks at the Roxy since the house opened 11 years ago, and all came from the same company. Grosses around the country on the current picture, according to the distributor, are 23.5 per cent higher than on the star's first two films, "One In a Million" and "Thin Ice."

Including "Happy Landing," four of the eight regular first runs on Broadway are holdovers. "Snow White and the Seven Dwarfs" at the Music Hall tonight will conclude four weeks of a five-week run; "Every Day's a Holiday" will enter a third and final week at the Paramount today, to be followed by "Buccaneer," and "Hurricane" will go four weeks and four days at the Rivoli. In addition, "Bad Man of Brimstone" will be held for a second week at the Capitol. "In Old Chicago," Broadway's only two-a-day attraction, is completing a fifth week and will go three more.

Approve "Road Back"

Paris, Feb. 1.—The French censor board finally has approved "The Road Back" after certain stipulated deletions. The board banned the pictures several months ago. It is now being shown in the English-speaking version at the Max Linder Cinema here.

Rushing Joins Monogram

Des Moines, Feb. 8.—Everett Rushing has resigned as Republic-Midwest salesman to join Monogram. He rejoins F. E. Jud with whom he worked for three years.

Hollywood Preview

"The Big Broadcast of 1938"

(*Paramount*)

Hollywood, Feb. 8.—Paramount long ago discovered the proper ingredients and the right amount of each to stir into its annual "Big Broadcast" extravaganzas. The successful past efforts, besides giving the title exceptional commercial value, have created the popular impression that the yearly feature stands for crisp, swift-moving and melodic entertainment. The 1938 edition makes no departure from that rule. Rather, judged by the preview audience reaction, it is a much better blending of the same elements than any of its predecessors. Its prospects as a money-maker are limited only by the individual exhibitors' capacity to whip up interest. It should click alike in big cities and small towns.

Headlong comedy is the base. Stirred up with it are varying quantities of music, dancing, specialties, romance and picturesque spectacle. There is not much story, but there is enough for the five writers who had a hand in the preparation to hang the whole with a pageant of funny gags, situations and episodes.

It has to do with a Transatlantic race between a pair of ultra-scientific liners with W. C. Fields making a stop at a golf course en route. But what the authors concocted serves as a happy background for the musical numbers, the dance ensembles, singing and orchestrations. Featured in the aforementioned are Tito Guizar, Shep Fields and his orchestra and Kirsten Flagstad. The "Waltz Lives On" feature is something pleasingly new and different in solo song and dance spectacle.

As in earlier "Broadcasts" the new version parades a platoon of familiar names with Fields up to his old tricks, doing them in a way provoking general amusement. There is also Martha Raye, Dorothy Lamour, Shirley Ross, Lynne Overman, Ben Blue and Lief Ericson holding to the established pace.

Grace Bradley, Patricia Wilder, Lionel Pape, Dorothy Howe and Russell Hicks also figure prominently in the merriment. True to its tradition, the film introduces Bob Hope who seems to have potentialities, particularly women appeal, to follow in the footsteps of others who went to fame from their appearance in "Broadcasts."

On the whole the film is a laughfest decorated with liberal eye and ear appeal. Several dialogue lines, however, and the lyrics of "Thanks for the Memory," have high double entendre significance and stand a strong chance of being subject to censorship attention in certain localities. Save for this, the show should be accepted by general audiences as smart amusement. Showmen who like to exercise their imaginations should find its presentation an occasion to indulge in a vivid exploitation carnival.

The production is based on a story by Frederick Hazlitt Brennan. It was adapted by Howard Lindsay and Russel Crouse. The scenario was written by Walter De Leon, Francis Martin and Ken Englund. The music is by Ralph Rainger and Leo Robin. LeRoy Prinz created the dances.

Running time, 90 minutes. "G."

Lohrenz in Blank's Job

Minneapolis, Feb. 8.—Rud Lohrenz, branch manager here for Warners, has been appointed acting western district manager during the illness of Leo Blank, now in Rochester, Minn., at the Mayo Clinic. The territory includes Chicago, Minneapolis, Omaha, Des Moines, Milwaukee, St. Louis and Indianapolis. Clarence Olson, recently in charge of the Warner offices in Omaha, has been brought to Minneapolis to take over the Lohrenz offices here temporarily. Earl Perkins has been advanced to the branch manager post in Omaha. Blank expects to be inactive for about six months.

Close Seattle Burlesque

Seattle, Feb. 8.—Three downtown burlesque-film houses have been closed for a period of 14 days as a disciplinary measure by the City Council's finance committee. The theatres involved are the State, Rialto and Palm.

Any further violations of the censor board's rulings will result in permanent suspension of their licenses, according to Council President James Scavotto.

Circuit Honors Sousa

Eureka, Cal., Feb. 8.—At the opening of the two new George Mann theatres, N. C. Sousa, San Francisco treasurer, was given a $300 bonus in appreciation for his 20 years of service in the employ of Redwood Theatres, Inc. The two theatres are the Fortuna, a $75,000 theatre, and the Arcata Playhouse, costing $60,000.

Ennis Joins Caravel

Bert Ennis, publicity man and writer, has joined Caravel Distributing Corp. as head of publicity and advertising. The appointment was made by Stanley Neal, managing director of Caravel.

Brandt Plans Vaudeville

Harry Brandt has plans in work to introduce vaudeville in a number of his theatres in the metropolitan area, he said yesterday.

Spencer Tracy Signed

Hollywood, Feb. 8.—Spencer Tracy has been signed to a new long-term contract with M-G-M.

Variety Club

Cincinnati

Cincinnati, Feb. 8.—Feb. 11 the date set for the annual installation of officers recently elected. T ceremonies and dinner will be held i the Netherland Plaza. Officers are J. J. Oulahan, chief barker, Artht M. Frudenfeld, first assistant chi barker; James J. Grady, second a sistant chief barker; Ralph Ki dough guy (reelected), and Joe Ko ling, property master, also relecte Canvassmen are: Allen S. Moritz Harry J. Wessel; Elmer Shar William Bein; John Allen an Sam Frank.

The following committees have bee appointed: Privilege Men: Morit chairman, William Onie, Shar Allen and Bein; sideshow: Frudenfeld, chairman, Maurice White J. H. Brink, Noah Schecter, Elme H. Dressman, Pep Golden and Hart man; golf: Grady, chairman, William Koegel, Phil Goldsmith, Mik Greenberg, Toney Kogel and Allen heart, Wessel, chairman, Charle McDonald, J. N. Gelman, Charle Weigel, Joe Goetz and Bein; book ers, Kolling, chairman, Whit Kinsler and Frank; pay off, Shar chairman, Grady, William Koege Ike Libson, Lee Goldberg, Joh Hennegan, Goldsmith and Kinsler billers, Bein, chairman, Paul Sullivan, Robert Harris, McDonal and Kolling; legal, Edward T Dixon, chairman, M. Froome Barbour, M. Saul Greenberg, Alber M. Weinstein and Weigel.

WPA Men Don't Tal On Bill of Sirovic

(*Continued from page* 1)

broadcasting work, Mrs. Flanaga told the committee, revealing tha radio stations throughout the coun try have given the project so fa $1,800,000 worth of free time. Th Government relief group, anxious fo their own security, bent their effort to advertising their own accomplishments and at no time vouchsafed an expression regarding the desirabilit of the proposed new department.

Mutual admiration was expresse by committee and witnesses for eac others' work, but it was undeniabl a WPA show in which the purpose of the hearing were quite lost sigh of.

Ban Dubbed "Dead End"

Paris, Feb. 1.—The French censo board has refused to permit the dubbing of "Dead End" into French. Th film has been showing in the origina version here for several weeks. N reason was given for the censor's action. According to the law on original versions, the film may be show only in five theatres in Paris and 1 in the provinces.

Col. Signs Barrymore

Hollywood, Feb. 8.—Lionel Barrymore has been signed by Columbia for a role in "You Can't Take It With You," which Frank Capra will direct from Robert Riskin's adaptation.

Delay Republic Meet

The election of James R. Grainger as president and a director of Republic Pictures Corp. has been deferred until after the return here Thursday of H. J. Yates from the coast.

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F. H. RICHARDSON'S BLUEBOOK OF PROJECTION

The sixth edition of F. H. Richardson's Bluebook is now in its second printing, for which it has been extensively revised. In addition to revisions in text, it contains a supplementary chapter devoted to developments which have become important in projection room technique and servicing methods since the first printing.

The revised edition includes 736 pages of up-to-the-minute text, charts and data with detailed description of assembly, wiring and functioning of all modern sound and projection apparatus. It is a practical "trouble shooter," cross indexed for immediate reference in any projection room emergency.

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The Newsreel Parade

Movietone News
Vol. 20, No. 43

(*20th Century-Fox*)

The cameras roamed the world to produce an issue that holds topical interest. The highlight is a clip of Il Duce at the wedding of his niece. Madame Mussolini, rarely seen in public, marches behind him. By contrast with Rome's usual military display in the newsreels, this is a relief.

Admiral Leahy's testimony before the House Naval Committee is a routine opener, followed by the Japanese capture of Tsingtao. Air views of the 1939 World's Fair site show that the structures are going up rapidly, and Grover Whalen promises that the big show will open on schedule. The start of the annual Moslem pilgrimage from Cairo to Mecca is picturesque. There is a real thrill as "Daredevil" Frakes, for the 50th time, crashes a plane through a house.

Lowell Thomas' "Names in the News" include: Birth of the royal princess in Holland as the nation rejoices; King George VI inspects air force cadets and uses a plane for the trip; Justice McReynolds on his 76th birthday; Japanese Ambassador Sugimura shows how he throws 'em by jui-jitsu. Lew Lehr becomes confused in describing entries in a dog competition. The sports section includes a high diving exhibition; bobsledding and racing at Hialeah.

Running time, 9½ mins. F.

News of the Day
Vol. 9, No. 241

(*M-G-M*)

There is authentic drama as the Coast Guard rescues a citizen of Lowell, Mass., marooned in the Merrimac River. His numb form dangles almost lifeless as he is brought to safety on a breeches buoy.

Eric Mayell's shots of the Japanese seizure of Tsingtoa are varied in treatment by M-G-M, to their probable advantage. The day and night celebration following the birth of the Netherlands princess royal is effectively filmed. Those who like cute youngsters will enjoy a little girls' beauty contest at which their boy playmates are the judges.

As for the rest, "Daredevil" Frakes repeats his stunt of crashing a plane through a house for the edification of onlookers and makes work for the doctors; Admiral Leahy speaks for the mike at the House Naval Affairs hearing; Glen Cunningham retains his laurels in the Millrose Games; Patty Berg wins another cup in golf competition, and Jimmy Braddock, turning referee, handles a kids' slugfest.

Running time, 9 mins. F.

Paramount News
Issue No. 54

(*Paramount*)

Staging newsreel scenes without appearing to have had them staged is quite a feat. Paramount did a smart job of it in gathering scenes of Hollanders celebrating the birth of a Princess. The crowd scenes are spontaneous, closeups of smaller groups are handled smartly. The clip is so well done and the people are so picturesque that the feeling of gaiety is communicated to the audience.

Another highlight of the reel from the audience entertainment standpoint is some footage devoted to Jimmy Walker being interviewed about his new radio job and his wife, Betty Compton, in her new Madison Avenue flower shop. Both have camera personalities.

The customary winter stuff is taken care of by shots of a shovel crane relieving ice pressure on a power house below Niagara Falls. The camera shots fail to justify Gregory Abbott's commentary.

In Washington some of the men who attended the "small business" conference speak out. They're good, but Gabriel Heatter's preliminary commentary tries and fails to create the impression that it is an epoch-making event.

Some interesting air shots made in England, including King George, are used to discuss the armament race and these precede Admiral Leahy's testimony before a Congressional committee. Both are timely. Running time, 9 mins. J.

RKO Pathe News
Vol. 9, No. 58

(*RKO*)

Admiral Leahy's recent naval statements which made national headlines provide a good lead for this issue. It is real newsy and the background is intelligently built up to relate to the live material. The rest of the makeup is more or less current. The reel has been given the usual first rate editorial and caption treatment.

The King of England is briefly seen visiting the Royal Air Force at Cranwell. Secretary of State Hull selects Davis Cup Pairings for 1938. King Farouk and his bride review a parade of Boy Scouts and Girl Guides. The ill-fated navy bomber that crashed in California is shown before the accident and also three injured survivors. Retired Champion Braddock referees a boys' club boxing match. Italian troops parade in Rome and the reel concludes with shots of the outstanding events at the Millrose indoor track meet in New York. Running time, 8 mins.

P.

Universal Newsreel
No. 639

(*Universal*)

A well rounded assortment of material including styles, sport, foreign news and novelty is offered in this issue. The result is an average issue. The items are well presented, edited and photographed.

Lavengro winning the Bahamas Handicap at Hialeah opens the reel. It is followed by scenes of auto workers holding a mass meeting in Cadillac Square, Detroit; James E. West talks briefly on Boy Scout activities; King George VI visits his 1918 flying school; James Braddock, former heavyweight champion, referees a juvenile bout; spring styles in women's wear are shown on attractive models in Chicago; Italian cadets practise the goosestep; Boston offers a dog show; Tampa is represented with daredevil stunts by aviators and the reel closes with a number of good shots of the recent Millrose track meet at Madison Square Garden. Running time, 8 mins. P.

Criterion Stressing "Special" Picture

Limited in its selection of first r features, which go to other Broadw theatres, the Criterion is seeking o special films of various types and plugging them.

This week the house is billing "T River," Government documenta three-reeler, above the feature, "Sca dal Street." Critical notices on film, which is about flood control, good, and the theatre reports intere so great that it has decided to ho the picture a second week. The bool ing cost the Criterion nothing, Paramount is handling the distributic for the Resettlement Administration no rental cost.

While "The Girl Was Young" wi be the theatre's feature attraction b ginning Friday, the Criterion is devo ing its advance advertising to th start of "The Lone Ranger," a 1 episode Republic serial based on th radio program of the same name.

Shorts, Shows to Stran

A policy of full-week single feature with stage shows is contemplated b the Brooklyn Strand, as a result o the success of the theatre's weeken vaudeville which has been in effec eight weeks.

The theatre for this weekend wi discard doubles and play a single feature and "The River," Government produced three-reeler, in combinatio with the usual Friday, Saturday an Sunday stage bill. The combinatio shows have been in conjunction wit duals, but hereafter there will be n second feature over the short end o the week.

M-G-M to Try New Shor

M-G-M will launch a series of one-reel shorts on a current topic wit factual background and commentary if a test film to be made in April obtains favorable reaction. The "feeler" will be on the Japanese invasion of China, with narration by John Booth Nesbit, who conducted the "Passing Parade" radio program. Booth has been signed to make 10 one-reelers under that title and if M-G-M decides to make the topical shorts, he will be switched to the new series, which will be in black and white.

Wall Street

"U." Leads Gains on Board

	Open	High	Low	Close	Net Change
Col.	13⅛	13¾	13⅛	13¾	+ ¾
E. K.	154	156	154	156	+1¼
Loew	46⅝	48¼	46⅝	48½	+2
Loew, pfd...	106¼	106¼	106¼	106¼	+1¼
Para.	9⅛	9⅞	9⅛	9⅞	+ ⅝
Para. 2.....	9⅝	9⅞	9½	9⅞	+ ⅛
Pathe	5⅝	5¾	5⅝	5¾	+ ½
RKO	3¾	3⅞	3¾	3¾	.....
20th Fox ...	22½	22¼	21½	22¼	+ ⅝
20th, pfd....	29½	29½	29½	29½	— ½
Univ., pfd...	40	40	40	40	+4
W. B.	5⅞	6⅛	5⅞	6	+ ¼

Curb in Light Rise

	Open	High	Low	Close	Net Change
G. N.	¾	¾	¾	¾	+ ⅛
Monogram	1⅞	1⅞	1⅞	1⅞	.....
Sentry	5/16	5/16	5/16	5/16	.....
Sonotone ..	1⅝	1⅝	1⅝	1⅝	— ⅛
Tech.	17⅝	17⅝	17½	17½	+ ½
Trans-Lux	2⅞	2⅞	2⅞	2⅞	.....

Little Bond Movement

	High	Low	Close	Net. Change
Loew 3½s '46.....	99	98½	98½	.....
Para. Pict. '47....	72¾	72¾	72¾	.. ..

(Quotations at close of Feb. 8)

tanley Drops His Scheme on English Quota

(*Continued from page* 1)

ining the objective sought by ams.

After reaching the clauses dealing th the quota schedules the committ halted the lengthy remarks of Adral Taylor, Conservative, and adurned until Thursday. Every effort ll be made to conclude the comttee consideration of the Films Bill that meeting.

Report Cohen-Para. Settlement Is Near

(*Continued from page* 1)

ted. If a settlement is made it will me within few days, he said. owever, it is learned from other urces that if an amicable agreement reached, one condition will be that ohen's connections with Paramount rough his releasing contract be ssolved.

Vocafilm Trust Suit Off

The $55,953,125 Sherman Antiust suit brought by Vocafilm Corp. America against the American elephone & Telegraph Co., Western lectric and Erpi was marked off the alendar in the U. S. District Court ere yesterday by Federal Judge John . Knox, when it was called for trial. he case has been on the calendar 1 12 previous adjournments, but either side was ready.

Judge Knox ruled that it can be estored to the calendar when both des are prepared.

New Screen for Strand

A new "gradational screen," the use f which, its inventors claim, will ake color and sound films more atural than was formerly possible, vill be installed at the Strand on Friay. It was developed by Frank E. ahill, Jr., director of sound and rojection for Warners, in collaboraion with the Hurley Screen Co.

The new screen will be installed in ll Warner theatres as quickly as it ecomes available.

Appeal Gilbert Tax

WASHINGTON, Feb. 8.—The estate f the late John Gilbert today apealed to the United States Board of ax Appeals for redetermination of n alleged deficiency of $23,545 asessed by the Commissioner of Internal Revenue as due on the late star's ncome tax. Instead of a deficiency, t was claimed, there has been an ctual overpayment of $17,430 to the overnment.

Will Review "Nocturno"

ALBANY, Feb. 8.—When the Board of Regents convenes here Thursday or the February meeting, a subcommittee is expected to review "Nocturno," submitted for licensing by Gustave Schwab Oct. 7, 1937, and subsequently denied by Irwin Esmond, chief censor. Esmond recommended revisions which the appellant claims would make the story purposeless.

MPTOA May Decide On Oklahoma Meet

(*Continued from page* 1)

to the board of directors, who decide the matter, it looks as though a national conference of theatre owners will be held by M. P. T. O. A. in the early autumn of this year, possibly in Oklahoma City."

Earlier plans of the organization to hold the convention in the spring, as has been customary in the past, were discarded recently when equipment companies failed to support a projected plan to stage a large equipment exhibit in Chicago in conjunction with the exhibitor meeting.

Kuykendall's bulletin reiterates the M. P. T. O. A.'s stand against a policy of trade practice regulation by legislation and litigation and devotes considerable space to an explanation of the functions of the conciliation boards which the M. P. T. O. A.'s 10-point plan proposes to establish for the handling of trade practice complaints.

"Obstacles Insurmountable"

Admitting the greater effectiveness of arbitration over conciliation, the bulletin describes the former as requiring conditions which are "usually impossible to secure from one or the other of the parties involved" and declares that these "obstacles seem insurmountable." The bulletin points out, however, that where parties to a dispute can agree on the principles of arbitration and the enforcement of findings, the proposed conciliation boards could act as arbitrators "if requested to do so."

The bulletin reiterates the M. P. T. O. A. complaint that the only obstacle to the adoption of its 10-point trade practice program continues to be the failure of the distributors to give it their active cooperation. Renewal of the exhibitors' complaint against the music tax is also made in the bulletin, and while "excessive percentage terms" are referred to Kuykendall relates that the M. P. T. O. A. has no established policy on film buying, regarding the problems arising therefrom as applying solely to the individual exhibitor.

Kill Mass. Curfew Bill

BOSTON, Feb. 8.—By a rising vote of 47 to 40, the Legislature today refused to substitute for an adverse report issued by the Committee on Legal Affairs the bill of Representative Francis X. Coyne providing for a curfew law under which all children under 17 years of age would have to be off the streets by 9 P. M. Fines of $5 would be imposed on parents or guardians for third and subsequent offenses. Such a bill would have worked serious injury to the industry.

Coyne is the author of the bill now pending to forbid the billing of screen stars by other than their legal names.

To Discuss Labor Play

"Pins and Needles," the International Ladies Garment Workers' Union's hit play, and how it got that way, will be a topic of Louis Schaffer, general director of the Labor Stage, at the Ampa meeting tomorrow at the International Casino. Schaffer had a hand in the production. Others scheduled to attend are Tommy Kelly and Ann Gillis, two of David O. Selznick's proteges, and Judy Garland.

Projector to Use Erpi-RCA Patents

(*Continued from page* 1)

rights last fall and previous patent agreements with RCA, which has brought International into the sound equipment manufacturing field.

During the next six months the company also will enter the 16 millimeter sound-on-film market, Hines divulged.

"This will not be marketed among theatres, but rather as an equipment for the extension of screen uses in the field of industry and education," he said. When asked if in the event that exhibitor developments should bring demands for the new 16mm machine, would theatres be permitted to buy it, he answered in the affirmative.

Won't Make 16mm Film

The General Theatres head was emphatic in his assertion that the company would not participate in the manufacture or distribution of 16mm or other film. "That is an industry of its own, not a part of the equipment business," he said.

The projector mechanism is of entirely new design, said Hines. The projector, labeled Simplex model E-7, is already in production and will be demonstrated from Feb. 21, at all branches of National Theatres Supply Co., distributors of Internatnonal's Simplex equipment, he said.

The new model was demonstrated after the luncheon by Herbert Griffin, International vice-president, who pointed out the highlights. These include synchronated front and rear shutters, automatic fire shutter safety trip, so-called "one-shot" oiling system, removable film gate, improved film gate design, illuminated white interior, demountable film trap, studio type guides and gyroscopic shutter governor. Griffin stressed improvement in intermittent movement and arrangement to permit ready removal and safer lubrication.

Also at the luncheon were Walter Greene of National Theatres Supply Co.; Ed Hartley, A. E. Meyer, George Friedl, Jr., P. A. McGuire of International Projector; Terry Ramsaye, editor, *Motion Picture Herald*; A-Mike Vogel, editor MOTION PICTURE DAILY, in addition to other members of the trade press.

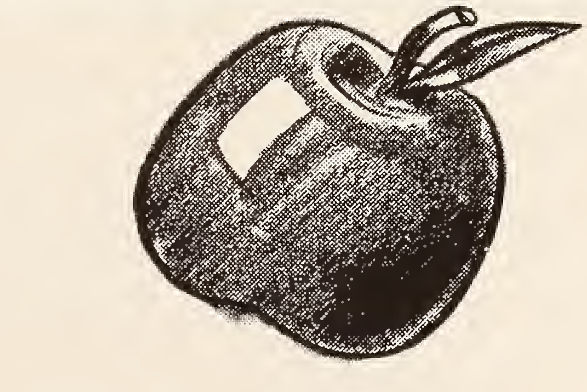
Milestone in Salary Suit Against Roach

(*Continued from page* 1)

days' pay, if the worker is discharged without being paid salary due him. Milestone declared Roach owes him $5,000 as week's back pay and $21,666 penalties and seeks $55,000 damages. He said in the suit that he was hired for 10 weeks at $5,000 weekly to direct "Roadshow" in June but the picture was not ready. After getting $50,000 Milestone alleged he took a 10-week layoff under a new contract which called for him to report black in December for another 10 weeks. However, the suit declared, he was discharged after working two weeks and was paid for only one.

To Honor "Duke" Clark

COLUMBUS, Feb. 8.—M. R. "Duke" Clark, Paramount branch manager, will be tendered a testimonial dinner-dance on Feb. 22 at the Neil House in honor of his 10th anniversary with the company.



BIG Apple-/
And Red!

From the famous bribery scene in
David O. Selznick's great Technicolor production of Mark Twain's

The Adventures of
Tom Sawyer

Hearings Set Upon Station Pleas by FCC

WASHINGTON, Feb. 8.—A number of broadcasting applications have been scheduled by the Federal Communications Commission for oral argument before the full commission, as follows:

Feb. 24: Contesting applications of the Louisville Times Co. and the Louisville Broadcasting Co. for a 1,210-kilocycle station at Louisville; Southwestern Broadcasting Co. and W. P. Stuart, for a 1,500-kilocycle station at Prescott, Ariz.; WFNC, Fayetteville, N. C., and Capitol Broadcasting Co., Inc., Raleigh, N. C., for a 1,210-kilocycle station; and applications of the Birmingham News Co. for a 590-kilocycle, 1,000-watt station at Birmingham; Juan Piza, for a 1,500-kilocycle station at San Juan, P. R., with 100 watts night, 250 watts day; KQV, Pittsburgh, for increase of power from 500 to 1,000 watts, and WSMK, Dayton, for increase of power from 200 watts to 250 watts night, 500 watts day.

Nebraska Plea Listed

Feb. 25: Applications of Clark Standiford, L. S. Coburn and A. C. Sidner for a 1,370-kilocycle, 100-watt station at Fremont, Neb.; Standard Life Insurance Co. of the South for a 1,420-kilocycle station at Jackson, Miss., with 100 watts night, 250 watts day; Arthur Lucas for a 1,310-kilocycle, 100-watt station at Savannah, and contesting applications for a station at Wichita Falls, Tex., as follows: West Texas Broadcasting Co., 1,380 kilocycles, 1,000 watts; Wichita Broadcasting Co., 620 kilocycles, 250 watts night, 1,000 watts day; Faith Broadcasting Co., Inc., 1,380 kilocycles, 1,000 watts night, 5,000 watts day, and KFPL, for change of frequency from 1,310 to 1,500 kilocycles.

March 31: Applications of Curtis Radiocasting Corp. for a 1,420-kilocycle station at Richmond, Ind., with 100 watts night, 250 watts day; Oregon Radio, Inc., for a 1,360-kilocycle, 500-watt station at Salem, Ore.; W. Wright Esch, Daytona Beach, Fla., for modification of construction permit to change frequency from 1,420 to 1,240 kilocycles and change power from 100 to 1,000 watts; WGRC, New Albany, Inc., for change of frequency from 1,370 to 880 kilocycles and increase of time from day to unlimited.

April 1: Application of Gerald A. Travis for a 1,420-kilocycle, 250-watt daytime station at La Porte, Ind.

Brewers Close for New Series on CBS

The National Brewers' Association has signed for a new series of programs on CBS to begin Feb. 23.

Talent signed for the program includes Richard Himber's orchestra, Lou Holtz, comedian; Connie Boswell, vocalist, and Ted Husing as announcer and commentator.

Kessely Ayer Executive

N. E. Kessely, for seven years a member of the radio department of N. W. Ayer & Son, Inc., in New York, has been appointed assistant secretary of the New York corporation.

In Memoriam

The death of Harvey S. Firestone the day of the weekly "Voice of Firestone" program caused a complete change in the program on short notice. The scheduled musical numbers were cancelled and substituted were Schubert's "Unfinished Symphony" and "Entrance of the Gods to Valhalla." Alfred Wallenstein, whose orchestra usually has 26 men, added 42 musicians to build it to symphonic proportions, and Margaret Speaks, featured in the series, was not presented at all. No commercials were read.

Nehi Will Sponsor New Show Over NBC

A new series for Nehi, Inc., makers of a carbonated beverage, will begin on the NBC-Blue network March 11, and Fridays thereafter from 9 to 9:30 P. M. The James A. Green Advertising Agency of Atlanta placed the account.

The talent is expected to include George Olsen's band and the comedy team of Tim and Irene, although the contracts have not been signed as yet.

The program coming up will be the first network venture for Nehi. Last summer, however, the company sponsored a transcription series featuring Jack Dempsey.

Sam Slate, publicity director of the agency, is in New York to handle publicity and production details.

Albany Bill Would Restrict Air Libel

ALBANY, Feb. 8.—Assemblyman Phelps Phelps, Manhattan Democrat, today introduced into the legislature an amendment to the libel law, designed to restrict actions for libel against radio stations as a result of allegedly slanderous remarks made in the course of uncensored speeches.

Phelps' amendments specifically forbids libel suits against broadcasting stations "unless it can be shown that the person making such utterances was acting in pursuance of express authority or was carrying out express orders of the owner or operator" of the station.

NBC Completes Discs for Nestle

The NBC electrical transcription service has completed recording a series of 15-minute programs for the Nestle Co. The platters are for use on South and Central American stations. The programs will be heard on stations in Colombia, Costa Rica, Dominican Republic, Guatemala, Spanish Honduras, Puerto Rico and Venezuela. The record programs, in Spanish, were prepared under the supervision of L. Rodriquez, export manager for Nestle.

Pickups Permitted by WOW

The Omaha musicians' union now permits remote pickups from ballrooms, nightclubs and other amusement places by WOW, according to John J. Gillin, Jr., manager of the station. Gillin also corrected a report in MOTION PICTURE DAILY that WOW had cancelled its I.R.N.A. agreement. He pointed out that Freddie Ebener and a 12-piece orchestra are playing daily on the station.

RCA Estimates Its Net at $9,000,000

(*Continued from page* 1)

deductions was estimated to be $15,400,000, compared to $11,464,100 the previous year. Deductions for taxes, interest, depreciation and amortization of patents and goodwill were estimated at $6,400,000, leaving the approximated net profit of $9,000,000.

Allowing $3,230,000 to cover the year's dividends on preferred stocks, the earnings applicable to the common stock are equal to 41½ cents a share.

RCA operations in 1937 showed an increase of 11 per cent in gross income over operations in 1936, while net profits increased 46 per cent over the net profit in 1936 of $6,155,900.

Total dividends paid by the corporation during the year amounted to $6,409,226. The annual stockholders' meeting will be held April 5 in New York.

KFEL Contracts for Basketball Tourney

KFEL, the Mutual affiliate in Denver, has obtained the broadcast rights to the National A. A. U. basketball tourney, and has offered the semi-final and final games, March 18 and 19, from 11:15 to 12 midnight, to Mutual stations for local sponsorship.

If sold, the stations are to make a talent charge over and above the straight time charge, the talent charge to be equal to 50 per cent of the station's rate card for time. These sums are to be turned over to KFEL to reimburse the station for the cost involved in obtaining the air rights to the games, and to pay for commentators' fees. Joe Meyers and Bill Welch of the KFEL staff will describe the games.

Sponsoring Musical Series on NBC Web

Allis-Chalmers Manufacturing Co. will sponsor a new series of musical programs over a split NBC-Blue network of 24 stations, starting March 5. The series, however, will not be heard in New York. The originating point will be Chicago.

The time each Saturday will be from 10:30 to 11 P. M. The Bert S. Gittins agency, Milwaukee, handled the deal.

Barrymore Audition on Discs

The William Morris agency has placed on wax an audition held over the weekend featuring Ethel Barrymore in the role of a woman judge, the story by Bayard Veiller, Broadway and Hollywood playwright. The platters are now being heard at various advertising agencies. Carlo DeAngelo, radio director, handled the auditions. Miss Barrymore's last radio venture was for the Bayer Asperin Co., and was titled "Famous Actors' Guild." Blackett - Sample - Hummert handled the program then, and the sale was through the Herman Bernie office.

Sun Oil Renews Thomas Show

Sun Oil Co. has renewed the Lowell Thomas program for another year, over 20 stations of the NBC-Blue network. The renewal is effective immediately. Roche, Williams & Cunningham, Inc., is the agency. The Thomas news commentaries are heard Mondays through Fridays from 6:45 to 7 P. M.

▶ *Radio Personals*

JEANETTE MACDONALD sing an original song written her husband, Gene Raymond, on Vicks program Sunday. The title the song is "Will You?" . . . J Sablon will appear on the Parade" over CBS Feb. 19 "Swing Your Lady" will be the "H lywood Hotel" presentation over C Feb. 18, and in the cast will be Hu phrey Bogart, Louise Fazenda a Frank McHugh . . . Charley T garten, Vi Mealy and Red Evans w supply the swing on the CBS "Swi Session" this week.

✚

David O. Alber, publicity direct has moved from Broadway to larg quarters in Rockefeller Center. . Alice White and Buster Crabbe w be George Jessel's screen guests "30 Minutes in Hollywood" Sund . . . Irving S. Brecher, screen writ is now writing the Frank Morgan m terial on M-G-M's "Good News" show. He goes to the program on loan by Mervyn Le Roy. . . . Will Mahoney has been signed by B Hope to collaborate with the comedi on all future scripts for "Your Holl wood Parade," the Warner progra . . . The Kate Smith skiing trop now on display on Fifth Ave., will competed for Feb. 18 and 19 at La Placid. . . . Ken Sisson, Americ maestro now conducting "Cana 1938" is writing a symphony call "Across the Border."

Schillin Quits Firm To Head WINS Sale

A. B. Schillin, president of t Schillin advertising agency, yesterd resigned to become sales director WINS, Hearst key station in Ne York. Carl Calman has been sal director at the station and it is b lieved he will remain with the stati in some other capacity.

Schillin, a pioneer in radio sal in the New York area, goes to WIN under a contract effective Feb. 1 He will take with him to WINS mo of his sales crew and organizers at t agency, including S. Fink, W. Kau man, M. Prozan, Al Carter, A. Bra ter, H. Finger, C. Kracht and N. V Beck.

The Schillin agency, which w continue, formerly was known as Be and Schillin.

CBS Seeks Purchase Of 2 Strong Station

(*Continued from page* 1)

against the raising of receiver licens from $2.00 to $2.50 per year.

Calling the building of such statio a matter of urgency, Howe said the recent Havana conference Canad had been allowed seven clear cha nels instead of six. But unless the were used by stations of at lea 50,000 watts, he said, other America countries had indicated they would n respect them. This year, he adde 1,250,000 Canadians would pay licens fees raising $2,000,000 for CBC afte deducting collection costs. Commerci sources would bring $350,000, th money being necessary if Canada is t claim her place among the radio na tions of the world, he said.

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ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 34 NEW YORK, THURSDAY, FEBRUARY 10, 1938 TEN CENTS

VOR Testing Broadcasting By Facsimile

vo-Column 'Newspaper' Is Put on Air

VOR early this morning undertook first experimental demonstration facsimile broadcasting. The in- ural tests were conducted over station's usual broadcast channels the close of the day's regular edule, the facsimile demonstrations inning at 2 A. M., and lasting until A. M.

An approximate dozen facsimile re- vers, the principal one of which was he L. Bamberger Department Store Newark, picked up the two-column wspaper" which was broadcast, in- ding a printing of a picture of nay Venuta, Mutual singer.

he new WOR project is under the ection of J. R. Poppele, WOR chief gineer, and W. G. H. Finch, for-

(Continued on page 11)

scap Suit Opposes Florida Music Bill

GAINESVILLE, Fla., Feb. 9.—ASCAP ay launched its long-awaited attack Florida's 1937 legislation in a suit d here in U. S. Court for the rthern Florida District. The law acked would prohibit organizations music composers and publishers m fixing license fees to be paid radio stations or other groups who esent compositions to the public orida's Attorney General, Cary D ndis, and the state's 15 state attor ys were named as co-defendants.

In addition to ASCAP, the plaintiffs acking the constitutionality of the orida law were listed as Carl scher, Inc., G. Shirmer, Inc., Irving rlin, Inc., Deems Taylor, Oley eaks, William J. Hill, Anne Paul evin, Ella Herbert Bartlett and Jane usa.

adio Self-Control Is Impossible—Lohr

HOLLYWOOD, Feb. 9.—Imposition of comprehensive self-regulatory code ecting the entire radio industry is npossible, Lenox R. Lohr, NBC esident, said today. Addressing a ess conference here on his visit to spect the facilities and building pro- am of NBC, Lohr said a code of

(Continued on page 11)

More Radio—P. 11

Definite Move On RKO Setup Near at Hand

Expect Spitz to Stay; May Sign McDonough

Deliberations on the designation of new management in RKO are nearing a conclusion, with no official indications up to this time that the company's executive setup will be disturbed in any vital respect, it was learned on excellent authority yesterday.

With final decisions still likely to be delayed for a matter of days, no authoritative statement on what the results of the deliberations will be can be reported without qualifications, even at this advanced stage of the discussions. There are, however, definite indications that a number of preliminary decisions have been made and very substantial evidence that most of

(Continued on page 10)

Mexican Workers Threaten Walkout

By JAMES LOCKHART

MEXICO CITY, Feb. 9.—The office employes of the entire Mexican film industry, including the eight major American companies with offices in this country, have threatened to walk out on strike on Monday if their demands for wage increases are not met.

The white collar workers, recently organized, and affiliated with Mexico's strongest labor organizations, have demanded wage increases averaging 50 per cent. That amount of increase would entail an addition to the annual overhead of the American companies of $40,000.

The American distributors—War-

(Continued on page 10)

End of Double Quota Disturbs Exhibitors

By AUBREY FLANAGAN

LONDON, Feb. 9.—The General Council of the Cinematograph Exhibitors' Association today, following a long discussion of the Films Bill, expressed apprehension over the rejection of the amendment providing that films counting twice in the renters' quota will be available on the same basis under the exhibitors' quota. The organization expressed fear of the danger of depleted film supplies in the future.

Alec King, leader of the Scotch group, declared that the exhibitors

(Continued on page 8)

COMMERCE UNIT FAVORS NEELY BILL

Group in Senate Orders Block Booking Statute Reported to Body

By BERTRAM F. LINZ

WASHINGTON, Feb. 9.—The first step in this year's legislative campaign against the major producers was taken today by the Senate Interstate Commerce Committee, which ordered the Neely anti-Block booking bill favorably reported to the Senate.

Proponents of film legislation indicated that the committee's action will be followed in quick succession by a number of other steps to bring about prompt consideration of both pending and new measures.

While no details of the contemplated campaign are available, it is understood that Allied States will have ready for introduction in the House in the near future the bill which, it was announced at its board meeting here last month, would be drafted without delay.

Also a possible vehicle against the film industry, the Borah-O'Mahoney bill to require corporations engaging in interstate commerce to obtain Federal licenses, may be given consideration before the end of the session.

Decision to report the Neely bill was reached by the committee without the holding of hearings, it being said that the lengthy hearings in 1936 afforded all the information needed for action. The bill was reported as a result of those hearings, in June of that year, but was not further acted upon.

The Neely bill prohibits compulsory

(Continued on page 10)

Technicolor May Build 3 Europe Units

Definite proposals have been made to Technicolor to establish plants in Paris, Berlin and Rome and "some considerable distance" has been reached in the negotiations, it was said yesterday by Dr. Herbert T. Kalmus, president of the company. He asserted this would be Technicolor's best year, with 20 Technicolor features already contracted for by various companies.

The foreign plants will not necessarily be built this year, and probably not until 1939, he indicated. In response to questions concerning details, he indicated that in establishing the

(Continued on page 10)

Alperson Explains G.N.-Educ'l Talks

Edward L. Alperson, Grand National president, has had discussions with E. W. Hammons, president of Educational, but they were about the use of the Grand National studio, which is leased from Educational, in event the latter company should produce on the coast.

Alperson disclosed that information yesterday when asked about reports that he had conferred with Hammons concerning financing of Grand National.

"There's no talk of financing," Alperson said. He pointed out that the

(Continued on page 10)

Labor Board to Rule In Actor-Agent Rows

HOLLYWOOD, Feb. 9.—In an unprecedented ruling, the State Board of Industrial Relations today ordered that all future difficulties between actors and agents be brought to it before any litigation is filed in Superior Court. The ruling came in the case of William Stephens, Inc., against Robert Kent, 20th Century-Fox contract player. The agency charged that Kent illegally breached a representation contract with it.

Kent was ordered to pay the agency $600 commissions due and $1,000 commissions on speculative earnings under the contract.

Writers Protest on Selznick Exclusion

HOLLYWOOD, Feb. 9.—The rift between the 20th Century-Fox studio and the Myron Selznick Agency appeared to be assuming wider significance today when Joseph M. Schenck received a letter from Frances Goodrich, secretary of the Screen Writers' Guild reading in part:

"Many members of this Guild are served by the Selznick agency and

(Continued on page 8)

No Paper Saturday

Motion Picture Daily **will not be published on Saturday, Lincoln's Birthday.**

MOTION PICTURE
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Stoloff Ampa Guest

In addition to those already announced to appear at the Ampa luncheon at the International Casino today, Ben Stoloff, director of "Radio City Revels"; Roy Harris, winner of the M-G-M "Of Human Hearts" title contest, and Gloria and Yvonne Mann are on the program. A short business session will follow the entertainment.

Heywood Net $481,580

Boston, Feb. 9.—The Heywood-Wakefield Co., reports earnings of $481,580 for 1937 which is equal to $5.10 each on 60,000 shares of common stock after preferred dividends. Net profit in 1936 was $548,177.

Columbia to Pay 25c

The board of directors of Columbia Pictures has declared a quarterly dividend of 25 cents per share on the common. It is payable April 1 to holders of record March 18.

British Films Decline

London, Feb. 9.—A total of 20 British pictures were registered in this country for distribution during January, 1938, which compares with 46 British films registered during January, 1937.

Purely Personal

STEPHEN CZARNECKI, Polish financier, who recently purchased "Cloistered," "Sacred India" and "Eagle's Vengeance," for Polish distribution, is stopping at the Waldorf-Astoria for a few days and is the guest of SAMUEL SINGER, executive treasurer of Best Film Co.. CZARNECKI will leave shortly for Hollywood.

•

NORTON V. RITCHEY, Monogram foreign export manager, will leave Saturday by plane for Miami. From there he will fly to Latin America to survey the market. He will be gone about two months.

•

SONJA HENIE will leave this morning from the Newark Airport for Miami competently escorted on the flight by DICK MERRILL, pilot, and Capt. EDDIE RICKENBACKER.

•

JUNE LANG, ETHEL MERMAN and CESAR ROMERO left yesterday afternoon for Philadelphia where tonight they will attend the premiere of "In Old Chicago."

•

S. R. KUNKIS, attorney, is in Washington for conferences with Government departments. He will return Friday.

•

BOB GILLHAM, Paramount advertising and publicity chief, will leave for the Coast today. He will be gone for about three weeks.

•

MANUEL PENA RODRIGUEZ, film critic of *La Nacion*, Buenos Aires, will arrive in New York today after a visit to Hollywood.

•

LIONEL TOLL of the I. T. O. A. is still confined to his home with a case of sinus.

•

ALEC MOSS returned to the Paramount home office yesterday after a short vacation in Miami.

•

BOB MORIARTY, press sheet chief at Paramount, returned to his desk yesterday after a short illness.

•

Y. FRANK FREEMAN will leave for Miami today for a few days' vacation. He is expected back on Monday.

•

DERRICK DE MARNEY, G. B. player, will arrive today from England on the *Bremen*.

•

HENRY F. EHRLICH, formerly connected with Grand National, has opened law offices at 1,450 Broadway.

•

SPYROS SKOURAS, who is on the coast conferring with CHARLES SKOURAS, is due to return early next week.

CHARLES E. McCARTHY, advertising and publicity director of 20th Century-Fox, and ROGER FERRI of his department are in Philadelphia to attend the opening of "In Old Chicago" at the Erlanger there tonight.

•

GEORGE DUMOND, Loew's manager in Jersey City, is general chairman of the Red Cross call in that city. His first accomplishment was to break all records in the 21 years' history of the local chapter.

•

TOMMY KELLY and ANN GILLIS, stars of "The Adventures of Tom Sawyer," are back from Elmira where they placed a wreath on the tomb of Mark Twain, author of "Tom Sawyer."

•

SAMUEL GOLDSTEIN, treasurer of Guaranteed Pictures, sailed yesterday on the *Washington* on his annual European sales trip.

•

AARON ROSENTHAL, who recently resigned as Grand National Comptroller, has returned to the coast after conferences here.

•

TOM REED'S and MALCOLM STUART BOYLAN'S original story, "Confederate Naval Academy," has been purchased by M-G-M.

•

PEGGY GOLDBERG has arrived on the coast to handle a publicity job for a studio. She resigned from G. B. recently.

•

. . . Pittsburgh

CHARLES KELLENBERG of 20th-Fox is vacationing in Florado. Ditto BILL WHEAT, the Sewickley exhibitor.

HARRIET PETTIT, secretary to HARRY KALMINE, is in Miami while her boss is in Hollywood.

N. M. KATZ, the M. P. T. O. attorney here, has been named a special deputy attorney general for the state.

HARRY SEED has been named zone chairman here for Will Rogers Theatre Week.

JOHN GORING, the Fulton manager, seeing his dentist regularly and having several teeth pulled.

JOHN H. and MRS. HARRIS celebrated their sixth wedding anniversary the other day.

BUZZY KOUNTZ has returned from the coast and is now working for an automobile tire outfit.

•

. . . Wilmington

A. J. VANNI, Stanley-Warner zone manager, is vacationing in Florida.

HARRY FELSBERG is the new service staff member of the Aldine. He replaces WILLIAM WEBSTER who resigned recently.

JACKIE FIELDS is again directing the Ritz Follies local stage revue on the Queen stage.

Italy Bars Panay Film

Rome, Feb. 9.—The films of the sinking of the *Panay* will not be shown in Italy for political reasons, it was learned recently. The pictures have been here three weeks and have not yet been released by the censor.

Japs Cut "Good Earth"

Pieping, Feb. 9.—Japanese censors today cut two scenes from "The Good Earth" which depicted revolutionary activity and the central Chinese Army.

Set "Snow" London Run

London, Feb. 9.—"Snow White and the Seven Dwarfs" will open here at the New Gallery on Feb. 24, on the basis of six shows daily, and a guarantee of 20 weeks in the West End of London.

Eastman Dividend $1.50

A quarterly dividend of $1.50 on the common stock has been declared by Eastman Kodak Co. It is payable April 2 to holders of record March 5.

"Every Day" Second Week Take $42,00

The second week of "Every Day'
a Holiday" plus Benny Goodman an
his band on the stage gave the Para
mount $42,000. The first week's gros
was $56,000. The attraction will cor
clude a three-week run on Feb. 1
and will be followed by "The Bucca
neer" with a stage show includin
Clyde McCoy and his band, Me
Green and the Nicholas Brothers.

"Of Human Hearts" will follow
"Bad Man of Brimstone" at the Cap
itol on Thursday. "A Yank at Ox
ford" has been dated for Feb. 17 an
is expected to run two or three week
"Everybody Sing" will follow.

Contempt Threat in Linder-West Actio

Los Angeles, Feb. 9—Mae West to
day was ordered by Superior Judg
Emmett Wilson to show cause on Fel
16 why she should not be adjudged i
contempt of court for refusing to an
swer questions put to her during th
deposition hearing in the $1,000,00
suit brought against her and Para
mount by Mark Linder, writer, ove
"She Done Him Wrong."

Miss West yesterday appeared a
the law offices of Rosen, Wolpin an
Hicks, attorneys for Linder, and o
advice of her attorney, Charles Milli
ken, refused to disclose her financia
arrangements with Paramount.

Linder is suing over the alleged fail
ure of Miss West to abide by the term
of an asserted contract under whic
she agreed to split with him the profit
from the picture. He claims that h
is the author of the play from whic
the film was adapted.

Name Theatre Here In Bankruptcy Wri

An involuntary petition in bank
ruptcy was filed against the Trio Man
hattan Corp., operators of a theatre a
213 Manhattan Ave., in the U. S
District Court here yesterday. Al
leged creditors who filed the petitio
were Columbia, 20th Century-Fox an
Loew's, Inc.. No statement of asset
or liabilities was filed.

The petition alleged that Trio Man
hattan was insolvent and had allegedl
committed an act of bankruptcy b
permitting judgments against it t
stand for more than 30 days.

RKO Wins Playwright Action

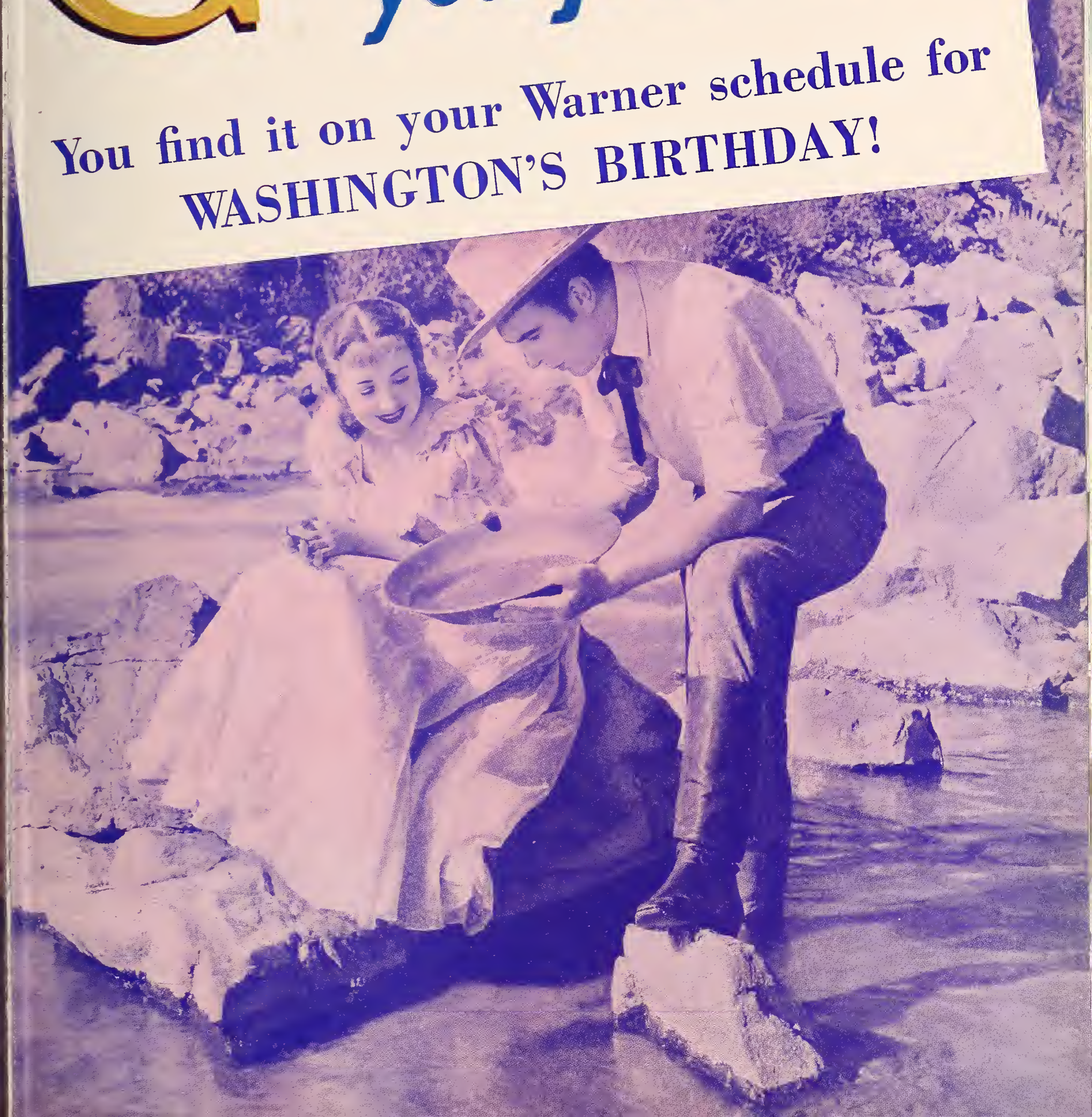
Costs of $788 were awarded to RK
Radio Pictures, Inc., RKO Distribu
ing Corp. and RKO Studios, Inc., b
Federal Judge John M. Woolsey i
the U. S. District Court here yeste
day for the successful defense of
plagiarism suit brought against the
by Samuel Shipman and Clara Lip
man, playwrights. The authors claime
infringement of their play, "Depend
on the Woman" in the picture "
Dream Too Much." Judge Woolse
dismissed the suit in September.

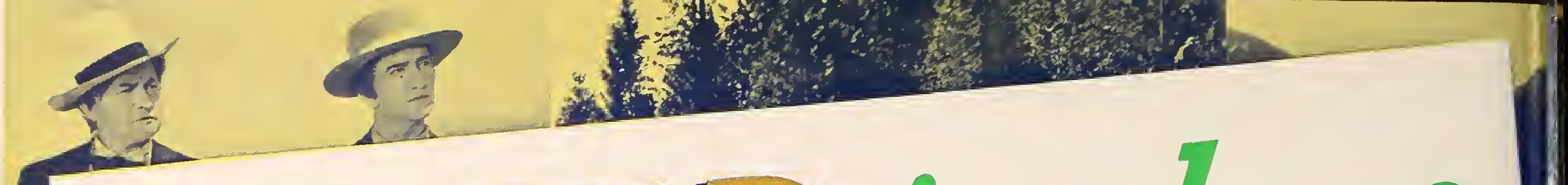
Ford Republic Pact Du

Charles E. Ford is scheduled t
sign a contract as a Republic produce
within a day or two. He plans t
leave for the studio next Tuesda
The contract will be set with H.
Yates, who is due in from the coas
today. Ford's resignation as editor c
Universal Newsreel will become ef
fective on Saturday.

GOLD *is where you find it*

You find it on your Warner schedule for WASHINGTON'S BIRTHDAY!





GOLD *is where you find it*

You find it in TECHNICOLOR – in the only attraction of its kind since 'God's Country'!

All the action, all the power, all the romance, all the vast production wealth of the great gold country in the lavish 1938 MULTIPLANE Technicolor!

GOLD is where you find it

You find it in the crack Cosmopolitan Exploitation and Advertising!

National 3-week newspaper serial! Syndicated full-page 'story in pictures'! 180,000-line day-date ad campaign! The book that was best-selling champ! Six-month build-up as a CosmopolitanMagazine serial!

You'll Find GOLD is where you find it

Photographed in Technicolor

with

GEORGE BRENT
OLIVIA de HAVILLAND
CLAUDE RAINS
MARGARET LINDSAY

BARTON MacLANE • JOHN LITEL • TIM HOLT • WILLIE BEST

Directed by MICHAEL CURTIZ
Screen Play by Warren Duff and Robert Buckner
From a Cosmopolitan Serial Story by Clements Ripley
Music by Max Steiner

A First National Picture • A COSMOPOLITAN PRODUCTION

At Winter-Hit Headquarters

Your

WARNER BROS.

THE SEARS DRIVE IS ON!

Exchange!

Para. Sets Contest For House Managers

Managers of theatres playing Paramount pictures will become active participants in the forthcoming "Paramount on Parade Around the World" drive under the terms of a plan evolved by Neil F. Agnew and John Hicks, Jr., vice-presidents in charge [illegible] distribution in the United States [illegible] foreign fields, respectively. A series of prizes will be awarded for the most effective advertising and publicity campaigns conducted during the course of the 13 weeks from Feb. 27 to May 18.

Domestic and foreign fields will be included. In the United States there will be five divisions of competition, four based on the size of the particular city involved and the fifth for neighborhood theatres and subsequent runs.

Credits Bulletin Out

Hollywood, Feb. 9.—The 10th regular tri-yearly issue of the Academy *Technical Credits Bulletin* was issued this week, listing credits for the 142 productions completed between Sept. 1 and Dec. 31.

Of the total number, one was produced by Colony; 14 by Columbia; two by Coronet; one by Darmour; four by Grand National; two by Major; 14 by M-G-M; five by Monogram, 12 by Paramount; three by Principal; 12 by Republic; 17 by RKO; two by Goldwyn; two by Selznick International; 15 by 20th Century-Fox; 15 by Universal and 21 by Warners.

Manages Seattle House

Seattle, Feb. 9.—William O. Edmunds has arrived here to take over the management of the Montlake, foreign film house operated by Herbert Rosener as a unit in his Pacific Coast "international film" circuit. He succeeds Frank Jenkins, who will remain here as supervisor of the Montlake and a new theatre to be opened in Portland next month by Rosener. Edmunds was formerly manager of Rosener's World in Salt Lake.

Shift Warner Managers

Albany, Feb. 9.—Melvin Conheim, assistant manager of the Troy in Troy, a Warner house, has been appointed manager of Warners' Palace in Jamestown, N. Y. John Keenahan, chief usher, has been promoted to assistant manager of the Troy.

Kollar Again Censoring

Detroit, Feb. 9—Sergeant Joseph Kollar, former police film censor and now head of the police censorship bureau, has returned to the Film Building for three weeks to handle the film job while his assistant, Sergeant Charles Snyder, is in Florida and Cuba on a vacation.

Film Lioness Arrives

Meewa, four-month-old lioness featured as Dorothy Lamour's pet in "Her Jungle Lover," has arrived in New York and taken up its new quarters in the Central Park zoo to which it was presented by George Archainbaud, owner.

"Probation" Is Retitled

Hollywood, Feb. 9.—Warners has changed the title of "Girls on Probation" to "The Beloved Brat."

New York Preview

"To the Victor"

(Gaumont British)

In several respects "To the Victor" is one of the finest pictures to come out of England in a long period. It is a simple story, of sheep dogs and sheep men in Scotland, but it is told with such beauty of scenery, human warmth and fidelity of atmosphere that it emerges as a film work of rare distinction.

Perhaps it may be found that the considerable Scotch accent which studs the dialogue throughout, and which incidentally is a delight to the ear, may offer a problem to the selling of the film in this country. If that be true, it is most unfortunate, because the film offers far too much in compensation for that to be considered an obstacle to selling.

One performance alone stands out as a superlative piece of film characterization, one of the best this reviewer has happened upon. It is that of Will Fyffe as a dour Scotchman, who loves his dog, but who is not loved by his neighbors. He is a mean man, whose dog is believed to be a sheep killer, and who has earned the hatred of the glen. In admirable support are John Loder, as the new sheep man in the district; Margaret Lockwood, as Fyffe's daughter, and all those who play the simple, earnest sheep men and villagers.

All credit for careful, detailed direction must go to Robert Stevenson, who filmed the story, "Owd Bob," by Alfred Ollivant, from a screenplay by J. B. Williams.

Interwoven in the story of Fyffe's fight to protect himself and his beautiful black dog from the justified attacks of his neighbors is the romance of Loder and Miss Lockwood. There is a thrill of suspense and an exhibition of remarkable canine intelligence in the field trial competition of the sheep dogs, centering in the rivalry of Fyffe's dog and that of Loder. The trials are the picture's highlight, and something to make dog lovers return to see the picture again. The revelation that Fyffe's and not Loder's dog is the culprit and a reformation in the old man's character bring a final reconciliation.

Running time, 78 minutes. "G."

Hollywood Preview

"Bringing Up Baby"

(RKO)

Hollywood, Feb. 9.—A high note of hilarity is struck early and maintained throughout in this nonsensical romantic farce, and it has all the earmarks of the kind of laugh show that should spread a broad grin on the faces of exhibitors—for box-office reasons.

With a high quality cast which obviously enjoyed itself hugely in the making thereof, "Bringing Up Baby" stars Cary Grant, whose work in this role should make him stronger than ever; Katharine Hepburn, who, as the apparently unbalanced wealthy girl, displays an unexpected flair for comedy, and "Baby," a tame leopard which responds perfectly to its cues and opens the way for lively exploitation. In support are Charles Ruggles, May Robson, Walter Catlett and Barry Fitzgerald.

Howard Hawks, who directed, worked for the laughs, and succeeded in lining them up one after the other. He had plenty to work with, besides a strong cast, for Dudley Nichols and Hagar Wilde, who did the screenplay, provided him with a rollicking yarn, replete with ridiculously amusing situations and smartly entertaining dialogue.

Grant, timid, scholarly zoologist, whose only interest is in his museum of prehistoric monsters, literally runs into Miss Hepburn, and she decides she is going to marry him. Her efforts to remain close to him cause one hilarious mishap after another, complicated by the arrival of a pet leopard, which she uses as a decoy to keep him always in sight and hearing. They arrive at the home of her wealthy aunt, Miss Robson, and the misadventures come thick and fast, involving a frantic leopard hunt over the Connecticut countryside, an equally frantic hunt for a prehistoric bone which the dog has buried, and a jail episode with Catlett as the constable. She gets her man eventually, when Grant's resistance collapses—and so does he.

Running time, 98 minutes. "G."

Miss Simon Recovering

Hollywood, Feb. 9.—Simone Simon was declared to be recovering at the Cedars of Lebanon Hospital, where she has been ill with bronchial pneumonia.

Riesenfeld on "Hawaii"

Hollywood, Feb. 9.—Hugo Riesenfeld has been assigned to handle the musical direction of "Hawaii Calls," a Bobby Breen film in production at the RKO studios.

Variety Club

Omaha

Omaha, Feb. 9.—Caricatures of incoming officers featured the annual Inaugural Ball at which Omaha Variety Club's 1938 officers were installed by **Harry J. Shumow**, Omaha M-G-M manager, a national director of Variety Club.

Installed were: **Walter M. Green**, chief barker; **Evert R. Cummings**, first assistant; **S. J. Francis**, second assistant; **Sam Epstein**, dough guy; **Edward Shafton**, property master.

Initiated were: **Irving Gossick**, **Ben Harding**, **B. A. Tomte**, **Max Rosenblatt** and **Homer Lambert**. Arrangements were handled by Chairman **Joe Jacobs** and his committee which included **Al Hill**, **D. V. McLucas**, **Bill Miskell**, **Ted Emerson**, **A. M. Avery** and **Cummings**.

Carnival Bill Hits Snag

Kansas City, Feb. 9.—Efforts of the Theatre Owners' Association of Kansas City, Kan., to obtain an ordinance prohibiting issuance of free licenses to carnivals for the use of city property hit a snag when the Veterans of Foreigns Wars and the American Legion organizations of the city protested the ordinance.

Measure Would Ban Smoking

Richmond, Feb. 7.—A bill which would prohibit smoking in theatres and other places of public assembly has been introduced in the Virginia legislature by Senators Aubrey G. Weaver and Leonard G. Muse. A fine of $300 or three months imprisonment are provided for violations.

Form American Pictures

Dover, Del., Feb. 9.—American Pictures Corp. has been formed here to produce plays, films and the like, Harold C. Vaughan, David H. Jackman and Edwin E. Lindgren, New York, are the incorporators.

Ace Closes Two Deals

Ace Pictures has closed distribution deals for the handling of its product with Majestic Pictures, Minneapolis, and Capitol Pictures, Omaha.

Wall Street

Scattered Board Gains

	Open	High	Low	Close	Net Change
Col.	13¾	13¾	13½	13½	— ¼
E. K.	156¾	157	154	154	—2
Loew	48½	48¾	47⅜	47⅜	— ⅞
Para.	10	10⅜	9⅞	10⅛	+ ¼
Para. 1	85	86¾	85	86¾	+4¾
Para. 2	10	10¼	10	10¼	+ ⅜
Pathe	5¾	5¾	5¾	5¾	.....
RKO	3⅞	4	3¾	3¾	.....
20th Fox	22½	22½	22	22	— ¾
W. B.	6¼	6⅜	6¼	6¼	+ ¼

Curb Rises Fractionally

	Open	High	Low	Close	Net Change
G. N.	¾	¾	⅝	⅝	+1/16
Tech.	18	18¼	18	18	+ ½

Bond Prices Increase

	High	Low	Close	Net Change
Loew 3½s '46	98⅝	98⅝	98⅝	+ ⅛
Para Pict. 6s '55	91¾	91½	91½	+ ¼
Para. Pict. '47	73½	73½	73½	+ ¾
RKO 6s '41	71½	71½	71½	—1½
W. B. 6s '39	73	72¼	73	+1

(Quotations at close of Feb. 9)

"Hurricane" Is Hit in 2 Frisco Spots

SAN FRANCISCO, Feb. 9.—"The Hurricane" turned out to be a double-barrelled hit with a take of $12,000, over par by $5,000, at the United Artists and a gross of $8,000, up by $3,000, at the Embassy.

Only two other houses made much of a showing in the face of this competition. They were the Fox, with "Happy Landing" and "Charlie Chan at Monte Carlo," which grossed $19,500, and "Mannequin and "Change of Heart," which pulled $15,300 at the Paramount.

Total first run business was $84,700. Average is $87,800.

Estimated takings:

Week Ending Feb. 1:

"SHE'S GOT EVERYTHING" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage: Vaudeville. **Gross:** $13,200. (Average, $16,000)

Week Ending Feb. 2:

"HURRICANE" (U.A.)
EMBASSY—(1,400), 15c-35c-40c-55c, 7 days. **Gross:** $8,000. (Average, $5,000)

"HAPPY LANDING" (20th-Fox)
"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $19,500. (Average, $17,000)

"THRILL OF A LIFETIME" (Para.)
"THE JURY'S SECRET" (Univ.)
ORPHEUM—(2,440), 15c-35c-40c-55c-75c, 7 days. **Gross:** $7,200. (Average, $8,500)

"MANNEQUIN" (M-G-M)
"CHANGE OF HEART" (20th-Fox)
PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $15,300. (Average, $13,000)

"EVERY DAY'S A HOLIDAY" (Para.)
"WALLABY JIM OF THE ISLANDS" (G.N.)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd downtown week. **Gross:** $3,500. (Average, $7,000)

"HURRICANE" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days. **Gross:** $12,000. (Average, $7,000)

Week Ending Feb. 3:

"SWING YOUR LADY" (W.B.)
"SERGEANT MURPHY" (20th-Fox)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $4,400. (Average, $13,000)

Week Ending Feb. 4:

"MAYERLING" (Pax)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,600. (Average, $1,300)

End of Double Quota Disturbs Exhibitors

(*Continued from page 1*)

face real hardship for two years, when the quota, under the present plan, will reach 25 per cent, and American companies launch expensive British productions.

The fear was expressed generally that American companies would supply most of the quota, Jack Prendergast declaring that this country probably would be unable to supply the money. The C. E. A. quota committee was asked to watch the progress of the bill, and attempt to obtain changes during the third reading in the House of Commons. The council's report expressed satisfaction with the inclusion of the quality clause in the bill, and appeared undisturbed over the prospect of additional labor safeguards in the measure.

Paramount Casts Rigaud

HOLLYWOOD, Feb. 9.—Georges Rigaud, Argentine player under contract to Paramount, will make his debut in "Cafe Society," Lucius Beebe story of Manhattan night life.

I. T. O. A. Seeks to Revive Trade Meet

The I. T. O. A. is seeking to revive the plan for a trade practice conference of exhibitor organization heads which was halted recently when the national Allied directors rejected the idea. The plan is to have the presidents of the M. P. T. O. A., Allied and the New York group agree on a "united front" of exhibitors to work out a program which would be submitted to the distributors.

In response to a telegram from Harry Brandt, I. T. O. A. head, Nathan Yamins, Allied president, advised him: "The resolution adopted by the board of directors of Allied is self-explanatory. I concur with the resolution and fail to see what good purpose could be served by conferences while we are in the midst of a legislative campaign. It is a favorite practice of the Big Eight to suggest conferences when threatened with legislative action."

The I. T. O. A. will reply to Yamins in a statement signed by the board of directors to be published in *The Independent,* the organization's organ, this week. The statement takes exception to the linking of the local organization with the major distributors, and indicates that it will not halt its efforts for a conference.

CEA Hits Publicity On Shooting Tricks

LONDON, Feb. 9.—The Cinematograph Exhibitors' Association today discussed and formally protested against the exposure in the press of the mechanics of production, citing articles in the *Sunday Express* concerning "The Hurricane" and the locust scene in "The Good Earth."

It is probable that the organization will write to American companies, protesting such undesirable publicity. Both United Artists officials here and Sam Eckman, M-G-M head, disavowed any responsibility for the articles in question and agreed that such publicity material is undesirable.

Lee Promotes 2 G.B. Men

Arthur A. Lee, vice-president and general manager of G. B., has named Al Kent branch manager at Buffalo, replacing George Rosenbaum, resigned. Kent formerly was manager of the St. Louis exchange. He will be succeeded in that post by Andrew Dietz, salesman.

Walter Pratt has been added to the G. B. sales staff at Albany.

Stage Dialog Draws Congressman's Fire

WASHINGTON, Feb. 9.—Use in the legitimate theatre of language and episodes which would not be tolerated in films under the industry's own code, much less by the state censorship boards, was assailed today by Representative Fritz Lanham (Dem., Tex.) at hearings on the Sirovich resolution for a Department of Science, Art and Literature before the House Patents Committee.

Lanham voiced his opinions of the contemporary stage while Lawrence Langner, founder and director of the Theatre Guild, was testifying in support of the measure as leading to a Federal theatre which would keep alive "the fine standards of the stage."

Gordon Bell Elected To Board of Regents

ALBANY, Feb. 9.—Gordon Knox Bell of New York was elected as the new member of the Board of Regents at a joint session of the legislature today, and Roland B. Woodward of Rochester was reappointed to a new full term. Both men were selected by the Republicans, whose combined voting strength in the Senate and Assembly exceeded that of their Democratic and American Labor Party foes.

Bell, a Harvard graduate and prominent in New York legal and philanthropic circles, was nominated in Republican caucus Tuesday. His opponent was Frank C. Walker, close personal friend President Roosevelt and former treasurer of the National Democratic Committee, who was the nominee of the Democrats.

Woodward's reelection to the 12-year term was not contested by the Democrats. He is secretary of the Rochester Chamber of Commerce.

The selection of Bell and reelection of Regent Woodward brought the Board of Regents to its full strength for today's meeting.

Documentary Shorts Award Is Rejected

LOS ANGELES, Feb. 9.—The Academy Awards Committee, headed by Frank Capra today rejected a recommendation of short subject producers that a special classification for documentary and educational films be established in the short subjects division for the Tenth Annual Awards.

This would have included "The River," Government-sponsored documentary film entered in the shorts competition, but rejected by shorts producers from existing classifications.

The committee action was taken because not enough such films have been made to justify inclusion of the new classification.

The committee announced that George Jessel again would be master of ceremonies at the awards dinner and selected the Biltmore Bowl as the site, March 3.

Huber Film Board Head

WINNIPEG, Feb. 9.—J. H. Huber, 20th Century-Fox branch manager here, has been named chairman of the Film Board of Trade. Other new officers are: Vice-president, D. Griesdorf, United Artists; chairman of the safety committee, A. Wolfe, Radio Pictures of Canada; chairman of the public relations committee, F. L. Vaughan, Empire-Universal Films, Ltd.

F. B. Pennington Killed

OMAHA, Feb. 9.—Frank B. Pennington, 60, owner of the Rialto at Villisca, Ia., was killed when the car he was driving left the highway outside Council Bluffs, Ia. Pennington was on his way to Omaha to book films at the time. His son, Robert, also connected with the Rialto, was seriously injured.

Darmour Signs Holt

HOLLYWOOD, Feb. 9.—Larry Darmour today signed Jack Holt to make six pictures for Columbia release in the 1938-39 season, marking the third year of Holt with Darmour. Holt has two more to do on his current schedule between now and May.

"Dollar Club" Gets $16,000 for Loew'

The Loew Circuit's "Dollar Clut idea is credited with $16,000 in add tional business during 1937, figur completed by the circuit show. Mana gers who garner more than $100 i ticket sales as a result of special e fort or exploitation are admitted to th "club."

The first 1938 member is Ed [illegible] patrick of Waterbury, who got $102 extra business with an "uproar hour The circuit also has a "Page Or Club" for special mention of manage who crash front pages of local new papers with publicity.

Writers Protest on Selznick Exclusio

(*Continued from page 1*)

they are by your ruling denied rep resentation on the 20th Century-Fo lot. Since this is obviously unfair t these members, the executives of th Guild take this occasion to prote against the arbitrary exclusion o artists' representatives from a motic picture studio without a hearing be fore an established impartial body

There was no indication at a la hour today whether Schenck woul reply directly to the Guild protest.

Americans Reported In Mussolini Fir

HOLLYWOOD, Feb. 9.—It was learne here today that Warren G. Doane ar Jeannie MacPherson are at work i Rome for Era Film Productions. Th company was formed by Vittorio Mu solini and Italian banking interes following the return of Mussolini fro Hollywood.

Doane was at one time manager o the Roach studios. Miss MacPhersc is a veteran Hollywood scenarist lor identified with DeMille production It is understood that Era will produ for Italian and European release onl

Fitelson, Derr Confer

HOLLYWOOD, Feb. 9.—William Fite son, eastern representative of Cresce Pictures, will arrive here Monday confer with E. B. Derr on a deal finance eight new films for major di tribution next season. If the deal go through four of the pictures will l "Secret Service Smith" stories whic Derr bought some time ago.

Derr has two more to make fo Monogram this season. They are "Pr vate Nurse" and "Female Fugitive."

Ohio Policies Shifted

COLUMBUS, Feb. 9.—The stage ar screen policy discontinued by the Pa ace, a Monarch unit at Akron, thr years ago, has been resumed by Hen Sommers, manager.

The Ceramic, legitimate, the bigge house in East Liverpool, O., whic has been playing stage shows, has di continued that policy and has gone int straight first run films. The Stat a smaller house there, is playing stag shows in connection with pictures o Saturdays.

Youngclaus Takes Hous

RAVENNA, Neb., Feb. 9.—W. N Youngclaus of Grand Island, circu owner, will take over the 250-sea Pastime from L. W. Heal abou March 1.

Let's go places — and do things!

Here's the selling kids with the box-office eyes . . . Here's Pre-vues on your screen . . . known wherever showmen hang their hats as the "come-hither" screen ads . . . Here's Lobby-Displays with that "magic touch" . . . Both backed by the same alert organization of picture-wise executives . . . on-your-toes . . . specialized personnel . . . advertising-wise production experts . . . serviced from the same branches . . . (new ones in key spots localizing our already superfine service) . . . sold on the same "easy-to-take" plan . . . on a rental basis . . . And made with the same result always in mind . . . Better sales appeal . . . fresher selling angles . . . get-them-in-and-bring-them-back-ideas . . . Yes sir . . . there's two of 'em to double your theatre advertising punch . . .

ational Screen Service
. . . prize baby of the Industry!

National Screen Accessories
. . . the magic touch of showmanshi

Definite Move On RKO Setup Near at Hand

(*Continued from page 1*)

them will undergo but slight change between now and the conclusion of the management discussions.

At the present time the intention is—

1. That Leo Spitz, president, will continue with the company;
2. That J. R. McDonough, former president of RKO Radio Pictures, will be designated for an executive post with well defined authority, presumably, however, only until the company is out of reorganization;
3. That Pandro S. Berman will be designated production head;
4. That the present RKO theatre operating setup will continue without change for some time to come.

Presumably, the aim of the conferees is to make permanent the four-cornered situation as it exists today. In order to do so, a definition of authority in the top executive posts appears to be necessary before any part of the program could be solidified or made workable. With the RKO trustee having access to the counsel of principal creditors in the current discussions this appears likely to be achieved within a matter of days.

With the executive posts clarified, it is believed highly probable that a proposal acceptable to Berman could be completed without delay. Berman has shied away from the added responsibilities of the post of production head, heretofore, but conferees here are of the opinion that arrangements could be made which would meet with his acceptance.

Immediate action on the theatre operating post is unlikely for the immediate future. All influential RKO interests are represented on good authority as being completely satisfied with the conduct of circuit operations by John O'Connor, Leslie E. Thompson and other theatre department heads.

Judy Garland Busy

Judy Garland didn't know what she let herself in for when she came to New York. Loew's publicity department sent out a hurry call to theatre managers asking if they wanted a picture of Judy reading their local newspapers, the idea being that the papers grab such photos for promotional ads, etc. So far, 50 requests have been received and today Judy will start posing for the bulb flashers.

Meyers on Job 30 Years

Gene Meyers, Loew's New York district manager, is observing his 30th anniversary with the circuit. His first job was at the Park, Peekskill, from where he was promoted to the old Yorkville here.

'Marseillaise' to World

World Pictures Corp. has acquired all American rights to "Marseillaise," first Popular Front film produced in France.

Booking Bill Approved by Senate Group

(*Continued from page 1*)

block booking, and by a requirement that every feature picture over 2,000 feet in length shall be accompanied by a complete and accurate scenario when offered for lease, outlaws blind booking.

In its report in 1936, the committee held that "not only are the practices of compulsory block booking and blind selling injurious to the public in forcing the showing of obscene or vicious pictures and in preventing the showing of many that are desirable, but they unfairly burden and oppress the independent exhibitors.

"Perhaps the most serious objection to these practices," the committee said, "lies in the fact that they tend to monopolize the playing time of the screens of the country and thus discourage independent producers from entering the field.

"So far as the exhibitors are concerned, the practices in question appear to be abnormal and unduly oppressive, and, from the standpoint of independent producers, they have the capacity and tendency to give to the "big eight" a virtual monopoly of the screens of the country, both affiliated and independent."

Alperson Explains G.N.-Educ'l Talks

(*Continued from page 1*)

company's plans for obtaining adequate capital on advantageous terms were stopped some time ago by the condition of the market. Phil Goldstone, he said, was merely trying to be of assistance and Goldstone had no personal interest in the negotiations that were under way recently in New York. Goldstone's efforts so far have not brought any results, Alperson added.

"But we are in good shape and don't need any money now," he said. "We have cut our overhead considerably and are taking in enough through collections to meet current running expense as well as put money into production. Our assets are four or five times our liabilities."

Alperson said Grand National has about 5,500 accounts. Fifteen pictures have been delivered since last September on this year's contracts out of the 48 scheduled, he said. Pictures that were due on 1936-'37 contracts were canceled out last May, he disclosed.

He said he would return to the coast next week.

Mexican Workers Threaten Walkout

(*Continued from page 1*)

ners, M-G-M, 20th Century-Fox, United Artists, Paramount, Universal, Columbia, and RKO—are awaiting word from the home offices before taking action in the matter, but it is indicated that they will seek a compromise to avert a strike, which would be long and costly.

Technicolor May Build 3 Europe Unit

(*Continued from page 1*)

London plant "most of the money
put up by British people," while
American parent company retain
control. He hinted that the same pr
cedure would obtain in the oth
countries, although he said that t
same conditions would not apply b
cause of the difference in Governme
regulations.

Kalmus pointed out that the forei
interests, in setting up the conter
plated branches, will utilize Techr
color's 20 years of experience a
patent rights, that the company w
send over machinery and Hollywo
technicians, and hence they will
expected to make substantial inve
ments.

Technicolor so far this year has o
ders which will amount to 50,000,0
feet of color film, as compared wi
40,000,000 feet processed in the enti
year of 1937, he said. He was n
prepared to estimate the business f
1938 except that, on the basis of t
output of more than 7,000,000 fe
this month, the Hollywood plant w
turn out a minimum of 84,000,000 fe

Plant Being Enlarged

The total output for the year c
be expected to go beyond that figur
he said, since the company is in t
midst of a plant expansion in Holl
wood on which it is spending clo
to $1,000,000, which will increase t
capacity to 130,000,000 feet a yea
Kalmus said that, on the basis of t
gross film output for the industry
one billion feet a year, the Techn
color production, if full plant capaci
is utilized, will be 13 per cent of t
whole.

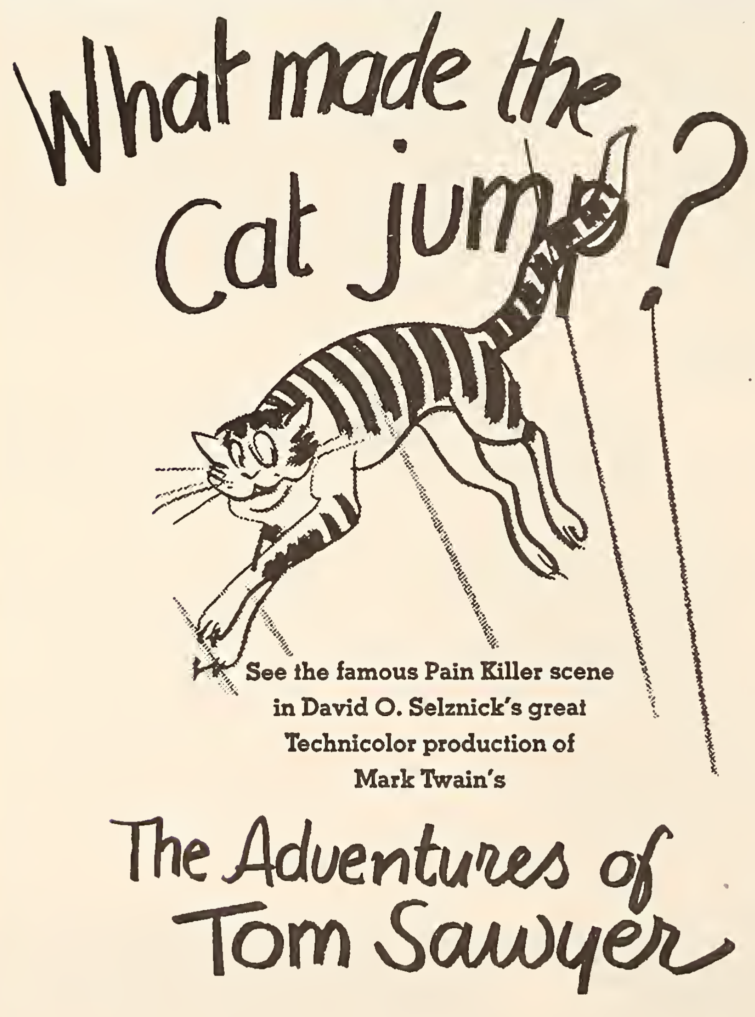
Warners' contract with Technicol
calls for eight or ten pictures, Pa
amount has booked six or eight, RK
has contracted for two and Univers
one, these contracts running into 193
'39, Kalmus said, in addition to Sel
nick International, Samuel Goldwy
and Walter Wanger, who are lar
users of the process. Walt Disney
contract, which runs two or thr
years, provides for the use of Techn
color exclusively, he said.

Wilcox to Continue Use

In London, Alexander Korda h
made commitments for six color pi
tures and Herbert Wilcox will co
tinue to use the process, he sai
When Wilcox was here last fall,
said half of his production would
Technicolor, and this week he a
nounced a schedule of six films f
1938.

Kalmus, who arrived with Mrs. Ka
mus late last week from Europe, r
turned here yesterday from their hon
in Massachusetts. He said he wou
be here 10 days and then go to t
Coast for six weeks. He plans a
other trip to London in May. Britis
Technicolor is doing "very well,"
reported.

Mrs. Kalmus left for Hollywo
yesterday for conferences with Techn
color's color control department,
which she is the head. She plans
return to London on March 15
supervise the color work on the Kor
and Wilcox films.



What made the Cat jump?
The Adventures of Tom Sawyer
See the famous Pain Killer scene
in David O. Selznick's great
Technicolor production of
Mark Twain's

VOR Testing Broadcasting By Facsimile

(Continued from page 1)

ly assistant chief engineer of the C., designer of the facsimile ethod used by WOR.

This morning's facsimile transmis-on was printed on a page 4 inches ide, although 10 or more inches are asible, according to Finch. The fin-ied facsimile page is printed by the ceiver upon a continuous ribbon of iper which may be torn from the ceiver in desired lengths. The text as confined to salient data on the evelopment of facsimile as a new mmunicating method.

For the present, WOR is utilizing s Carteret, N. J., transmitter to roadcast the facsimile publication. he station has applied for a special iannel to permit daytime operations pon a daily basis.

Receivers such as the ones used in is morning's tests cost about $125, it under mass production the price ill drop to $35 or less, it is claimed.

Ascap Suit Opposes Florida Music Bill

WASHINGTON, Feb. 9.—Broadcast-ig stations in the "north central rea," were charged today by Com-nissioner of Internal Revenue Guy . Helvering with having leased time to certain persons to engage in the rongful activity of seeking to induce roducers of hogs and consumers of ifferent articles to file claims for re-und of the processing tax."

Helvering asserted that the produc-rs at whom the broadcasts were imed are not entitled to such refunds nder the law.

The bureau's statement was issued s a warning to persons who might ave been influenced to file claims, and t was not indicated that any action vould be taken against the stations nvolved, which were not identified, lthough it was said the matter may go to the Federal Communications Commission for consideration.

Pettit to Get KDKA Post

PITTSBURGH, Feb. 9.—Clarence M. Pettit will become director of sustain-ng presentations for KDKA Feb. 15. He will develop the education and civic phases of broadcasting for KDKA. Derby Sproul will continue to have charge of commercial shows.

Cooke Quits Sanborn Show

HOLLYWOOD, Feb. 9. — Dwight Cooke, producer of the Chase & Sanborn series for J. Walter Thompson, has resigned. It was on this program that Mae West was presented some months ago, engulfing the sponsors and the agency in a storm of protest.

Novik Will Head WNYC

Morris S. Novik, director of WEVD for the past six years, yesterday was appointed by Mayor LaGuardia as director of WNYC, municipal station. Christie Bohnsack was recently dismissed as director of WNYC.

Radio Self-Control Is Impossible—Lohr

(Continued from page 1)

rules governing radio broadcasting similar to that of motion picture Production Code Authority was unworkable because:

Many scripts of both local and national programs are changed at the last minute; there can be no central body established for reading all scripts and a state of great confusion would exist if each station agreed to abide by certain industry-wide self-imposed regulations and then unintentionally violated them.

He told of restrictions imposed by NBC on the uses of various words, discussion of certain topics, and bans on certain subjects, such as detailing the commission of a crime, and added that he did not feel that censorship would ever come from a body outside of the radio industry, either, because of difficulties arising also in that direction.

Lohr disclosed that the NBC center here will be called Hollywood Radio City. The present building on Melrose Ave. will be retained, however, despite the added space in the new structure pending the outcome of the trend to Hollywood of eastern programs.

The recession has not hit broadcasting yet, Lohr said, pointing out that NBC had 22 new programs started in January.

Malone Goes to WOR On Continuity Staff

Ted Malone, CBS writer and producer, yesterday joined the WOR continuity staff. He will produce several new shows in the near future, the first of which will be the continuation of his CBS feature, "Between the Bookends," which will be presented Mondays, Wednesdays, Thursdays and Fridays from 8:30 to 8:45 A. M., beginning Feb. 28.

Other additions made to the WOR staff yesterday were John Donald Foster and Sid Walton. Foster, formerly of WLW, joined the sound effects crew, and Walton, formerly of WHN and commentator for Paramount News, became a member of the announcing and producing department.

Government to Rule Canada's Television

OTTAWA, Feb. 9.—Government control of television "for the public interest" has been promised in the first annual report of the Canadian Broadcasting Corp., tabled in the House of Commons by C. D. Howe, Federal Minister of Transport.

"Experimental licenses," the report states, "will be issued only to applicants financially able to conduct research."

The financial statement for the first five months of the corporation's operation, Nov. 2, 1936, to March 31, 1937, showed a total revenue of $836,998. Expenditures reached $708,179, leaving an operating surplus of $128,819.

"Magazine Man" Back on KGB

SAN DIEGO, Feb. 9.—"The Magazine Man" series has returned to the air on KGB after an absence of several months.

Examiners' Hearings Scheduled by F. C. C.

WASHINGTON, Feb. 9.—Examiners' hearings on broadcasting applications have been scheduled by the Federal Communications Commission, as follows:

Feb. 21: Applications of Clinton Broadcasting Corp. for a 1,310-kilocycle station at Clinton, Ia., with 100 watts power night, 250 watts day, and Burlington Broadcasting Co. for a 1,310-kilocycle, 100-watt station at Burlington, Ia.

March 9: Applications of Pawtucket Broadcasting Co. for a 1,390-kilocycle, 1,000-watt station at Pawtucket, R. I.; WLAP, Lexington, Ky., for change of frequency from 1,420 to 1,270 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts; and WPAX, Thomasville, Ga., for increase of time from day to unlimited and increase of day power from 100 to 250 watts.

WXYZ to Broadcast Detroit Ball Games

DETROIT, Feb. 9.—All of the next season's Detroit Tiger baseball games, with the exception of those played in New York, will be broadcast over WXYZ and the stations of the Michigan network. The games will be jointly sponsored by the Kellogg Co. and the White Star Refining Co., local division of the Socony Vacuum Oil Co.

Harry Heilmann, retired big league player, will handle the descriptions.

To Broadcast Award of Medal

Ceremonies in connection with the presentation of the Marconi Memorial Medal of Honor will be broadcast over the NBC-Blue Feb. 11 at 10:45 A. M. from the annual meeting of the Veteran Wireless Operators Association at the Astor. David Sarnoff, president of RCA and a life member of the association, will present the medal during the broadcast to Lieut. Carl O. Petersen, a member of the Byrd Antartic expeditions.

Settle Suit Against RCA

The $250,000 breach of contract suit brought by Abram J. Engelman against RCA, RCA Victor, RCA-Communications, Inc., RCA Radiotron Corp. and E. T. Cunningham Tubes, Inc., was marked settled and discontinued in the U. S. District Court here yesterday. Engelman claimed 2½ per cent of the profits earned through his alleged new development for radio tubes.

To Start Radio Serial

DETROIT, Feb. 9.—"The Black Flame of the Amazon," an adventure serial featuring Capt. Harold Noice, explorer and scientist, will make its debut over WXYZ and the stations of the Michigan network at 6:15 P.M. Feb. 14. The new program, which is transcribed, will be presented Monday through Friday, under the sponsorship of Hi-Speed Gasoline.

Hummerts Sail for Europe

Frank and Mrs. Hummert, of the Blackett - Sample - Hummert agency, sailed for Europe yesterday, reportedly to set up a division of the agency on the continent to specialize in radio. They were accompanied by Bob Goldstein.

▸ Radio Personals ◂

ORSON WELLES, the "Shadow" on Mutual, has forsaken the stage and radio for a week in Florida. . . . Dale Carnegie will be in Jacksonville Feb. 18 to address the Life Underwriters' Association. . . . Tom Cochran, recently in from Hollywood where he was an assistant director on the M-G-M staff, has sold a script to NBC. It will be recorded by the NBC Thesaurus. . . . Chester Stratton, managing director of National Radio Registry, Ltd., is constantly confused with Chester Stratton the actor. There is no connection whatsoever.

✚

Jack Benny will be on the M-G-M "Good News" show Feb. 17. . . . David Lowe, WNEW screen commentator, drew over 3,000 pieces of mail on his first 7 P.M. broadcast last Monday. He offered five pairs of tickets to a Broadway play and 15 pairs of tickets to film houses in the New York area for answers to questions about screen players. . . . Irna Phillips' month-old serial, "Woman in White," is already high up in the ratings. . . . Reinald Werrenrath and Joy Hodges will be the principal guests on the Hammerstein "Music Hall" Feb. 18. . . . George Zachery is directing the next two CBS "Workshop" presentations while William N. Robson vacations in Mexico. . . . The Landt Trio and White will substitute for Pick and Pat Feb. 21 while the latter are on vacation.

Varidy Back on Mutual

Varidy of Vienna will return to Mutual with a new series to begin either Feb. 13 or Feb. 20. The air time will be Sundays from 1:30 to 1:45 P. M. The series, as formerly, will feature the dance tunes of the Ted Weems orchestra. However, because Weems is now on tour, the first two programs will feature the band of Ernie Cummings. Stations which will carry the program are WOR, WGN, WIP, WHKC, KWK, WBAL, CKLW WSAI, WHK, WOL and WCAE. Baggaley, Horton & Hoyt is the agency.

Weed U. S. Agent for CHNS

Weed & Co. has been appointed American representative to CHNS, Halifax, to become effective Feb. 21. Three other stations have appointed Weed as representative, effective immediately. These are CKPR, Fort William, Ont.; CFAR, Flin Flon, Man., and CKBI, Prince Albert, Sask.

Dietz Heads KFAB Sales

LINCOLN, Feb. 9.—William P. Dietz, in the radio agency business for the past two years, has returned to his former post as head salesman for KFAB-KFOR, the appointment having been made by Don Searle, new general manager. Bill Edholm of the sales force has been transferred from the Lincoln studios to Omaha.

Named Mathes Vice-Presidents

Gordon E. Hyde, Charles R. Marshall and Charles S. O'Donnell have been elected vice-presidents of J. M. Mathes, Inc.

MOVIE OF THE WEEK:

The Goldwyn Follies

IN TECHNICOLOR

"The fact that Samuel Goldwyn has put his own name in the title of a movie is fair indication that he considers it an A-No. 1 picture. It completely outclasses its current competitors. "The Goldwyn Follies" stands out in stunning relief. It never loses pace. Its dancing is expert. Its comedy is really funny. Its Technicolor is the best yet."

LIFE ***magazine reflects the storm of applause from the country's critics awarded Samuel Goldwyn's newest and greatest hit!***

"The Goldwyn Follies" has been SRO from opening to closing yesterday and today at first popular priced showing. With thousands being turned away at our Lincoln Theatre, Miami Beach, Florida. The aggregation of talent that has been gathered for this picture supplies entertainment for everybody's tastes. Whether highbrow or lowbrow and, after all, a picture that contains the elements to entertain everyone is really the ultimate any producer could strive for. You've got a smash hit on your hands.

Sidney Meyer—Wometco Theatres

NOT REMOV

ert.
telligent
d
dispensable
the Motion
icture
dustry

MOTION PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 35 NEW YORK, FRIDAY, FEBRUARY 11, 1938 TEN CENTS

epublic Aims At Expansion, States Yates

gning of Grainger to Be the First Step

epublic is prepared to bid for a er share of the exhibition market, more money to be spent on protion and the strengthening of the ribution department with the elec- of James R. Grainger as presit of the eastern company, it was yesterday by H. J. Yates on his rn from the coast.

rainger will spend a vacation in nolulu and will not start with the pany until June 1, but he will nd the company's sales convention be held on the coast May 3 to 5, bably at the Roosevelt Hotel in llywood, Yates said. Grainger will ely be a spectator at the meeting, uainting himself with details meet- franchise holders.

oreign distribution representatives scheduled to attend the meeting, Morris Goodman, vice-president in

(*Continued on page* 14)

ermits Asked for Three New Stations

WASHINGTON, Feb. 10.—Authority construct three new broadcasting tions was asked of the Federal mmunications Commission today in plications filed by the Greenville oadcasting Co. for a 1,500-kilocycle,)-watt daytime station at Greenville, C.; Coastal Broadcasting Co. for a 20-kilocycle station at Brunswick, ., with 100 watts power night, 250 tts day; and Citizens Voice & Air ow for a 1,210-kilocycle station at ovo, Utah, with 100 watts night, 0 watts day.

Application for authority to increase

(*Continued on page* 13)

CC Sets Hearings On G. E. Television

WASHINGTON, Feb. 10.—The Fedal Communications Commission deared today that an examiner's hearg would be held March 24 on the plications of the General Electric . for authority to construct four levision stations.

The applications cover two stations

(*Continued on page* 13)

More Radio—Pp. 13-14

Majors Calm Over Neely Bill Action

New York distribution circles were unperturbed yesterday over the news that the Neely anti-block booking bill had been reported favorably to the Senate by that body's Interstate Commerce Committee, but local exhibitors displayed keen interest in the development.

Comment typical of that encountered in distribution quarters was this: "The action is not surprising in view of the fact that the same committee with substantially the same membership took the same action last year."

Exhibitor opinion is characterized by this: "The distributors have only themselves to blame. After all the agitation there has been for this type of legislation, they started out this season by either refusing a cancellation privilege or establishing less liberal cancellation terms than were offered in preceding years."

Both exhibitor and distributor spokesmen were in agreement for the most part that no further action on the measure could be expected in the Senate for at least another month, due to the congested calendar resulting from the Senate filibuster. It was admitted, however, that the committee's move would be likely to encourage House action on the Pettengill bill.

Florida Court Bans All Giveaway Games

LAKELAND, Fla., Feb. 10.—Theatre Bank Night, Cash Night, Screeno and similar games were declared illegal in a decision handed down today by Circuit Judge H. C. Petteway, who granted an injunction restraining the operators of the Lake Theatre here from conducting such drawings.

Judge Petteway held that the awards "constitute a lottery within the meaning of our Constitution." Counsel for the defense indicated that an appeal would be taken to the State Supreme Court.

"Nocturno" Reviewed By Board of Regents

ALBANY, Feb. 10.—"Nocturno," German-made picture refused a license by Irwin Esmond, chief censor, was reviewed by William Leland Thompson and Thomas J. Mangan of the Board of Regents. Following the review, Producer Gustave Schwab represented himself, with both Charles A. Brind, Jr., and Esmond submitting arguments on behalf of the Department of Education. The portion of "Norturno" objected to is the setting in a bagnio.

Today's committee may be named as

(*Continued on page* 6)

Predict $530,000

The fourth week of "Snow White and the Seven Dwarfs" at the Music Hall grossed $101,000, bringing the total gross on the first four weeks to $431,000. The Music Hall expects the fifth and final week to do slightly less than the fourth, or about $100,000. This will bring the total intake to some $530,000, a record for the industry.

Para.-Cohen Agree Upon a Settlement

HOLLYWOOD, Feb. 10.—Paramount today reached an agreement with Major Pictures and Emanuel Cohen by which an adjustment of counterclaims arising from the recent cancellation of contract with Cohen was made. The agreement reached ends the possibility of legal action being taken by either Cohen or Paramount as a result of the breach. Cohen had threatened to bring an action for $1,000,000 damages.

Under the terms of the settlement Cohen will receive an undisclosed sum and Paramount will take over the lease on the General Service Studios

(*Continued on page* 4)

Alperson Will Fight Application for 77B

Grand National will fight the application for bankruptcy filed against the company in Los Angeles yesterday by B. F. Zeidman, producer, and two other minor creditors, Edward L. Alperson, president, said here last night.

"There is no justification whatever for the action," Alperson declared, denying the allegations which included that the company committed acts of bankruptcy through alleged preference of creditors and alleged transfer of equipment and money with

(*Continued on page* 10)

Musicians Sue Over Limitation on Work

A test suit by 11 members of Local 802 of the American Federation of Musicians against the local to determine the union's right to limit the number of jobs which can be held by members earning more than $54 weekly, yesterday was set down for an immediate trial Feb. 15 in N. Y. Supreme Court by Justice Thomas F. Noonan.

The local agreed to enforce the resolution until after decision has been rendered and the plaintiffs withdrew their motion for a preliminary injunc-

(*Continued on page* 6)

Film Measure Completed by Commons Unit

Bill Now Goes to Third Reading in House

By AUBREY FLANAGAN

LONDON, Feb. 10.—The British Films Bill, in which is included the controversial quota provisions, finally was completed today in amended form by the House of Commons Films Bill Committee, which has had the measure under consideration for several months. The bill now will go to the full House of Commons for a third reading and probable approval.

During the final committee session today, Oliver Stanley, Board of Trade president, was bombarded with amendments, some seeking an increase in the quota percentages. He refused to consider an increase in the distributor quota, but agreed to an increase in the exhibitor quota from 10 to 12½ per cent. At the same time he accepted a suggestion that after the first year of the new Films Act, the new Film Council might consider a revision of the exhibitors' quota percentages. The limit would be an increase from 25 per cent to 30 per cent at the close of the 10-year period of the new legislation.

Admiral Taylor contended that Stanley "pistol-pointed" the producers,

(*Continued on page* 14)

"U" Will Deliver 40 Films for Year

Universal will complete and deliver 40 pictures this season, officials of the company said yesterday in advance of the departure of Nate J. Blumberg, president, for the studio to set production plans for the balance of the season with Charles R. Rogers, executive vice-president.

The company reported that 24 pictures on the current season's schedule

(*Continued on page* 14)

M-G-M to Make Six Features in Color

M-G-M is planning to make six features in Technicolor, it is learned. While other major producers have been gradually increasing their use of color in features, M-G-M has had no all-color pictures since "The Viking" in 1929, it was said.

The company has been using sepia tints in some sequences in the last

(*Continued on page* 14)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Loop Holds "Buccaneer"

CHICAGO, Feb. 10.—"The Buccaneer" completed its third week at the Chicago here tonight. It is the first time any picture ever played three weeks at the house. The film will open tomorrow at the Oriental for its fourth week on the Loop.

Griffin to Give Dinner

Herbert Griffin, vice-president of International Projector Corp., will be host at a dinner at the Hotel Pennsylvania next Wednesday at which heads of circuit projection departments will view the new Simplex E-7 mechanism.

King Vidor to London

HOLLYWOOD, Feb. 10.—King Vidor has been signed by M-G-M to direct "The Citadel" in London. It will be the second in a series of M-G-M films to be made in England.

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Lincoln's Birthday.**

Hollywood Preview

"The Beloved Brat"

(Warners)

HOLLYWOOD, Feb. 10.—"The Beloved Brat" is an interesting and different kind of picture. It is not entertainment as many interpret the word. It is a striking demonstration of how the screen may serve as an educational medium. Here is a serious story sometimes to the point of being forbidding. The film is a problem play, not without humor, that should engage the attention of every father and mother.

The heroine is a child (expertly played by Bonita Granville), who, neglected and ignored by her wealthy parents, became a 13-year-old she-devil who drove all coming in contact with her to the verge of nervous prostration. Culminating her series of spiteful escapades by causing a fatal automobile accident and giving perjured testimony which sends a chauffeur to jail, she is placed in a corrective school. She is stubborn at first, even against the hazing of other child inmates. But she responds to kindness. In a dramatic episode with Dolores Costello that is overheard by her parents, Donald Crisp and Natalie Moorehead, she refuses to go home. Later with her mother at the point of death, Crisp comes to her, confesses his dereliction of fatherly duty. He admits that Miss Moorehead and he were wrong and begs her to return to the home she will make happy.

There are many things that recommend "The Beloved Brat" to the exhibitor and to public attention. There is the remarkable performance by Miss Granville; the understanding support by Miss Costello, Crisp, Emmet Vogan, Lucille Gleason and the roles of Bernice Pilot and Stymie Beard, colored players. Then there is the quality of the original story by Jean Negulesco and the screenplay by Lawrence Kimball. The film was forcefully directed by Arthur Lubin.

Running time, 60 minutes. "G."

New York Preview

"Romance in the Dark"

(Paramount)

Public enthusiasm for musical films should be stimulated by "Romance in the Dark." This is the film in which Gladys Swarthout is the target in a tomato-throwing episode that reaped national publicity. The stunt has been soft-pedaled a bit, but is nevertheless present. John Boles lends his voice.

The musical content of the picture, which is worked in with the serio-comedy aspects of the story, include arias from the works of Rimsky-Korsakoff, Bizet and modern ballads by Ralph Rainger, Leon Robin, Phil Boutelje, Ned Washington and Jay Gorney. John Barrymore gives a Hungarian version of an impresario.

Miss Swarthout, graduate of a country music school, haunts Boles, a famous Hungarian tenor, until he learns she can sing. He sees in her a solution to his difficulties, with Barrymore, who makes himself annoying by stealing all of Boles' women. Boles takes Miss Swarthout out to his country place, which is adjacent to the estate of Claire Dodds, his current interest. There he sets a snare for Barrymore by palming Miss Swarthout off as a Persian princess. Barrymore, about to be left out on a limb, romantically and commercially, for Boles is hesitating about signing a new contract with him, takes the bait. After a few complications between Boles and Miss Swarthout—they both seem to have fallen in love—Barrymore takes Miss Swarthout to a debut in Budapest. A snooping columnist learns she is just a country girl and publishes it on her opening night. Her debut is almost a flop. Boles steps into the leading male role and saves the situation. The proceedings are satisfactorily ironed out for everyone except Barrymore.

The film was directed by H. C. Potter. Boris Morros' musical direction is his usual well turned out work. The production, musically and theatricallally is first rate.

Running time, 80 minutes. "G."

(Additional Review on page 4)

Warners to Open Lab

HOLLYWOOD, Feb. 10.—Warners will hold a "press preview" of its new $500,000 laboratory Feb. 15.

The new laboratory will develop all negatives of Warner pictures and, in addition, will make the prints for pictures to be shown on the West Coast.

Mrs. Kennedy Recovered

BOSTON, Feb. 10.—Mrs. Joseph P. Kennedy today left for Palm Beach following her discharge from St. Elizabeth's Hospital, where she underwent an appendicitis operation. She will sail for England with her husband March 9.

◂ Purely Personal ▸

G. L. CARRINGTON, Altec vice-vice-president, has arrived on the coast to confer with the Research Council of the Academy. He will stop at west coast branches of the c[illegible]pany and at Seattle, Salt Lake C[illegible] Denver, Kansas City and Chicago on the return trip.

•

ARTHUR HOUGHTON, former member of the Hollywood Production Code Administration staff, has left New York for a Florida vacation prior to sailing for London on the *Washington,* Feb. 23, with JOSEPH P. KENNEDY.

•

JOHN JOSEPH, Universal advertising and publicity director, who leaves New York today on his first visit to the studio, will stop off in Chicago a day to prepare the campaign on "Mad About Music." He will be on the coast for at least two weeks.

•

CARL SHALIT, Columbia central division manager, and PHIL DUNAS, mid-central division manager, are in New York in connection with work on the A. MONTAGUE Good Will sales drive.

•

JOHN BARRYMORE yesterday stated that he and his wife, ELAINE BARRY, will appear on Broadway next fall in "My Dear Children," stage play to be produced by BROCK PEMBERTON.

•

CAPT. EDOUARD C. MOLINIER, producer of "La Grande Illusion," is in New York from Paris to set an American distribution deal on his World War picture.

•

ANN GILLIS, featured in "The Adventures of Tom Sawyer," tomorrow will be given a birthday party luncheon at Wanamaker's. TOMMY KELLY will attend.

•

CHARLES LIGHT, export manager of Alexander Film Co., will leave next week for Havana, Puerto Rico and Mexico City. He will be gone about a month.

•

ALEC MOSS is handling the advertising and publicity direction at Paramount while ROBERT GILLHAM is on the coast, for which he left yesterday.

•

HARRY GOLDBERG, advertising manager of Warner theatres, is back from conferences in Cleveland, Chicago, Milwaukee and Pittsburgh.

•

STANTON GRIFFIS, chairman of the Paramount executive committee, plans to leave for Miami at the end of the month for a vacation.

•

EDWIN MILES FADMAN, managing director of Films Red Star of Paris and Brussels, will sail tomorrow on the *Ile de France.*

•

ARTHUR LEE, G. B. vice-president, will leave over the weekend for Dallas and Los Angeles.

•

W. RAY JOHNSTON, Monogram president, is due back from the coast on Monday.

•

JACK CHERTOK, M-G-M shorts producer, will leave today for the coast.

HOLDOVERS!
HOLDOVERS!
NOTHING BUT
HOLDOVERS FOR

"HAPPY LANDING"

SONJA'S HAPPIEST
BOXOFFICE HIT!

4TH WEEK ROXY, N. Y.

(First 4-week run since 1934! Fifth 4-week run in the Roxy's 11-year history—and all were from Fox studios!)

3 WEEKS IN BALTIMORE!

. . . *and HELD OVER in these key cities:*

BOSTON
MILWAUKEE
SPRINGFIELD
SAN FRANCISCO
CINCINNATI
PHILADELPHIA
LOUISVILLE
RICHMOND
CHICAGO

SEATTLE
ST. LOUIS
MINNEAPOLIS
CLEVELAND
DAYTON
INDIANAPOLIS
BUFFALO
ROCHESTER
NORFOLK

and 42 other towns!

that's
20th CENTURY FOX
THE KEYSTONE
OF YOUR FUTURE

Newsreel Parade

Movietone News

Vol. 20, No. 44

(*20th Century-Fox*)

Lew Lehr's inanities provided this reviewer with more entertainment than anything else in the current Movietone release, hence either the midweek news situation or the reviewer's sense of humor is found wanting.

President Roosevelt reads a message in observance of Boy Scouts Day and New York Scouts parade up Fifth Avenue to church services. A heap of used cars go up in flames to make a Roman holiday for newsreel cameramen and an Indiana motorists' safety campaign. Mabel Starke tells the folks why she'd rather train lions than men, i. e., to get some publicity for Al G. Barnes' Circus. A new Colorado River dam project supplies good pictorial material, and shots of the Silver Skates contests at Madison Square Garden, New York, rate high in entertainment value. Southern California contributes a clip on a girls' softball team in good form, and northern California comes through with some blizzard scenery of good pictorial value. Clips on ice skate sailing and on how to be beautiful though bespectacled are brief. But that Lew Lehr and his beef trust! What a man!

Running time, 10 mins. K.

News of the Day

Vol. 9, No. 242

(*M-G-M*)

When conversation turns to the weather, usually it is for lack of a better subject. When the weather is the feature of a newsreel release, usually it is for the same reason. A blizzard in the northern California mountains, floods in Illinois and various goings-on in Florida, where little would occur if it weren't for the winter climate, occupy a large part of this release.

An ice derby at Madison Square Garden, New York, is as good a subject as any in this edition. A mass wrecking and burning of used cars in an Indiana safety campaign makes good pictorial material. A message from President Roosevelt on the occasion of National Boy Scouts Week is on the routine side. A New York police roundup of suspicious characters and a brief exposition of criminal identification work is turned to the service of N. Y. World's Fair publicity. A fur fashion show with Florida bathing beauties as models verges on the scenic, while a woman lion trainer at work is just one of those things. A free-for-all in a Florida mud ring and the Washington post-nuptial antics of one Senator Smathers and bride are on the comedy side.

Running time, 9 minutes. K.

Paramount News

No. 55

(*Paramount*)

There is an ample range of material in this issue of the reel to suit all tastes. The featured clip pertains to the general indictment of the "lunacy commission" system, which is said to be causing the release of criminals, showing the New York legislative hearings, and the local police roundup of suspects, as well as their appearance in the "lineup."

Workmen are seen flocking to the shipyards at Newport News for work in connection with the Navy's building program, experts are seen at work in Washington on new plans, and two gun and torpedo plants are pictured in the midst of activity. Less significant material includes the departure of Herbert Hoover for Belgium, Frederick Snite, Jr., in his "iron lung" witnessing the wedding of his sister, Mabel Stark training lions, a French exhibit of surrealist painting, and good scenes of the record snowfall in the Sierra Nevadas.

Running time, 10 mins. A.

RKO Pathe News

Vol. 9, No. 59

(*RKO*)

There is little in this reel to bring it out of the routine class, leading with a Boy Scout anniversary parade in New York, and a greeting and appreciation from President Roosevelt. A new plane designed for fast stratosphere flights is pictured in Chicago tests, Herbert Hoover leaves for a visit to Belgium, and there is amusement in the heavy Scotch burr of a workman expressing his happiness at the prospect of a long period of employment, as he goes to work on the *Queen Elizabeth* in a Glasgow shipyard.

Of interest to women will be the well-photographed fashion shots from *Vogue*, picturing the new spring styles in formal and semi-formal wear, against an attractive room background. Fort Wayne, Ind., contributes to the auto safety campaign by making a huge bonfire of ancient and dangerous automobiles, the wrestling squad of Washington & Lee engages in a wrestling free-for-all, and the New York police are seen launching their dragnet for suspects, with an interesting flash of what happens when an individual phones a call for police help, and shots of the "lineup."

Running time, 8 mins. A.

Universal Newsreel

No. 640

(*Universal*)

Here is another routine assemblage of wintry weather phenomena, bathing girls, airplane tests and other assorted events which are brightened and made interesting by good editing and lively captions.

The floods and ice jams in Illinois and up-state New York were made the lead. Next is Deanna Durbin leaving imprints of her hands and feet in Sid Grauman's sidewalk. Attractive girls at a Miami Beach pool play swimming waitresses. Donner Summit, Cal., is shown coming out from under a heavy snowfall. Herbert Hoover is seen embarking for Belgium. Two newly developed airplanes make trial flights. The prettiest girl in eyeglasses gets a trip to Hollywood as a prize. Fifty old cars make a spectacular fire in Fort Wayne, Ind. Buxom performers from the chorus of a Miami night club do beefy calisthentics on the beach. A diverting clip on mud-wrestling at Lake Worth, Fla., humorously brings the reel to its conclusion.

Running time, 9 mins. P.

Hollywood Preview

"The Baroness and the Butler"

(*20th Century-Fox*)

HOLLYWOOD, Feb. 10.—In view of his rise to fifth position in the MOTION PICTURE HERALD's list of the Ten Best for 1937 it is axiomatic that William Powell's first 1938 vehicle will sell well to the customers. "The Baroness and the Butler" has the additional allure as well as being exploited as Annabella's first American film. Further, it offers Powell in his popular role of a super butler who politely looks down his nose at his overstuffed betters. These and other selling points may prove powerful enough to divert attention from a regrettable lack of sparkling dialogue, a certain narrational incoherence in the closing stretches and a not especially fortuitous embroidering of the social upheaval theme with humorous intent. It should not be exploited as one of Darryl F. Zanuck's major triumphs.

The play by Ladislaus Bus-Fekete of a continental setting and pattern details the rise of Butler Powell as a radical member of Parliament while continuing in the service of conservative Prime Minister Henry Stephenson, who he deposes politically and who ultimately dismisses him personally for neglecting his work. Thereupon Powell tells Stephenson's daughter, Annabella, of his love and is discovered in her embrace by her husband, Joseph Schildkraut, who uses his husbandly advantage to extort political benefit. But he is thwarted when Annabella tells Parliament all about it in an open session.

The screenplay by Sam Hellman. Lamar Trotti and Kathryn Scola achieves a moderate degree of situational humor, but fails to support it adequately in the speaking department. It starts slowly, changes key in mid-picture and winds up a little confusedly as something between political satire and emotional drama.

Associate Producer Raymond Griffith and Director Walter Lang were manifestly liberal in the expenditure of money and time in an effort to turn out a glittering piece of sophisticated merchandise. It is an exceptionally beautiful product. Unfortunately, it is not very funny. Possibly, as remarked, the obvious sales points will compensate for this deficiency.

Running time, 77 minutes. "A."

Para.-Cohen Agree Upon a Settlement

(*Continued from page 1*)

used by Cohen. Pursuant to an agreement between both parties to the settlement, Cohen declined to deny or affirm the report that he received $500,000 from Paramount.

The agreement was described at Paramount as "solely an adjustment of the financial obligations accru[illegible] to both parties as a result of abrogation of the deal. Both Paramount and Major are responsible for certain costs and charges and each assumes its full obligations under the agreement," it was said.

Cohen will leave Monday with Mrs. Cohen for a three-month vacation abroad, spending a week in New York prior to sailing.

Lichtman Goes South

Al Lichtman is cutting his New York stay and will leave today for for Miami for conferences with Nicholas M. Schenck, president of M-G-M. He expects to be in Florida only a day or two before returning to the coast for an extended stay at the studio. He conferred here with W. F. Rodgers on distribution progress and with J. Robert Rubin on story purchases and other production matters.

Honor Louis B. Mayer

HOLLYWOOD, Feb. 10.—A dinner in honor of Louis B. Mayer, retiring president of Motion Picture Producers' Association, is scheduled to be held at the Ambassador Hotel, Los Angeles, on Feb. 21. Mayer, president of the association for the past seven years, was elected first vice-president at the annual meeting Monday.

Charles Ball to Keith's

INDIANAPOLIS, Feb. 10.—Charles Ball, former manager of a number of neighborhoods here, has been named manager of Keith's.

M-G-M Changes Title

The foreign release title of M-G-M's "Paradise For Three" will be "Romance for Three."

Wall Street

Universal Best Board Gain

	Open	High	Low	Close	Net Change
Col.	13⅝	13⅝	13⅝	13⅝	+ ⅛
E. K.	154	156½	154	156	+2
E. K. pfd...	162	162	162	162	.....
Para.	10⅛	10⅝	10⅛	10⅜	+ ¼
Para. 1.....	10½	10½	10½	10½	.....
Para. 2.....	88½	88½	88½	88½	+1¾
Pathe	6	6	6	6	+ ¼
RKO	3⅞	4	3¾	3¾	+1
20th Fox ..	22¼	22¼	22	22	.....
Univ. pfd.	42	43	42	43	+3
W. B.	6⅛	6⅜	6⅛	6⅛	— ⅛

Little Curb Activity

	Open	High	Low	Close	Net Change
G. N.	11/16	11/16	11/16	11/16	+1/16
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	18	18¼	18	18	.....
Trans-Lux	2¾	2¾	2¾	2¾	— ⅛
Univ. Corp.	3	3	3	3	.....

Para., Warner Bonds Up

	High	Low	Close	Net Change
Loew 3½s '46.....	99¾	99¾	99¾	— ⅛
Para. Pict. 6s '55	92	91¾	92	+ ½
W. B. 6s '39......	73½	73½	73½	+ ½

(Quotations at close of Feb. 10)

VOICE OF THE PRESS!

Singing the praises
arousing public enthusiasm
echoing through the nation
heralding M-G-M's mighty audience thrill

"OF HUMAN HEARTS"

(M-G-M's $5,000 *Nationwide Title Contest Picture!*)

CLARENCE BROWN's PRODUCTION

ith Walter Huston • James Stewart • Beulah Bondi • Guy Kibbee • Charles Coburn • John Carradine • Screen Play by Bradbury Foote
Based on the story "Benefits Forgot" by Honore Morrow • Directed by Clarence Brown • Produced by John W. Considine, Jr.

Musicians Sue Over Limitation on Work

(*Continued from page* 1)

tion. The resolution was adopted by a referendum vote of 2,780 to 1,946 Dec. 29 and was scheduled to take effect Feb. 15. Permission to bring the suit for the purpose of deciding the legality of the resolution was granted by the union.

The resolution reads:

"WHEREAS the great unemployment of members tends to cause disunity among the membership, thus weakening its position and strength, and

"WHEREAS engagements are unequally distributed within our local, resulting in the fact that a relatively small group do all the work while the great majority of our membership is unemployed,

"THEREFORE BE IT RESOLVED that a referendum ballot vote be held at the headquarters of the local Dec. 29, 1937, notice of which is to be sent by mail to all members not later than Dec. 23 on the following proposition:

"Any member playing a steady job paying $54 or more per week shall be prohibited from accepting any additional engagements except (1) in the case of name organizations that play extra engagements as an entity under said name, and (2) in the case of individuals in unusual circumstances warranting exception (such circumstances to be judged and passed upon by the Executive Board)."

The petitioners contend that price scales and working conditions are fixed by the constitution and by-laws and can be amended only in the manner provided in the constitution. It is alleged that the resolution attempts to avoid these requirements and that the limitation of one job to a member will fail of its purpose to spread employment.

The plaintiffs are David Grupp, Sam Borodkin, Harry Urbout, Charles Dell Staigers, Norman Weiner, David D. Voorhees, Mitchell Miller, Max Manne, Harry Glantz, Sam Feinsmith and Gilbert Koerner.

Even in Iceland

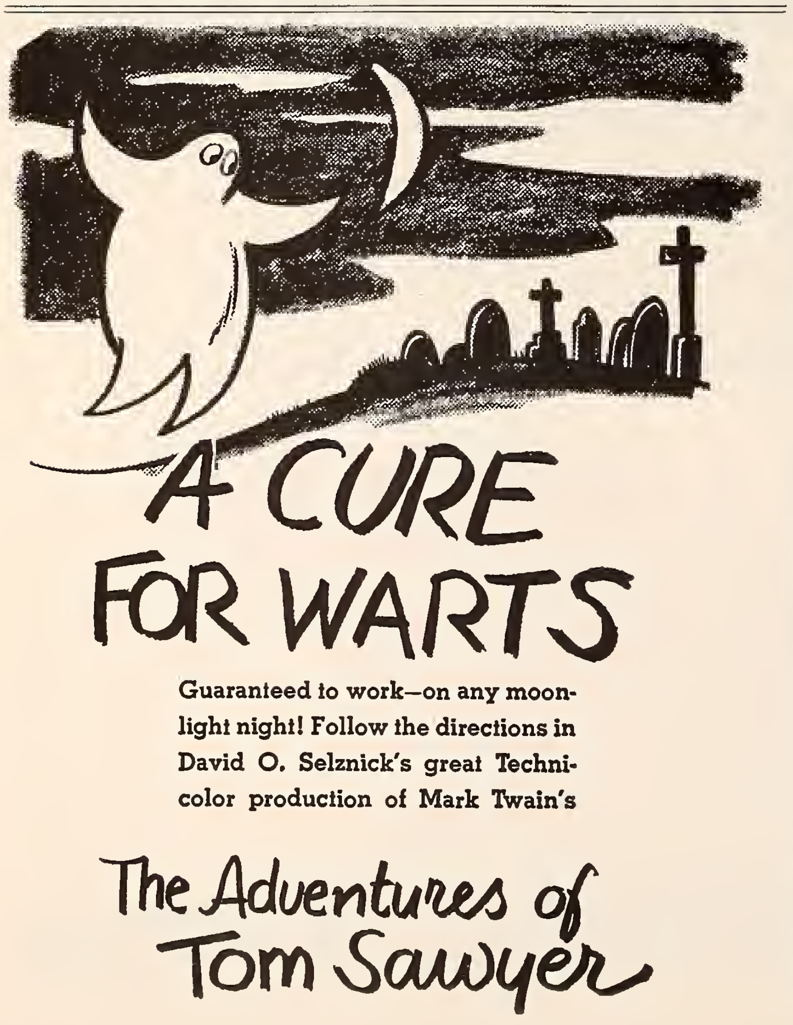
Records are falling faster than the stock market.

Paramount sends this out:

"In what is probably the first announcement regarding the breaking of motion picture records in Iceland, the statement is issued by Paramount's Foreign Department to the effect that 'The Jungle Princess' starring Dorothy Lamour and Ray Milland recently broke all existing records at the Gamla Bio, Reykjavik, Iceland, including the record established by 'Lives of a Bengal Lancer' several years ago. It is apparent from this that what the people in Iceland like are pictures filmed in torrid climes."

T. F. Murphy Married

DENVER, Feb. 10.—Thomas Francis Murphy, theatre owner at Raton, N. Mex., and Miss Mabel Helen Slee, secretary in the Gibraltar Theatres headquarters, Denver, were married here and left on a honeymoon to California and South America.



Guaranteed to work—on any moonlight night! Follow the directions in David O. Selznick's great Technicolor production of Mark Twain's

The Adventures of Tom Sawyer

"Nocturno" Reviewed By Board of Regents

(*Continued from page* 1)

a standing group to review pictures on which licenses are denied, although it will not be known definitely until the entire Board of Regents meets here tomorrow. "Remous," on which an appeal has been filed by Arthur Mayer and Joseph Burstyn, was not reviewed today on request of the producers, who asked for a later date. Arthur Garfield Hays is one of the attorneys for the appellants.

The Board of Regents is expected to take action tomorrow on a new appeal filed by the American Committee on Maternal Welfare, Inc., on "The Birth of a Baby," denied a license by Esmond, who was subsequently upheld by Commissioner of Education Frank P. Graves. As the Regents also have reviewed the picture, they are not expected to again review it, but may hand down a decision on the appeal.

Caruthers Is Denied Appeal in RKO Suit

Allen Caruthers, a playwright, was denied permission to appeal or reargue an order which dismissed his plagiarism suit against RKO Radio Pictures, Inc., by Federal Judge John M. Woolsey in the U. S. District Court here yesterday. Judge Woolsey dismissed the suit last August.

In his opinion Judge Woolsey pointed out that the original motion had received "careful consideration" and that the time to appeal had expired. Caruthers charged infringement of his play, "The Sooners," in "Cimarron." He sought an accounting of the profits, an injunction and damages.

Dismiss Kaplan-Fox Suit

The $50,000 copyright infringement suit brought by F. Kay Kaplan against the Fox Film Corp. was dismissed by Federal Judge Vincent L. Leibell in the U. S. District Court here yesterday after a trial extending over two weeks.

Miss Kaplan charged that the copyrighted cover design of the August, 1929, issue of *Theatre Magazine* was infringed in a set used for "George White's Scandals of 1935."

Guild to Court on "Gods"

Legal action to restrain the distributors of the film, "The Gods at Play," from use of the title and allusions to "Amphitryon 38" in advertising and publicity is to be taken by the Theatre Guild, producer of the latter play now current on Broadway, the Guild stated yesterday. Charging that the advertising and publicity used in connection with the film is "misleading and improper," the Guild states that while use of such matter has been discontinued in New York and Chicago it is being repeated in other cities, and added that "the Guild intends to take legal action to protect its rights."

Equity Defers Merger

Action on proposals for the absorption of Chorus Equity by Actors Equity Ass'n was postponed to Feb. 18 by the council of the latter organization yesterday, which devoted all of the special meeting to a discussion of revisions of the bylaws of the Associated Actors & Artistes of America, the parent entertainers' union.

Columbia Club Party Is Set for Tomorrow

The Columbian Club, home office employe organization of Columbia, will hold its eighth annual party tomorrow evening at the Waldorf Astoria. Approximately 600 people will be on hand for the dancing and entertainment. Music will be furnished by Dick Mansfield and his orchestra. Henry Youngman will be master of ceremonies. The entertainment line includes Sheila Barrett, Bert Frohman, Judy Garland, Bob Hall, Estelle Taylor, the Grey Family, Francis Lederer, Margo, Ralph Bellamy and Gertrude Niesen.

Among those expected to attend are Jack Cohn, Abe Montague, Nate Spingold, Louis Barbano, Joe McConville, A. Schneider, Louis Weinberg, Louis Astor, Max Weisfeldt, Hy Daab, Charles Moskowitz, Spyros Skouras, Joseph Vogel, W. G. Van Schmus, Eugene Picker, William Powers, Joe Eagen, Leonard Schlessinger, Dave Loew and John O'Connor.

Rolan Quizzes Young Guests at the Ampa

Ralph Rolan, president of Ampa, turned interviewer at the luncheon meeting of the group yesterday and elicited some pertinent information from Tommy Kelly and Ann Gillis, of the cast of "Tom Sawyer." When Rolan suggested that the Selznick picture will follow "Snow White" at the Music Hall as a sort of trailer in reverse English, the kids burned up.

Louis Schaffer, general director of the Labor Stage, spoke on the production of "Pins and Needles," drawing the moral that producers, as well as advertising men, would do well to adopt two principles: Know your commodity and know your market.

Gloria and Yvonne Mann, child actors, gave a takeoff on Judith Anderson and Helen Menken in "The Old Maid." Roy Harris, winner of M-G-M's $5,000 "Of Human Hearts" title contest, took a bow and said he will use the money for a college education.

Name Team Captains In Paramount Drive

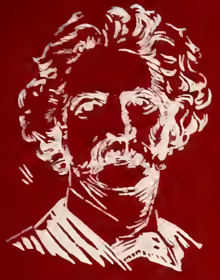
HOLLYWOOD, Feb. 10.—Team captains from the studio talent list have been named by Adolph Zukor in the "Paramount on Parade Around the World" sales drive which will run 13 weeks from Feb. 27.

The players and the countries they are to represent are: Fred MacMurray and Ray Milland—Great Britain and Ireland; Claudette Colbert—France; Isa Miranda—Italy; Franciska Gaal and Olympe Bradna—Central Europe; Tito Guizar—Central America; Dorothy Lamour—Asia; W. C. Fields—Australia; Harold Lloyd—Norway, Denmark, Sweden and Finland, and Gladys Swarthout and Georges Rigaud—South America.

A studio luncheon today at which Zukor spoke featured the preparation for the drive.

Brazil Approves "Gun"

RIO DE JANIERO, Feb. 10.—The Brazil censor ban on "They Gave Him a Gun" was lifted today, after almost 60 feet had been cut from it and several translations had been changed.



THE » FLAM
ING » GENIUS » OF
MARK » TWAIN;
THE » DEEP » UN
DERSTANDING
AND » INFINITE
RESOURCES » OF
DAVID O. SELZN
ICK » MAKE » “THE

ADVENTURES
OF TOM SAWY
ER" » A » PICTURE
THAT » WILL » ADD
A » NEW » PAGE » TO
AN » ALREADY
GLORIOUS » SCR
EEN » TRADITION

Filmed in TECHNICOLOR

Released thru
UNITED ARTISTS

'Hurricane" Is High in 2 Boston Spots

Boston, Feb. 10.—"The Hurricane," laying for the first time at popular es and on a dual with "Beg, Borw, or Steal," swept everything aside t the Loew's Orpheum with $19,500, 7,500 above average. The same program at the Loew's State also hit the igh spots with $15,000, which was 4,000 above average.

"I Met My Love Again" and a tage show featuring Mitzy Green nd Harriet Hoctor, took $18,000, up y $6,000, at the RKO Memorial.

"Thank You Mr. Moto," with "Love nd Hisses," the latter second run, lrew $5,000 at the Fenway, over average by $500. At the Paramount he same program drew an average 7,000.

Total first run business was $92,00. Average is $79,500.

Estimated takings for the week ending Jan. 28:

"LOVE AND HISSES" (20th-Fox)
'THANK YOU, MR. MOTO" (20th-Fox)
FENWAY—(1,382), 30c-50c, 7 days. ross: $5,000. (Average, $4,500)

"HURRICANE" (U. A.)
'BEG, BORROW OR STEAL" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-40c-5c. 7 days. Gross: $19,500. (Average, 12,000)

"HURRICANE" (U. A.)
'BEG, BORROW, OR STEAL" (M-G-M)
LOEW'S STATE—(3,537, 25c-40c-55c, 7 ays. Gross: $15,000. (Average, $11,000)

"I MET MY LOVE AGAIN" (U. A.)
RKO MEMORIAL—(2,970), 35c-50c-65c, days. Stage: Mitzy Green and Harriet loctor. Gross: $18,000. (Average, $12,000)

"HOLLYWOOD HOTEL" (W. B.)
METROPOLITAN — (4,322), 25c-40c-65c days. Stage: Georges & Jalna. Gross: 19,500. (Average, $22,000)

"LOVE AND HISSES" (20th-Fox)
(2nd run)
'THANK YOU, MR. MOTO" (20th-Fox)
PARAMOUNT—(1,793). 30c-40c-55c, 7 ays. Gross: $7,000. (Average, $7,000)

"WISE GIRL" (RKO)
"THE BLACK DOLL" (Univ.)
RKO BOSTON—(3,246), 30c-40c-65c, 7 ays. Gross: $8,600. (Average, $11,000)

'Hurricane" $7,000 Oklahoma City Hit

Oklahoma City, Feb. 10.—"The Hurricane" stepped out front in a big vay at the State with a take of $7,000. This was $3,000 over normal.

"Happy Landing" also was a heavy rofit-maker, taking $6,500, up by $1,00, at the Criterion, and "Bad Man f Brimstone" went to $5,700 at the Midwest. This was $1,200 to the good.

Total first run business was $22,600. Average is $18,700.

Estimated takings for the week ending Feb. 5:

"HAPPY LANDING" (20th-Fox)
CRITERION—(1,500), 10c-35c-40c, 7 days. ross: $6,500. (Average, $5,000)

"JUNGLE PRINCESS" (Para.)
(3rd run)
BEG, BORROW OR STEAL" (M-G-M)
LIBERTY—(1,200), 10c-20c-25c, 4 days. ross: $1,600. (Average, 7 days, $2,700)

SOPHIE LANG GOES WEST" (Para.)
BRADDOCK-FARR FIGHT
LIBERTY—(1,200), 10c-20c-25c, 3 days. ross: $300. (Average, 7 days, $2,700)

BAD MAN OF BRIMSTONE" (M-G-M)
MIDWEST—(1,500), 10c-35c-40c, 7 days. ross: $5,700. (Average, $4,500)

"HURRICANE" (U. A.)
STATE—(1,100), 10c-25c-40c, 7 days. ross: $7,000. (Average, $4,000)

"HITTING A NEW HIGH" (RKO)
TOWER—(1,000), 10c-20c-35c, 5 days. ross: $1,500. (Average, $2,500)

Out Hollywood Way

Hollywood, Feb. 10.—Paramount's aviation special, "Men with Wings," started "unofficially" this week when 20 pilots under the direction of William A. Wellman staged a "dog fight" at the Metropolitan Airport. Actual shooting, with principals, will start April 4.

Joe Penner will be starred as a football player in RKO's "Mr. Doodle Kicks Off," to follow "Rolling Stones." . . William H. Pine, associate producer of Cecil B. De Mille, is backed at the studio after a Miami and New York vacation. . . Hal Wallis has assigned Lou Edelman to produce "Valley of the Giants" at Warners.

Casting—Andy Devine in "Men with Wings," Paramount. . . Gloria Blondell in "All Rights Reserved," tentative title, at Warners. . . Five Warner contract players, Rosella Towne, Carole Landis, Diana Lewis and Peggy Moran in "Gold Diggers in Paris." . . Margaret Lindsay and Isabel Jeans in "Lovely Lady," in which Warners will star Kay Francis and feature Ian Hunter and George Brent.

+

Directors—William Clemens will direct "Student Nurse," Warners. . . S. Sylvan Simon's next assignment at Universal will be "Nurse from Brooklyn."

+

Writers—Lee Katz has been assigned to work on the screenplay of "Girls on Probation," Warner story of a girls' reformatory school. The title was taken from another Warner picture recently retitled "The Beloved Brat." . . Monte Brice goes to Paramount to write "Things Began to Happen," next W. C. Fields vehicle. . . Michael Fessier is writing "Wings over the Sea," Warners. . . Gerald Geraghty is on the screenplay of "Lives of a Texas Ranger," and Jack McDermott on "Avalon," both at Paramount.

+

Contracts—RKO has extended the contract of Cecil Kellaway, Australian comedian.

"Alcatraz Island" $12,500, Montreal

Montreal, Feb. 10.—"Alcatraz Island" topped the first run list with a $12,500 at Loew's, with the help of a special vaudeville unit, "The World's Fairest on Parade," headed by Helen Morgan. This was the first stage feature in weeks. Average at Loew's is $8,000.

"Hollywood Hotel" was the leading screen attraction on its own and was responsible for $10,000 at the Palace. Average is $11,000. "The Hurricane," in its sixth week at the Orpheum, took $3,000 and was held over for a seventh week. Average is $5,000. The weather was mild.

Total first run business was $42,000. Average is $40,500.

Estimated takings for the week ending Feb. 5:

"EVERY DAY'S A HOLIDAY" (Para.)
"BLOSSOMS ON BROADWAY" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. Gross: $8,000. (Average, $9,500)

"ALCATRAZ ISLAND" (F.N.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. Stage: Helen Morgan with "The World's Fairest on Parade." Gross: $12,500. (Average, $8,000)

"THE HURRICANE" (U.A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 6th week. Gross: $3,000. (Average, $5,000) Held over for seventh week.

"HOLLYWOOD HOTEL" (W.B.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. Gross: $10,000. (Average, $11,000)

"MARKED WOMAN" (F.N.)
"SERGEANT MURPHY" (W.B.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. Gross: $6,500. (Average, $7,000)

Union Sues Tulsa House

Tulsa, Okla., Feb. 10.—Local 513 of the I. A. T. S. E. has filed suit in District Court for $28,984.20 from the Roxy, charging breach of a contract providing for employment of two union operators at $60 a week.

Mike Roth a Salesman

Omaha, Feb. 10.—Mike Roth of Kansas City, Columbia district exploiteer, has been made a salesman out of the Omaha exchange replacing Jack Armm, who has been sent to Albany.

"Buccaneer" Only Good Houston Draw

Houston, Feb. 10.—Grosses took a wallop last week and only one first run, "The Buccaneer," made an above average showing, $7,500 at the Majestic. Par is $7,000.

"You're a Sweetheart" at the Metropolitan and "Bad Man of Brimstone" at Loew's hit par at $7,000 each.

A deluge of rain over the weekend slowed attendence to some extent.

Total first run business was $26,000. Average is $26,000.

Estimated takings for the week ending Feb. 3:

"MURDER IN GREENWICH VILLAGE" (Col.)
KIRBY—(1,450), 15c-35c, 4 days. Gross: $2,800. (Average, 7 days, $5,000)

"PAID TO DANCE" (Col.)
KIRBY—(1,450), 15c-35c, 3 days. Gross: $1,700. (Average, 7 days, $5,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. Gross: $7,000. (Average, $7,000)

"THE BUCCANEER" (Para.)
MAJESTIC — (2,250), 25c-50c, 7 days. Gross: $7,000. (Average, $7,000)

"YOU'RE A SWEETHEART" (Univ.)
METROPOLITAN — (2,600), 25c-50c, 7 days. Gross: $7,000. (Average, $7,000)

Quits Paramount Post

Pittsburgh, Feb. 10.—Allen Terner, assistant in Paramount's ad sales department, has resigned to become associated with his father, Martin Terner, in the American Theatrical Valance Co. here. Harry Silverman, night shipper at the exchange, has been promoted to Terner's post and Matthew Ray, brother of Frank Ray, of the RKO office, has been taken in Silverman's place.

Mercer to Indianapolis

Worcester, Feb. 10.—Harry F. Shaw, Loew-Poli division manager, has promoted Jack Mercer, assistant manager at the Poli here, to the managership of the Majestic, Evansville, Ind., also a Loew house. Harold Winston, has been transferred from the Hub, Boston, to the assistant's post at the Poli.

Predicts Christmas Revenue on "White"

"Snow White and the Seven Dwarfs" is expected by RKO to pile up repeat bookings during the Christmas holidays for several years. Ralph Rolan, who returned yesterday from Cleveland, said he had been advised by branch managers during his recent trips that for the next five years they expect to gross from $5,000 to $15,000 in each territory on holiday repeats on the Disney feature.

While RKO is not insisting that the picture be played on a single bill, many exhibitors are booking it that way, Rolan said. He was in Cleveland to prepare for the opening of the film tomorrow at the Hippodrome. The theatre will open at 8:30 A.M. every day and will give nine shows daily. The picture is scheduled to stay at the Hippodrome three weeks and may go longer. The theatre seldom holds a film beyond two weeks, Rolan said.

Ryan Will Continue Taking Depositions

Boston, Feb. 10.—George S. Ryan, attorney for Morse & Rothenberg, independent circuit with headquarters here, will continue taking depositions in New York on Feb. 14 in connection with the anti-trust action brought by the circuit in Federal court here against major distributors, the Maine & New Hampshire and M. A. Shea circuits. The New York sessions are scheduled to continue through Thursday with Joseph Quittner, former Middletown, N. Y., theatre operator, and Joseph McConville, Columbia sales executive, expected to be called for querying.

The M. & R. circuit alleges in its complaint inability to obtain any run of product for seven of its houses.

Para. Theatre Meet On

Paramount's Florida theatre partners will convene in Miami today and tomorrow with home office officials in attendance. Meeting with heads of the Sparks and Lynch circuits are Barney Balaban, Paramount president, who is vacationing in Miami; Y. Frank Freeman, vice-president and theatre head, and Austin C. Keough, secretary. The latter two are expected back in New York on Monday. Balaban will remain in Florida for another week or 10 days.

Postpone PTA Dual Meet

Chicago, Feb. 10.—The meeting of the Parent-Teachers Association, scheduled to be held here tomorrow on the question of eliminating duals in the Chicago theatres, has been cancelled. Indications are that the P.T.A. has decided not to back the anti-dual movement.

Golden to Defend Duals

Edward Golden, Monogram sales manager, will oppose current efforts being made in Chicago to ban double featuring under health and sanitation measures for theatres which are being proposed there. Golden leaves for Chicago Sunday to reply to the charge that double feature programs are injurious to the health of audiences.

Universal Signs Martin

Hollywood, Feb. 10.—Charles Martin, writer, has been signed by Universal to a long term contract.

"Buccaneer" Starts Fast On the Coast

Los Angeles, Feb. 10.—"The Buccaneer" got off to a flying start at the Paramount with a $25,000 gross which passed par by $7,000. A stage show included an F. & M. revue, Pat Henning and Betty Raye and Larry Kent and his orchestra.

"Snow White and the Seven Dwarfs" held up to $12,304 in its seventh week at the Carthay Circle. "Mannequin," on a dual with "Change of Heart," showed a profit with $12,589 at the Chinese and $14,458 at Loew's State. "Hollywood Hotel" took $10,900 in its second week at Warner's Hollywood and $12,100 at Warners' Downtown.

Total first run business was $112,851. Average is $115,200.

Estimated takings for the week ending Feb. 9:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 7th week. **Gross:** $12,304. (Average, $17,000)

"MANNEQUIN" (M-G-M)
"CHANGE OF HEART" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $12,589. (Average, $12,500)

"MAYERLING" (Pax)
ESQUIRE—(900), 55c-$1.10, 7 days, 4th week. **Gross:** $3,200. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 7 days, 4th week. **Gross:** $7,800. (Average. $8,000)

"THE RETURN OF MAXIM" (Amkino)
GRAND—(750), 35c-40c, 7 days, 2nd week. **Gross:** $1,900. (Average, $1,200)

"PENITENTIARY" (Col.)
"WISE GIRL" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)

"MANNEQUIN" (M-G-M)
"CHANGE OF HEART" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $14,458. (Average, $14,000)

"PENITENTIARY" (Col.)
"WISE GIRL" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6.100. (Average, $8,000)

"THE BUCCANEER" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. revue, Pat Henning & Betty Raye, Larry Kent and his orchestra. **Gross:** $25,000. (Average, $18,000)

"HOLLYWOOD HOTEL" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 2nd week. **Gross:** $10,900. (Average, $14,000)

"HOLLYWOOD HOTEL" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 2nd week. **Gross:** $12,100. (Average, $12,000)

Monogram Lines Up 14

Hollywood, Feb. 10. — Fourteen stories have been lined up for Monogram's 1938-39 season by W. Ray Johnston and Scott R. Dunlap. Of the 52 productions, five will be specials, each of which will cost more than $100,000. Included in this group are "Streets of New York," to star Jackie Cooper; "That Old Gang of Mine" and "Quincy Adams Sawyer."

Goldwyn Signs Draper

Hollywood, Feb. 10.—Paul Draper has been signed by Samuel Goldwyn for a featured role in "The Great Music Festival."

Renew Isa Miranda Pact

Hollywood, Feb. 10.—Paramount has extended the contract of Isa Miranda, Italian importation, for another six months. Set for her future vehicles are "Zaza" and "Lady in the Tropics."

Canada Average Low

Toronto, Feb. 10.—According to an estimate of the Independent Theatres Ass'n of Ontario, average weekly attendance for all film theatres in the Dominion during 1937 was 2,000,000 persons. This represents slightly less than one-fifth of the total population of Canada. The weekly figure for all theatres in the United States last year was given as 85 millions. The comparative weekly average for Great Britain is 20 millions.

The report states: "The average Canadian citizen attends motion picture theatres only one-third as many times as the average American citizen and only one-half as many times as the average British citizen."

"Landing" Up With $22,000 In Cleveland

Cleveland, Feb. 10.—"Happy Landing" almost doubled average with $22,000 at Warners' Hippodrome and broke an established policy by being held over for a second week. The usual procedure is to shift continued runs to the Allen.

"The Hurricane," in its third continuous week downtown, one at Loew's State and two at Loew's Stillman, held up during the entire run. The take for the third week was $5,500, only $500 under the first week average.

"Hollywood Hotel" grossed $4,500 in five days of its second week at the Allen. This was about average.

Total first run business was $60,000. Average is $61,500.

Estimated takings for the week ending Feb. 4:

"HOLLYWOOD HOTEL" (W.B.)
ALLEN—(3,000), 30c-35c-42c-55c, 5 days. **Gross:** $4,500. (Average, $6,000)

"HAPPY LANDING" (20th-Fox)
WARNER'S HIPPODROME—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $22,000. (Average, $12,000)

"I'LL TAKE ROMANCE" (Col.)
RKO PALACE—(3,000), 30c-42c-60c-75c, 7 days. Stage: Mischa Auer and vaudeville. **Gross:** $16,000. (Average, $20,000)

"TRUE CONFESSION" (Para.)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $12,000. (Average, $15,000)

"HURRICANE" (U.A.)
LOEW'S STILLMAN—(1,900), 30 -35 -42 55c, 7 days, 3rd week. **Gross:** $5,500. (Average, $6,000)

Commonwealth Expands

Kansas City, Feb. 10.—C. A. Schultz, executive head of Commonwealth Amusement Corp., has purchased a 50 per cent interest and an operating partnership in D. E. Fitten's Lyric and Plaza at Harrison, Ark. The arrangement will be effective Feb. 1.

Schultz said the company also practically has completed a deal of Fitten and W. E. Blume for a two-thirds interest in the Rialto and New theatres in Searcy, Ark. Negotiations are expected to be completed by Feb. 1.

Fitten will remain as manager of the theatres. Later the company plans to modernize and remodel.

Alperson Will Fight Application for 77B

(*Continued from page 1*)

intent to defraud. Alperson also denied the company is invsolvent.

Because of the suit, Alperson said he will return to the coast today or tomorrow. He said his attorneys here were attempting to obtain more information on the action.

Alperson hinted a dispute with Zeidman may have had some connection with the application. Zeidman was to have made six or seven pictures on a contract with Grand National within a year, but since he made only two pictures and later was inactive, Alperson considered the contract outlawed, he said.

Court Action Filed Yesterday

Hollywood, Feb. 10.—Three creditors of Grand National Films, Inc., of New York, and Grand National Studios, Inc., of California, today filed Los Angeles Federal Court action to throw both companies into reorganization under section 77B of the bankruptcy act. B. F. Zeidman Productions, Ltd., Pacific Title and Art Studio, Inc., and Howard H. Anderson brought action declaring net loss of Grand National for 34 weeks ending Nov. 27 was $546,604. Zeidman said G.N. owed him $360, Pacific Title $755, and Anderson, who is an optical printer, $268.

Entered in court records was the consolidated profit and loss statement for 34 weeks which declared gross film rentals were $1,560,752. After deduction for recouped costs, owned pictures, outside producer participation and outside distributor participation, net rental for period was $478,269. Other income such as sales advertising accessories and foreign prints, studio income and rentals, etc., amounted to $342,059, making gross income, $820,329.

Under cost and expenses listed were included: Branch sales salaries and expense $403,782, branch office salaries and expense $206,887. Home office salaries and expense were $234,792, advertising and exploitation, $75,550. Foreign department expense was $44,693 and production expense, $23,719, with studio operating expenses, $178,447.

Under another listing was $534,104, set as loss before provision for estimated loss in unrecouped costs. Creditors asked for immediate appointment of a trustee to conserve assets and calling of hearing of all creditors.

Joe Shea Leaves G.N.

Hollywood, Feb. 10.—Joe Shea, studio publicity head for Grand National, has left the company. His duties will be taken over by Ed Finney, advertising and publicity director.

Jack Meyers Injured

Boston, Feb. 10.—Jack Meyers is in a Baltimore Hospital as a result of an automobile mishap on the way to Florida. He runs an independent exchange, the Hub Film Co.

Boyer for "Algiers"

Hollywood, Feb. 10. — Walter Wanger has chosen "Algiers" as the next starring vehicle for Charles Boyer. It will follow "The River Is Blue," now in production.

"Checkers" Is Philadelphia Pickup Leader

Philadelphia, Feb. 10.—"Checkers," with Mitzi Green and Willie an Eugene Howard on the stage of [illegible] Earle, led a general pickup of [illegible] run business last week. The take wa $21,000, over par by $7,000.

"The Buccaneer" at the Stanley als hit $21,000, up by $7,000, and "Happ Landing" at the Fox turned in $20,000. This was $6,000 into the profi column.

Total first run business was $95,500 Average is $82,360.

Estimated takings for the week ending Feb. 3:

"PARADISE FOR THREE" (M-G-M)
ALDINE—(1,300), 40c-55c-65c, 7 days **Gross:** $8,000. (Average, $8,160)

"MAN-PROOF" (M-G-M)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 8 days **Gross:** $2,500. (Average, 7 days, $2,800)

"MANNEQUIN" (M-G-M)
BOYD—(2,400), 40c-55c-65c, 7 days, 2n week. **Gross:** $11,000. (Average, $14,000)

"CHECKERS" (20th-Fox)
EARLE — (2,000), 25c-40c-55c, 7 days Stage: Mitzi Green, Willie and Eugen Howard. **Gross:** $21,000. (Average, $14,000

"HAPPY LANDING" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross** $20,000. (Average, $14,000)

"TARZAN'S REVENGE" (20th-Fox)
KARLTON—(2,000), 25c-40c-50c, 7 days **Gross:** $2,000. (Average, $4,000)

"HOLLYWOOD HOTEL" (W.B.)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days **Gross:** $4,000. (Average, $4,000)

"THE BUCCANEER" (Para.)
STANLEY—(3,700), 40c-55c-65c, 7 days **Gross:** $21,000. (Average, $14,000)

"BORDERTOWN" (W.B.)
(Reissue)
STANTON—(11,700), 30c-40c-50c, 7 days **Gross:** $6,000. (Average, $7,000)

Natan Rents Para. Plan

Paris, Feb. 1.—Bernard Natan, former chief of Pathe-Natan, is understood to have rented the Paramoun studio at St. Maurice, near here which has been closed for a year. I is reported that Natan plans to produce in association with his brother Emile, and Pierre Braunberger, forme manager of the Paris-Cinema Studios It is expected that Natan also wil sublease the studio to independent producers.

Urge Two-Hour Shows

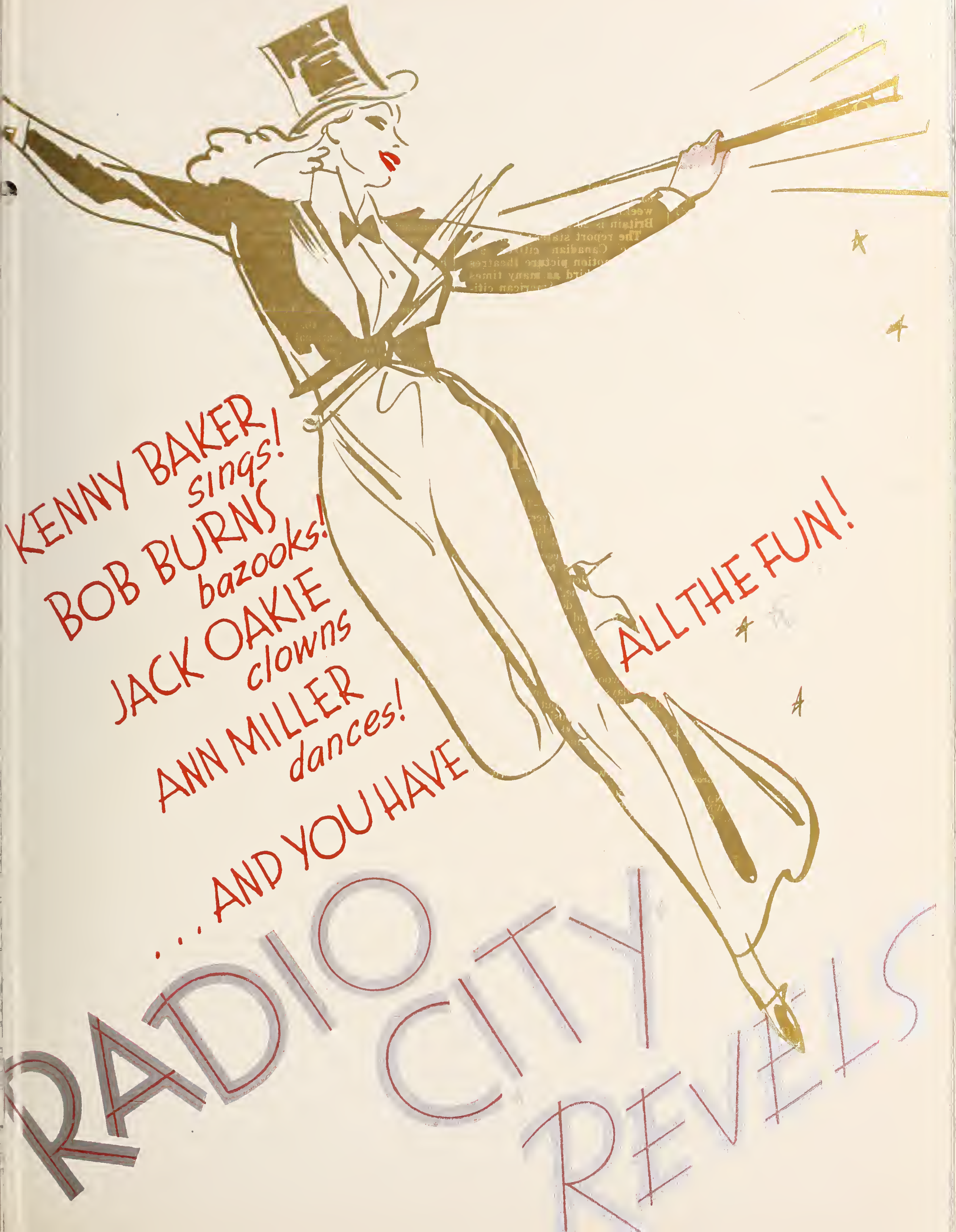
Bronxville, N. Y., Feb. 10.—Film shows not exceeding two hours in length, with intermissions so that children would be forced to leave the theatre, are urged by the Bronxville Motion Picture Council in replies to questionnaires sent to 902 parents whose children are between eight and 16 years.

Starts Family Nights

Covington, Okla., Feb. 10.—Family night has been inaugurated at the Covington theatre here on Monday and Tuesday evenings. An entire family is admitted to the Covington for 30 cents, according to J. Wehemier, manager.

Retitle Jack Holt Film

Hollywood, Feb. 10.—Columbia has changed the title of the Jack Holt vehicle, "The House of Mystery," produced by Larry Darmour, to "Making the Headlines."


KENNY BAKER sings!
BOB BURNS bazooks!
JACK OAKIE clowns
ANN MILLER dances!
...AND YOU HAVE ALL THE FUN!
RADIO CITY REVELS

THE LID IS OFF!...

Here comes the BIG show with al
the stars of screen and radio! . .
Seven Songs!....Seven Hundred Sen
sations!...A Million Thrills!—an
—Girls of glamour, gaiety, beaut
and talent on dazzling dancin
parade—plus glowing romance
keep you happy as you laugh til
it hurts!...The rhythm show from
rhythm row!

HEAR THE HITS: "Take a Tip from the Tulip"—"I'm Taking
Shine To You"—"You're the Apple of My Eye"—"Swingin' i
the Corn"—"There's a New Moon Over the Old Mill"—"Speak
Your Heart"—"Good Night Angel".

BOB BURNS
JACK OAKIE
Kenny BAKER
ANN MILLER

RADIO CITY REVELS

with
VICTOR MOORE · MILTON BERLE
HELEN BRODERICK
JANE FROMAN
BUSTER WEST
MELISSA MASON
and
HAL KEMP and
His ORCHESTRA

Directed by Ben Stoloff · Produced by Edward Kaufman
Screen Play by Matt Brooks, Anthony Veiller, Eddie Davis, Mortimer Offner

RKO
RADIO
PICTURES

Year-Round NBC Sponsors Totaled 44 During 1937

The growth of year-round radio dvertising is shown on a chart just repared by NBC, which indicates hat in 1927 only four advertisers sed the network's facilities on a 12- th basis, while during 1937 sponsors were on the air for full- ear periods.

The four advertisers which were on NBC continuously for the 12 months of 1927 are Bristol-Myers, Cities Service, General Foods, and RCA. The same four were the only 12-month users of NBC air time the following year, but in 1929 three others were added: American Tobacco Co., Firestone Rubber Co., and General Electric.

The list of continuous users of yearly air time thereafter grows teadily, with 13 in 1930, 18 in 1931, 9 in 1932, 16 in 1933, 28 in 1934, 2 in 1935, 36 in 1936, and 44 in 1937.

Permits Asked for Three New Stations

(Continued from page 1)

day power from 100 to 250 watts was filed with the commission by WEDC, Chicago.

The commission today set for hearing applications of Edward J. Doyle for a new 1,500-kilocycle station at Rochester, with 100 watts power night, 250 watts day; WRSP, Inc., for a 1,500-kilocycle station at Wisconsin Rapids, Wis., with 100 watts night, 250 watts day; R. C. Atwood for a 1,500-kilocycle station at Port Angeles, Wash., with 100 watts night, 250 watts day; Martin Anderson for a 1,500-kilocycle station at Orlando, Fla., with 100 watts night, 250 watts day; WCBA, Allentown, Pa., for increase of power from 500 to 1,000 watts, and WBIG, Greensboro, N. C., for increase of day power from 1,000 o 5,000 watts.

It was announced that examiners' reports have been received recommending the granting of applications of WACO, Waco, Tex., for increase of day power from 100 to 250 watts, and Church of Jesus Christ of Latter-Day Saints for an international broadcasting station using frequencies of 5,020, 9,510, 11,710, 15,170 and 25,675 kilocycles, with 50,000 watts power, at Salt Lake City.

Other reports recommended denial of applications of the Pacific Radio Corp. for a 1,320-kilocycle station at Grants Pass, Ore., and W. H. Kindig for a 710-kilocycle station at Hollywood.

NBC Forming Staff Orchestra on Coast

HOLLYWOOD, Feb. 10.—The first staff orchestra of NBC in Hollywood s now being organized and will be presented shortly in a new series of sustaining programs.

Frank Hodek will direct the new orchestra. He and Meredith Wilson are conducting the auditions. At one time Hodek was musical director for the Publix Theatres located in the midwest.

Radio Personals

ALFRED WALLENSTEIN flew to Cleveland last night via United Air Lines to fulfill a Mutual broadcasting engagement. . . . Sam Taylor, WHN's Hollywood commentator, boarded a plane last night for Hollywood. . . . Dorothy Chapman, soprano, has joined the "Italian Gaieties" company on WOV. . . . Edgar Lee Masters and Norman Corwin will be guests of A. M. Sullivan on his "New Poetry" program over Mutual, Sunday afternoon at 2:30 P. M.

+

Mary Brill, NBC harpist, is to have a screen test. . . . Haven MacQuarrie will leave for Hollywood Feb. 20 to air his programs from there. . . . Mutual will send Benay Venuta to Washington to entertain the delegates at the N.A.B. convention with her songs. . . . Carson Robinson and his Buckaroos, who are heard on Mutual, will play a month of music hall engagements in London and Paris during April.

+

Bob Carter, WMCA chief announcer, soon may trek Hollywood way, having received several interesting offers to go there. . . . B. W. Wilkins, formerly assistant sales director at WNEW, has joined the sales staff of WMCA. . . . Jane Froman will arrive from Florida Saturday morning. . . . WOR will set up a special booth for Bob Edge, its hunting authority, at the National Sportsmen's Exhibit at the Grand Central Palace, Feb. 18 to 26. . . . Roy Atwell will join the Joe Penner cast with the broadcast of Feb. 20. . . . Guy Lombardo will present the five best film tunes of the year, as selected by the Academy, on his Feb. 20 broadcast over CBS.

Cut Radio Space

The *New York Sun* will suspend its spread of Saturday radio pages effective next week. It is reported, however, that the newspaper will publish some radio material, but only that of a technical nature. Status of the *Sun's* present radio staff, comprising A. L. Bragdon and Moe Entler, is not known at the moment.

Billing Totals to Be Released by NBC

Following conferences among NBC executives, the network has reversed itself on its recent decision to withhold monthly billing figures from the trade, and on Monday, the billings will be made available for January. Thereafter the figures will be released shortly after the first of each month.

Whether or not NBC's reversal will have any influence at CBS and Mutual is not known at the moment. It is believed, however, that the networks in question will not hold to their declared intention to withholding their billings, in view of NBC's action.

West Becomes Allen Sponsor

The West Disinfecting Co., for C-N, has closed a 52-week contract with WHN for participation in Ida Bailey Allen's "Homemakers of the Air" on Monday, Wednesday and Friday. Moser & Cotins is the agency.

WNEW Is Four Years Old

WNEW will be four years of age on Sunday, but no ceremonies have been planned by the station.

FCC Sets Hearings On G. E. Television

(Continued from page 1)

at Schenectady, to transmit pictures only with power of 40 watts, one to operate in the 156,000-162,000-kilocycle band and the other in the 44,000-50,000-kilocycle band; one at Albany, to transmit pictures and sound on the 44,000-50,000-kilocycle band with 10,000 watts power for video and 3,000 watts for aural, and a station at Bridgeport, to transmit pictures on 66,000 kilocycles with 10,000 watts power and sound on 72,000 kilocycles with 300 watts power.

Glenna Strickland on WINS

Glenna Strickland, now on WNEW, will have a new series of programs over WINS, to be presented under the auspices of the Institute of Food Products, beginning this Monday, and six times weekly, from 9:30 to 10 A. M.

Morrow to KDKA Sales Staff

PITTSBURGH, Feb. 10.—Lynden Morrow, on sales promotion at KDKA, has been transferred to the sales department. Morrow joined KDKA to handle publicity in 1933.

New Shows on the Air

"Famous Fortunes"

"Famous Fortunes," a new series depicting in dramatized form the careers of America's millionaires, is a novel and entertaining new program on Mutual. The initial presentation dealt with the life of Commodore Cornelius Vanderbilt.

Neil O'Malley played the role of the Commodore, playing him from the ages of 16 to 70. He was skillful in fashioning his voice to the increasing years of the character.

The principal fault of the program is its abbreviated time on the air, 15 minutes. It obviously is quite difficult to trace a full career in that limited time, and consequently much bridging and glossing over of events is resorted to via a commentator, in this instance Mark Hawley. Production, however, by John Bates, was excellent, as was the script, by Margaret di Mott. Richland Shoe Co. sponsors, Wednesdays from 7:45 to 8 P. M. Badger, Browning and Hershey is the agency controlling the account.

BANNER

Around the Country

Chicago

Clark Dennis, NBC tenor, will play a week's engagement at the State-Lake theatre in Chicago starting today. Dennis made a personal appearance at the Arcadia theatre, St. Charles, Ill. . . Everett Mitchell, announcer, and the Ranch Boys, vocal trio, entertained at the Chicago *Daily News*.

Joe Wolverton of the novelty team of Bennett and Wolverton is still trying to steady his nerves. The other day he was walking toward his hotel when a woman plunged from the 11th floor of a hotel and landed almost at his feet. . . Curley Bradley of the Ranch Boys, who has been laid up with a steptococci infection of the throat, is back at work in the NBC studios. . . Barry Hopkins, veteran Pacific Coast leading man, who is widely known in advertising circles as Joseph Connell, has arrived here to make his home. . . Jack Fulton and Franklyn MacCormack celebrated their 66th air-week this past week and report that 1,000 songs and 700 poems have been broadcast during that period.

Francis X. Bushman will play opposite Joan Blaine in "Valiant Lady" which will start a five-a-week broadcast series in March over NBC. . . Rush Hughes, son of writer Rupert Hughes, is now doing a new broadcast called the Hughes Reel over WIND.

Hollywood

KEHE's "Listen Ladies," presented daily Mondays through Fridays, again will have an audience, a feature discontinued some months ago because the demand for tickets was so great that it could not be filled. . . Alice White and Buster Crabbe will make guest appearances on the Jessel program on Mutual Sunday.

KFWB will inaugurate a new program, "Men Over Forty," tentatively titled, to feature the achievements of men past that age in various fields. Manning Ostroff will conduct the airer. . . Procter & Gamble's script show on KNX, "Judy and Her Jesters," has been renewed for 26 weeks. . . The Universal Camera Corp. (Univex) has taken over the Sunday night news program on KNX.

Willis M. Parker, KFI-KECA staff continuity writer, has resigned to devote his time to writing a novel and his transcribed radio programs. . . KMTR, by remote control, will pick up a bowling tournament between players of Paramount, Columbia, RKO, Warners and 20th Century-Fox studios. . . Programs of the station have been moved to the new studios on Cahuenga Boulevard, although the offices will remain in their present location. The formal opening has been set for March.

Ernest Jarvis has been appointed assistant to Marion Karol, continuity editor of KNX. . . Eddie Cantor's new CBS broadcasts for Camels will start March 28 and will be heard on the coast from 7:30 to 8 P. M., P. S. T.

Radio

XEBG Drops English On Its Day Programs

San Diego, Feb. 10.—XEBG is taking no chances with a new shakeup of Mexican stations in the offing. The border transmitter is billing itself as "The only 100 per cent Mexican station." It uses no English from 8 A. M. to 10 P. M. The final 10 to 11 hour is dedicated to American listeners—who are given jazz records and a chance to buy oil leases.

The announcer invites Americans to listen all day, remarking: "Even if you don't understand the announcements, you'll enjoy the music," which is all of Latin tempo or classical recordings.

San Diego air is now crowded with seven border transmitters, with listeners particularly up in arms against XELO with its broad signal messing up network stations on this side.

WMCA Lists New Accounts

The weekly report on new business on WMCA includes a 52-week renewal with Community Opticians for the Zeke Manners "Gang." The agency is Commonwealth Advertising.

Other new business includes Seedol Laboratories, program titled "Your Good Neighbors," for 13 weeks daily, starting Feb. 13. Grady & Wagner, Inc., is the agency. Also, Horvita, Inc., has purchased participation in "Anice Ives Everywoman's Hour" for 13 weeks ending May 6, through the Schuyler agency.

Alcorns to Return Thursday

W. C. Alcorn, vice-president and general manager of WBNX, accompanied by Mrs. Alcorn, will return to New York on the *Empress of Australia* next Thursday following a month's cruise. Two days after their arrival Sidney W. Caulfield, treasurer and in charge of sales at WBNX, will embark with Mrs. Caulfield for a month's cruise to the West Indies.

KTUL Adds Hamilton, Organist

Tulsa, Feb. 10.—KTUL has added Wade Hamilton as organist. Hamilton was formerly organist for Universal and for KNX, KFI and KFJ and came to Tulsa directly from the coast. In the announcing department Ken Linn, from WLW, has been added, while John Esau, formerly manager of WBBZ, Ponca City, Okla., has been named chief of merchandising and publicity.

Camera Firm Has KNX Show

Hollywood, Feb. 10.—The Universal Camera Corp., sponsor of the regular KNX "Sunday Night News," has renewed the period for 52 weeks effective at once. Swift & Co. has purchased a period in the "Housewives Protective League" participation series on KNX, for 13 weeks.

Pepsodent on "Ballroom"

The Pepsodent Co. has purchased participation in the Martin Block "Make Believe Ballroom" on WNEW, beginning Monday. The company will sponsor the 10:15 A. M. period six days a week. Lord & Thomas is the agency.

San Diego Stations Join for Dedication

San Diego, Feb. 10.—KFSD, NBC outlet and KGB, MBS unit, will join staffs and equipment for joint presentation of a utility dedication.

Announcers and players from both stations are collaborating on a dramatization of the San Diego Gas & Electric Co.'s history, to be followed by the whine of a huge new electric generating unit as it turns over for the first time. Remote equipment is being furnished by KFSD while KGB tosses in its entire production crew. The utility is a heavy time buyer on both stations.

NBC Recording New Series by Sokolsky

The NBC electrical transcription service is recording a new series of weekly programs for the National Association of Manufacturers. The 15-minute recordings present discussions of current events and trends in the economic picture by George E. Sokolsky. The programs are to be made available without cost to one station in each community. They have already been scheduled on more than 235 stations in various parts of the country.

Girl Band in New Program

Cincinnati, Feb. 10.—The Coon Creek Girls, from the mountain section of Kentucky, said to be the only girl fiddling band in the country, have begun a new commercial over WCKY, sponsored by Appliances, Inc., and Fairbanks-Morse. The program, which features authentic mountain music and old ballads, is fed to WHIO, Dayton, and WBNS, Columbus, at 11 A. M., E.S.T., on Mondays, Wednesdays and Fridays.

Glenn Dolberg Joins KPO-KGO

San Francisco, Feb. 9.—Glenn Dolberg, former manager of KFI and KECA in Los Angeles, has been named program manager for KPO-KGO, local NBC outlets, succeeding Ken Carney. The latter has resigned to enter radio production in Hollywood.

W. K. Bailey to Manager WAAW

Omaha, Feb. 9.—W. K. Bailey has been named station director of WAAW, but will continue to handle the commercial department, which he formerly managed. Duane Gaither has been appointed program and production manager.

Elect Holbrook Vice-President

R. D. Holbrook has been elected a vice-president and member of the board of Compton Advertising, Inc. Compton is heavily in radio, its principal air accounts being the Procter & Gamble script shows.

Jones Takes Over WCKY Post

Cincinnati, Feb. 10. — Mendel Jones, formerly program director of WHK and WCLE, Cleveland, has assumed his duties as production and promotion manager of WCKY.

Film Measure Completed by Commons Unit

(*Continued from page* 1)

forcing them either to accept his whole alternative quota proposal or abandon it entirely. He protested limiting the cost clause for quota eligibility on next year's American product to 460 films, which, he said, will result in increased demands for British pictures, but no British film supply.

Stanley declared that when the measure is brought to the floor of the Commons, he would introduce two changes in the act, one concerned with reciprocity and the other related to the amount of quota right to be obtained on especially expensive films.

There is no specific indication at this time exactly when the bill will be brought up for the third reading in Commons. After that procedure the vote will be taken, and later the measure will go to the House of Lords. In the event that the House of Lords does not approve the bill, it will be returned to the Commons for further consideration.

The present distributors' quota will expire on March 31, and the exhibitors' quota in September.

CEA Presents Plans In "A" Film Booking

London, Feb. 10.—The Cinematograph Exhibitors' Association, continuing its conference today with the Kinematograph Renters' Society (distributors) on the booking of so-called "A" films, offered two plans. The exhibitors had registered sharp objection to the distributor plan to limit exhibitors to playing only one "A" film on a program.

The schemes proposed by the exhibitor organization were claimed by its representatives to be practical and having as their objective the booking of only one "A" film on a program. One suggestion was based on an insistence that the great majority of the advertising and billing costs be expended on the "A" film on a program, with penalties to be exacted for violation. The other suggestion was for a special "A" film contract, with heavy and accumulative penalties for offenders, whether distributor or exhibitor. The distributors will consider the plans at a special meeting next week.

Allied to Decide on Its Insurance Plan

Allied's insurance committee is to make a decision on the offer of the Associated Indemnity Co. of San Francisco for a group rate on exhibitors' liability insurance coverage. The rate proposed is 10 per cent lower than that in effect with Lloyds, which has contracts in effect with a number of Allied members. The new proposal will either supersede the Lloyds plan or will supplement it, it was said here yesterday by Arthur K. Howard of Boston, Allied's recording secretary. Others on the insurance committee are Fred Herrington of Pittsburgh, Lee Newbury of New Jersey and Herman Blum of Baltimore.

Republic Aims At Expansion, States Yates

(*Continued from page* 1)

charge of overseas sales, will arrive from South America to attend. Following the convention he is sched[illegible] to leave on a European trip. Salesmen who turn in good records during the current drive will be rewared with a trip to the convention, said Yates.

Because of the success of Republic's serials, the company will continue to devote considerable attention to the chapter plays, which are getting playing time in theatres which never ran serials, he asserted. In addition to "The Lone Ranger" and "Dick Tracy," the company will make "The Fighting Devil Dogs," which is in preparation, and "The Hawk of the Wilderness," with an Arctic background.

"U" Will Deliver 40 Films for Year

(*Continued from page* 1)

have either been released or are in production, and that stories for the remaining 16 pictures have been selected and casting on some of them will be started immediately.

Universal has four more "A" pictures on its release schedule: "Mad About Music," set for March 4 release, and "Good-bye Broadway," se for March 25; with a Danielle Darrieux picture and the Charlie McCarthy and Edgar Bergen picture to follow in the late spring.

Other pictures set for early releas include "The Crime of Dr. Hallett," "State Police," "Let's Make a Nigh of It," "The Lady in the Morgue," "The Winners' Circle," "Nurse from Brooklyn" and "Half Way t Shanghai."

Blumberg's visit to the studio i expected to be an extended one.

M-G-M to Make 6 Features in Colo

(*Continued from page* 1)

year. M-G-M's policy is that colo will be used only when it enhance a production and for pictures or sequences that lend themselves to colo

With few exceptions, M-G-M doe not intend to extend the use of colo to its shorts, it is learned. This yea the company is releasing as color subjects 12 FitzPatrick Travel Talks, on Audioscopik subject and "Penny Party."

"Hurricane" Sets Mark

Vancouver, Feb. 10.—"Hurricane continued its record-smashing run as went into its seventh week at th Plaza. The previous all-time recor for British Columbia was held b "San Francisco" with five weeks a the Capitol.

Best Takes French Fil

Best Film Co. has acquired the distribution rights to "The Call," Frenc prize-winning film. It will be dubbe in English and released in this countr in March.

today is "Herald* day"

"What about Snow White?" is the question across every desk, across every luncheon table in the world of the screen.

Out today, Motion Picture Herald conveys all the answers to date, with a remarkable, detailed story, day by day with graph and figures, on this unprecedented product in its remarkable run at New York's great Music Hall theatre—together with performance figures from other presentations and the facts pertaining to subsequent runs, and the rental situation. The most complete box office story ever presented.

The whole show world wants to know—and the Herald tells.

* *The net paid circulation of this issue is 16,519*

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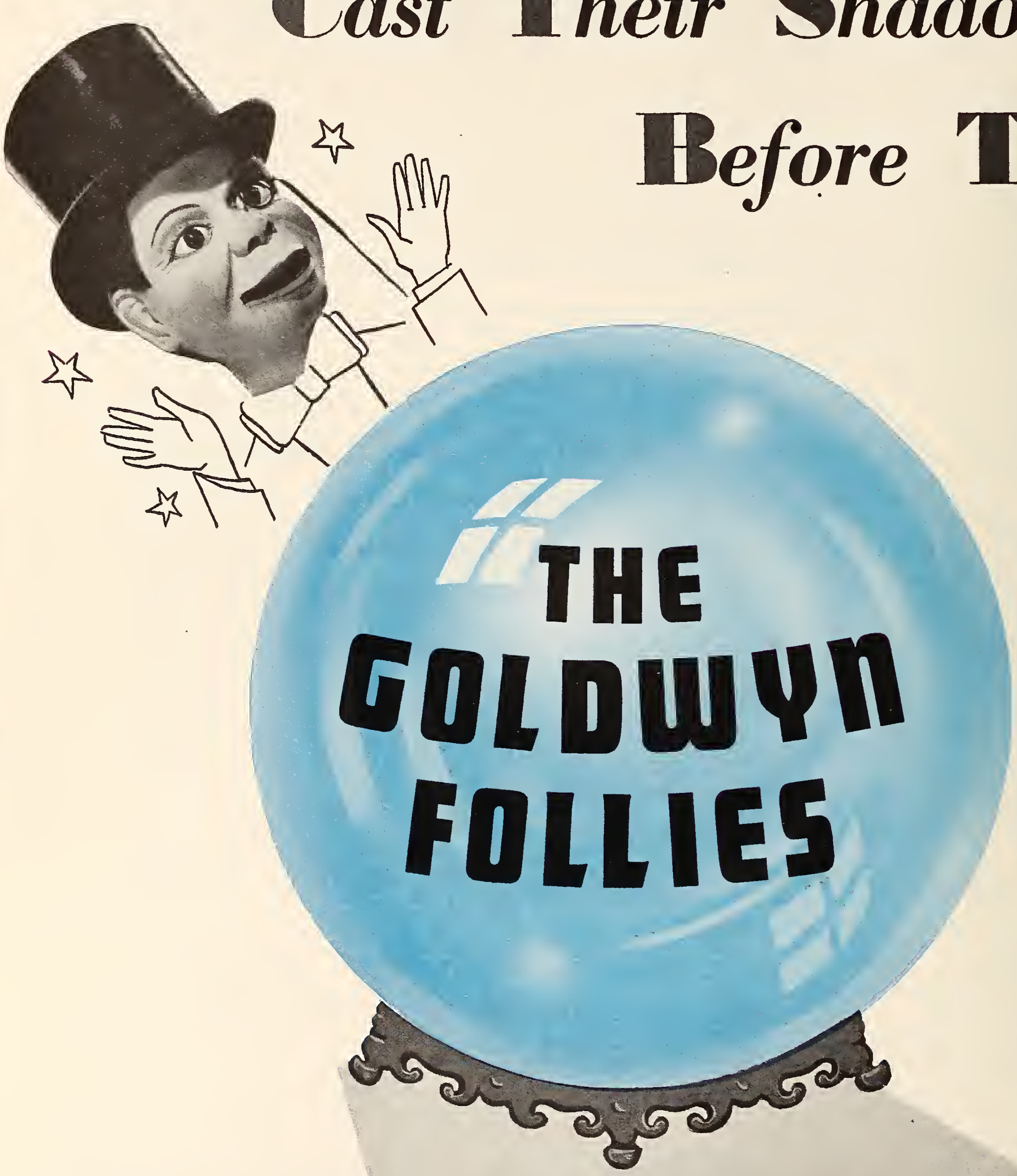

"The Goldwyn Follies" business at the Aldine Theatre, Philadelphia, and the Lincoln Theatre, Miami Beach, foretells a boxoffice story of interest to every exhibitor. LOOK UP THE FIGURES FOR YOURSELF!

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to the Motion
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First in
Film and
Radio News
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43. NO. 36 NEW YORK, MONDAY, FEBRUARY 14, 1938 TEN CENTS

IcNinch and Wheeler Will Address NAB

'eorganization Report Up in Afternoon

WASHINGTON, Feb. 13.—Addresses Frank R. McNinch, chairman of e Federal Communications Commis-on, and Senator Burton K. Wheeler, airman of the Interstate Commerce ommittee, will feature the first ses-n of the 16th annual convention of e National Association of Broad-sters, which opens here morrow in e Willard Hotel.

The morning meeting has been set ide for formal addresses, with the organization report scheduled to me up for discussion in the after-on. In addition to McNinch and heeler the delegates will hear a wel-ming speech by George E. Allen,

(Continued on page 10)

anadians Attack 'Program Brokers"

TORONTO, Feb. 13.—The elimination "program brokers" or booking ents who collect 15 per cent com-ission was discussed at the annual eeting of the Canadian Association Broadcasters which coincided with e hot debate on the Canadian radio uation in the House of Commons at tawa. The brokers were declared be an unnecessary evil, particularly view of the fact that the advertising encies handling the accounts of na-nal advertisers using the air collect additional 15 per cent commission

(Continued on page 10)

VOR Ordering New Facsimile Machines

WOR has placed an order with CA for radio facsimile equipment. nis additional equipment, to be de-ered within a few weeks, differs in number of points from the W. G. H. nch facsimile system, now being ed by WOR in experimental broad-sts being conducted daily by the gineering staff of the station.

The RCA system will be tested al-nately with the Finch system, so at WOR may be able to make com-risons.

The order is for one transmitter and proximately 25 receiving machines.

More Radio—Pp. 10-11

World's Film Theatres Now Total 89,097

Russia Responsible for Drop from Year Ago

WASHINGTON, Feb. 13.—There were 89,097 film theatres throughout the world on Jan. 1, 1938, which compares with a world total of 97,379 on Jan. 1, 1937, according to a survey completed by Nathan D. Golden, chief of the Motion Picture Division of the Bureau of Foreign and Domestic Commerce.

The decrease of 8,282 theatres is largely accounted for by a sharp drop in Soviet Russia, according to the study. In that market, traveling theatres, workers' halls and similar places are equipped for sound pictures and are classified as film theatres. On Jan. 1, 1937, Russia claimed 34,990 theatres, of which 2,285 were wired. The following year, a decrease of 8,890 was shown there, with 26,000 operating, of which 6,337 had sound film facilities.

Of the 89,097 theatres throughout the world at the beginning of this year, 62,895 were wired for sound, an increase of 7,332 wired houses as compared with the 1937 total, when there were 55,563 wired.

Every geographical region with the

(Continued on page 11)

G. N. Reorganizing Petition Set Aside

LOS ANGELES, Feb. 13.—Federal Judge William P. James on Friday night set aside and cancelled the order allowing a petition to reorganize Grand National Films, Inc., of New York and Grand National Studios, Inc., of California, under 77 B of the bankruptcy act and also set aside the order appointing Loyd Wright temporary trustee at conference between Philip N. Krasne, G. N. vice-president, and attorneys representing the

(Continued on page 11)

Hy Daab Resigns as Columbia's Ad Head

Hy Daab, publicity and advertising director of Columbia Pictures for the past 18 months, resigned the post on Friday. No successor has been selected yet, according to Columbia officials.

Daab was formerly advertising and publicity director of RKO and, prior to joining Columbia, was in the same department at Warners. His plans for the immediate future are indefinite.

It's a Bit Rough

Montreal, Feb. 13.—Mickey Isman, Warners' branch manager here, coaches an amateur hockey team that is considered one of Canada's top sextets in the "simon pure" field. He gets a great kick out of it, except for the fact that he was recently hit by a hockey stick, and as a result is wearing a broken nose.

ITOA Probing Hall, Church Chance Games

Members of the I. T. O. A. are gathering information on Bingo games in church and lodge halls which will be submitted to law enforcement officials in Brooklyn, Manhattan, Queens and Richmond boroughs with the request that action be taken to stop them. The I. T. O. A. feels that the games are "unfair" competition to theatres since they draw large crowds and the neighborhood houses suffer as a result.

Police officials and the district attorneys in the various counties will be asked to halt the Bingo parties on the ground that they are conducted illegally. An admission charge is made at the door, and under a ruling of the N. Y. Court of Appeals this is a violation of the state lottery laws, it was said. Theatres running Bank Night, Screeno and similar games are within

(Continued on page 11)

"Hurricane" to Get Fifth Rivoli Week

The run of "Hurricane" at the Rivoli has been extended to five weeks, the first film to be held that long at the theatre since "Les Miserables" about three years ago. The fourth-week gross, ending Friday night, was $21,000. "Goldwyn Follies" will start next Saturday.

The third week of "Happy Landing" grossed $42,000 at the Roxy. The picture will conclude a four-week run on Thursday, to be followed by "The Baroness and the Butler."

"Bad Man of Brimstone" garnered $36,000 in its first week at the Capitol and business is holding up well in the second. "Of Human Hearts" will go into the Capitol on Thursday; "A Yank at Oxford" Feb. 24, with "Everybody Sing" to follow.

"The Kid Comes Back" grossed $20,165 at the Strand for the week ending Friday night.

The Criterion did $8,000 with "Scandal Street" and "The River."

IATSE Plans Extension of Jurisdiction

Executive Board Decides To Press Its Claims

SAN ANTONIO, Feb. 13.—Pressing of its aim to extend jurisdiction of the I.A.T.S.E. over all branches of the theatre and film industries has been decided upon by the executive committee in session here.

George E. Browne, international president, made the announcement, but refused to enlarge on his statement. Asked whether his statement should be understood as an announcement of plans to bring Equity and the Screen Actors' Guild into the union, Browne replied: "Our statement is we will take in all branches of the business. They can make whatever they like of it."

The I.A.T.S.E. already includes projection operators, cameramen, sound technicians, scenic artists, carpenters, laboratory workers, makup artists and exchange employes. The I.A.T.S.E. claims approximately 60,000 members. Browne said extension of jurisdiction would increase the membership to approximately 100,000.

His union has had no difficulties with the C.I.O. and expects none Browne said. A few "malcontents" among technicians attempted recently to take branches of film workers in California into the C.I.O., but acted

(Continued on page 9)

Expect No Sale Tax For Phila. Rentals

PHILADELPHIA, Feb. 13.—Although the Philadelphia sales tax still is in a formative state, it is believed film rentals will be exempt. At a session late last week an amendment was written into definitions of "sales" and "service" which stated that charges would be made for any purpose "other than exhibition," and exchangemen are protected from further taxation. In any

(Continued on page 11)

Commons Action Due On Bill This Week

By AUBREY FLANAGAN

LONDON, Feb. 13.—The Films Bill, on which the Films Act Committee of the House of Commons has completed consideration, is expected to reach its third reading in the Commons early next week.

Representatives of the producers'

(Continued on page 11)

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DAILY
(Registered U. S. Patent Office)

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SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Legion to Watch All Pictures in Quebec

MONTREAL, Feb. 13.—The Province of Quebec is to have an unofficial Legion of Decency, it was said here today by Lieut. Col. Henri DesRosiers, vice-president of the Imperial Tobacco Co., who will be its chairman.

The group will consist of 17 members, all but one French-Canadians. It will have no official standing and will not interfere with work of the Quebec Board of Censors.

Rev. J. P. Archambault of Quebec City will act as spiritual adviser to the legion which is composed entirely of laymen.

Warburg, Wanger Confer

HOLLYWOOD, Feb. 13.—Felix Warburg, New York financier and member of the Walter Wanger directorate, is here for conferences with Wanger. Warburg will vacation in Honolulu later.

Rialto Grosses $6,100

The Rialto grossed $6,100 with "The Jury's Secret" and "Harlem on the Prairie" as an added attraction. The latter was cut to four reels.

Purely Personal

HARRY L. SOMMERER, RCA Photophone division manager, has returned to the home office in Camden after a five-week visit on the coast. BERNARD SHOLTZ, New York sales executive, will return from a two-week Florida vacation tomorrow.

•

JOSEPH N. WEBER returned to New York over the weekend from the Miami meeting of the A. F. of L. executive council and will leave for the coast in about a week to confer with PAT CASEY on new employment plans for studio musicians.

•

EDWARD GOLDEN, Monogram sales manager, has postponed until later in the month his projected trip to Chicago to oppose the local attack there on double features.

•

NATE J. BLUMBERG, Universal president, postponed his scheduled departure for the coast a few days. He will probably leave New York tomorrow.

•

SYDNEY SAMSON, 20th Century-Fox branch manager in Buffalo, returned to his territory yesterday after home office conferences.

•

WILLIAM F. RODGERS, M-G-M general sales manager, is back from a trip to Chicago, Minneapolis and other western points.

•

HOWARD DIETZ is due to arrive today from coast conferences and a Honolulu vacation.

•

NATHAN OTTINGER has been named counsel for the National Council on Freedom from Censorship.

•

GEORGE J. and MRS. SCHAEFER went to Miami for a brief vacation last weekend.

•

AUSTIN C. KEOUGH is remaining in Miami for a week.

WILLIAM MELNIKER, head of Loew's foreign theatre operations, left Saturday by plane for Miami where he will board a Pan-American Clipper for Sao Paulo, Brazil. He will remain there for the opening of the new Metro Theatre on March 15.

•

CHARLES MCCARTHY, 20th Century-Fox advertising and publicity director, is in Boston to attend the opening of "In Old Chicago" at the Colonial there tonight.

•

L. J. MCCARTHY, producer of "Assassin of Youth," has returned from Washington where he screened the picture for officials of the Federal narcotics bureau.

•

LILY PONS, LAWRENCE TIBBETT and JAN KIEPURA will be featured in a benefit performance of "Rigoletto" at the Metropolitan Opera House Wednesday.

•

EMANUEL and MRS. COHEN are expected in New York on Thursday and will spend five or six days here before sailing for a European vacation.

•

Y. FRANK FREEMAN is due back in New York today from a meeting of Paramount Florida theatre partners in Miami over the weekend.

•

LAMAR TROTTI has been spending a few days at Ellis Island getting material for the film of that name 20th Century-Fox will produce.

•

JACK COHN may leave for the coast within the next few days.

•

WILL H. HAYS is scheduled to leave the coast late this week en route back to New York.

•

ROY DISNEY is expected here this week.

Hollywood Preview

"The Adventures of Tom Sawyer"

(*Selznick-U. A.*)

HOLLYWOOD, Feb. 13.—Like "The Prisoner of Zenda," Mark Twain's "Tom Sawyer" has been produced again and again for the cinema consumer yet it remained for David O. Selznick to do it correctly. This is as fine, as sure, sound and quite likely to be as profitable, as any production in the impressive Selznick collection. It is without limitation in commercial appeal and without ceiling as to gross, a box office picture by every definition including the artistic.

Much credit for the fresh effectiveness of the familiar story material is due to John V. A. Weaver's artfully developed screenplay and Norman Taurog's thoughtful direction, a generous use of sustained silences and strikingly integrated sound effects contributing vitally to the realism of the purposefully fantastic sequence. Color is likewise employed with exceptional skill to this end.

Perhaps most notable on the talent side, from the showmanly point of view, is the presence of the long sought and much publicized Tommy Kelly, as Tom. His sterling performance is matched by Jackie Morgan as Huck Finn, Ann Gillis as Becky Thatcher, David Holt as Sid, Mickey Rentschler as Joe and Cora Sue Collins as Amy, perhaps the best juvenile cast ever assembled. No less distinguished and more significant in the marquee sense are the adult performances of May Robson, Walter Brennan, Donald Meek and Victor Jory. Yet it is as the Selznick "Tom Sawyer" rather than as the vehicle of any player, that the attractive attraction impresses and is likely to be remembered, talked about and patronized mightily.

Running time, 90 minutes. "G."

20th-Fox 1938-'39 Sales Are Generc

Twenty-three branches of 20 Century-Fox, including two in Ca ada, have reported sales of 1938-' product contracts, it is shown in tabulation made by the company la last week. Many managers report that they were hopeful of going to t annual sales meeting in Kansas Ci April 1 and 2, with new records pre-convention sales of subsequent son product.

The Kansas City meeting has n been designated a convention sin not more than 85 representatives the United States and Canada sal staffs are expected to attend, includi home office members, division and di trict managers, branch heads, a studio representatives. The meeti will be confined to these because se ing for the new season is already w under way and policies are being e plained to salesmen in the field.

All branches are conducting a dri to maintain playdates and collectio on a quota level set by the home offi for this year's contracts.

Lehr and Thorgerse In 20th-Fox Short

A series of 12 comedy shorts wi Lew Lehr and a 12-unit series sports subjects with Ed Thorgers are to be included in the plans f shorts production by 20th Centur Fox for 1938-'39. Both are comme tators for Movietone News and w continue with the newsreel. T "Magic Carpet" series and "Adve tures of a Newsreel Cameraman," ea six and both produced by Trum Talley, will be continued as part the program of 52 one-reelers to made by Talley.

Kupper Tours Branche

W. J. Kupper, 20th Century-F western division manager, is on swing around his midwestern a southern branches, on which he le Friday. He will be gone about month and will visit exchanges in Louis, Kansas City, Oklahoma Ci Dallas, Memphis, New Orleans, A lanta and Charlotte. Meetings will held with sales staffs and new seas policies and product will be outlined.

Discontinue Fla. Game

TALLAHASSEE, Feb. 13.—On t heels of recent Circuit Court decisi banning chance games in Florida, P. Talley, manager of Tallahass Theatres, has discontinued Ba Night. R. H. Gibson, a realty deale stated he would withdraw his app cation for an injunction against giv away games, which he contend blocked traffic, creating a fire hazar

Epstein to Republic

Morris Epstein, who resigned Grand National branch manager, t day will join Republic as New Yo branch head. The appointment w made by Herman Gluckman, preside of Republic Film Exchange, Inc. E stein succeeds Jack Bellman, who r cently was named eastern district sal manager.

Circle Reports a Loss

Circle Theatre Co. reports a n loss before subsidiary preferred di dends of $13,208 for 1937. Net incon for 1936 was $2,661.

'Landing" Is Boston's Hit; Gets $30,000

Boston, Feb. 13.—"Happy Landing" as a smash hit at the RKO Memo- with a take of $30,000, over nor- by $8,000. Cookie Bowers aded a stage show.

"Hurricane," with "Beg, Borrow or teal" as the other half of a dual bill, rned in $14,000 in its second week Loew's Orpheum, passing par by ,000. At Loew's State the same bill ok $11,000, average business.

The Metropolitan raised its prices om 25c-40c-65c to 35c-50c-65c for very Day's a Holiday" and Fred aring and his band, and the take ent to $26,500, up by $4,500.

Total first run business was $103,- 0. Average is $90,500.

Estimated takings for the week end- g Feb. 5:

"LOVE IS A HEADACHE" (M-G-M)
ULLDOG DRUMMOND'S REVENGE" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** 100. (Average, $4,500)

"HURRICANE" (U.A.)
EG, BORROW OR STEAL" (M-G-M)
OEW'S ORPHEUM—(2,790), 25c-40c-55c, days, 2nd week. **Gross:** $14,000. (Aver- e, $12,000)

"HURRICANE" (U.A.)
EG, BORROW OR STEAL" (M-G-M) (2nd Week)
LOEW'S STATE—(3,537), 25c-40c-55c, 7 ys. **Gross:** $11,000. (Average, $11,000)

VERY DAY'S A HOLIDAY" (Para.)
METROPOLITAN—(4,332), 35c-50c-65c, 7 ys. Stage: Fred Waring. **Gross:** $26,500. verage, $22,000)

"LOVE IS A HEADACHE" (M-G-M)
ULLDOG DRUMMOND'S REVENGE" (Para.)
PARAMOUNT — (1,793), 30c-40c-55c, 7 ys. **Gross:** $8,000. (Average, $7,000)

"CHANGE OF HEART" (20th-Fox)
"THE SHADOW" (Col.)
RKO BOSTON—(3,246), 35c-40c-55c, 7 ys. **Gross:** $8,500. (Average, $12,000)

"HAPPY LANDING" (20th-Fox) (2nd Week)
RKO MEMORIAL—(2,970), 35c-50c-65c, 7 ys. Stage: Cookie Bowers. **Gross:** $30,- . (Average, $22,000)

Landing" $20,300 Leader at Buffalo

Buffalo, Feb. 13.—"Happy Land- g pulled $20,300 at the Buffalo, $6,- 0 over normal and one of the best ngle-featured grosses in months.

The Great Lakes, with "Every ay's a Holiday," rang up $9,200 to at average by $1,200. "Bad Man of rimstone," teamed with "Sh, the Oc- pus" for a nine-day run at the Cen- ry, drew $12,500. Weekly par at the use is $6,300.

Total first run business was $54,- 0. Average is $42,300.

Estimated takings for the week end- g Feb. 5:

"HAPPY LANDING" (20th-Fox)
BUFFALO—(3,000), 35c-60c, 7 days. **Gross:** 0,300. (Average, $14,000)

VERY DAY'S A HOLIDAY" (Para.)
GREAT LAKES—(3,000), 30c-50c, 7 days. ross: $9,200. (Average, $8,000)

"PARADISE FOR THREE" (M-G-M)
HIPPODROME—(2,500), 30c-50c, 7 days. ross: $6,700. (Average, $7,500)

AD MAN OF BRIMSTONE" (M-G-M)
"SH, THE OCTUPUS" (F.N.)
CENTURY—(3,000), 25c-35c, 9 days. **Gross:** 2,500. (Average, 7 days, $6,300)

"DR. SYN" (G.B.)
"ALL-AMERICAN SWEETHEART" (Col.)
LAFAYETTE—(3,300), 25c-35c, 7 days. ross: $5,200. (Average, $6,500)

New York Previews

"Outside of Paradise"

(Republic)

Here is a nicely fashioned semi-musical production that will fit well in subsequent runs. The film was given a good production and has a fair quantity of comedy and youthful enthusiasm about it. It is a variation of the well tried success story. Phil Regan, Penny Singleton and Bert Gordon have the leading roles and they do well by them.

Regan is a leader of a popular orchestra who inherits a share in an Irish estate. He raises the money for passage and forthwith departs. On arrival he learns the other half of the estate is in the hands of Miss Singleton, who, being a Kerrigan, brings up the old feud between her family and the O'Tooles, Regan's tribe. He is shunned by the household. One night while preparing his meal of hamburgers Lionel Pape and his family come in out of the rain and become interested in his novel cooking. Pape's daughter, Ruth Coleman, gets interested in Regan and encourages him to open a restaurant. He does so and shortly afterward his New York pals arrive and humorously complicate things. Regan learns to love Miss Singleton and with the usual misunderstandings on her part and the financial intrusion by Miss Coleman the piece wends its way to a logical conclusion.

There is an interesting musical number set in a night club that is done in good style. The support includes Leonid Kinskey, Mary Forbes, Joe E. Marks, David Kerman, Billy Young, Cliff Nazarro and Harry Allen. What comedy comes to pass is tame. John H. Auer directed.

Running time, 68 minutes. "G."

"The Affairs of Maupassant"

(Gallic Films)

The Bohemian aspect of Paris in the Victorian '80's and the cinematic introduction of such well-known literary and artistic characters as Guy de Maupassant and Marie Bashkirtseff in the leading roles should provide good dramatic entertainment for the patrons of foreign film houses. The film was produced in Vienna, the dialogue is in German. Julian Leigh has effectively translated the language with English titles. Henry Koster, who has been connected with "100 Men and a Girl" and "Three Smart Girls" in this country, first received notice due to his direction of this film.

The story tells of the romance of de Maupassant and Marie Bashkirtseff which culminated in the death of the latter. The action in proper moods covers the pair's first meeting, their ripening friendship, artistic endeavors and conflicts, and the breaking up of their romantic relations due to the girl's illness. The leading feminine role is played by Lili Darvas. She gives a touching, convincing performance. De Maupassant is re-created by Hans Jaray. The photography and production are in good taste and the musical score, utilizing Offenbach's "Orpheus in the Underworld" overture, for tonal background, strikes a new note for this sort of thing.

Reviewed without production code seal. Running time, 80 minutes. "A."

"Russia Marches On"

(World Advance Pictures)

There is not very much of an educational or entertaining nature to be found in this film. It was produced by Charles Francis Drake, an American lecturer and "globe-trotter." It is offered as an historical document that covers the strides the Soviet Union has made since the Revolution. From the text of the narrative it seems to have been dictated by the powers that be, for nothing of a controversial nature is brought up and all is praise and challenge. This no doubt will appeal to the Russian-minded audience that patronizes the theatre playing their particular brand of cinema fare.

The photography is a trial to the eyes. The lighting and composition were done with no apparent thought for easy viewing. The light flickers and glares uncomfortably. Conditions of the Russian before the upheaval and after in the various sections of the country are shown. The progressive strides in agriculture, construction, engineering and social development are shown in comparison making up the greater portion of the film. The film covers a great deal of ground but never goes beneath the surface. All, it seems to the producer and narrator, is rosy with the Soviets.

Running time, 90 minutes. "A."

Selznick Buys "Banditti"

Hollywood, Feb. 13.—Selznick International has purchased "Gay Banditti," I. A. R. Wylie serial to start shortly in the *Saturday Evening Post.*

Drop Boston Stage Show

Boston, Feb. 13.—Stage shows at the Metropolitan will be discontinued after Feb. 17 when the policy will be changed to straight pictures.

Short Subjects

"Breathless Moments"

(Universal)

From almost its opening clip to the conclusion this annual compilation of the exciting moments in the newsreel cameraman's year manufactures the kind of thrills that will keep audiences on the edges of seats. The subject in the past has had an extremely satisfactory reception and with this assemblage it should do likewise.

There are items covering every branch of disaster, sport, naval maneuvers, fires, daredevil stunters, scientific endeavor, war and such natural events as floods and storms. The material has been cut and edited with the thought signified by the title constantly in mind and it achieves this end with distinction. It is for strong stomachs.

Running time, 20 mins. "G."

"The Fox Hunt"

(Metropolitan)

The creators and producers of 'Joie de Vivre," the cartoon which introduced a new technique in this form of screen fare, here offers what is reputedly the first Technicolor cartoon to come from Europe. It is similar to the first black and white effort—a fluid, effortless type of animation. The scenario concerns the pursuit of a fox by hunters and the general uproar and humorous confusion the hunted causes. It is clever, but also rather sophisticated. The audience patronizing the foreign film house will find it most interesting. Running time, 7 mins. "G."

"Vitaphone Pictorial Revue No. 6"

(Vitaphone)

Arabian horses going through their paces on the Kellogg ranch in Pomona, ice hockey at Madison Square Garden and the manufacture of women's shoes. It is diversified material, interestingly presented that should nicely fill out a show. Running time, 10 mins. "G."

"Just Ask Jupiter"

(Educational)

What appears to be just another cat and mouse cartoon pleasantly develops into a humorous takeoff on "Dead End." A mouse inhales ether fumes and, dreaming, wishes it was a cat. It gets its wish and a lot of other unpleasantries. The action is clever and the subject should give satisfaction. Running time, 7 mins. "G."

"Boat Builders"

(Disney-RKO)

Walt Disney's Mickey Mouse, Donald Duck and the Goof undertake to build a boat according to "simple" plans, and the result is the expected delightful Disney animated nonsense. The boat is put together through many a typical Disney mishap, and when it finally is launched, it collapses loudly. Running time, 7 mins. "G."

"The New Homestead"

(Columbia)

Scrappy is assisted in the construction of his new home by the animated Petey Parrot, who is at times amusing, but exhibits a tendency to repeat his antics too readily. The result is routine cartoon material. Running time, 7 mins. "G."

"Landing" Is $10,000 Hit, Minneapolis

MINNEAPOLIS, Feb. 13.—"Happy Landing" was the only first run grosser in the Twin Cities. It drew $12,000 at the Minnesota where $10,000 is average, and $7,000 at the St. Paul Paramount where $5,500 is normal.

"Nothing Sacred" grossed $6,000, slightly over average at the State here, where it was brought for a second week.

Total first run business in Minneapolis was $27,000. Average is $27,500. Total first run business in St. Paul was $15,000. Average is $15,000.

Estimated takings:

Minneapolis

Week Ending Feb. 3:

"HAPPY LANDING" (20th-Fox)
MINNESOTA — (4,000), 25c-55c, 7 days. **Gross:** $12,000. (Average, $10,000)

"EVERY DAY'S A HOLIDAY" (Para.)
ORPHEUM — (2,900), 25c-40c, 7 days. **Gross:** $4,500. (Average, $6,000)

"VICTORIA, THE GREAT" (RKO)
WORLD—(400), 25c-35c, 7 days, 5th week. **Gross:** $2,000. (Average, $2,000)

"NOTHING SACRED" (U.A.)
STATE—(2,400), 25c-55c, 7 days. **Gross:** $6,000. (Average, $5,500)

"THE BARRIER" (Para.)
CENTURY — (1,600), 25c-40c, 7 days. **Gross:** $2,500. (Average, $5,000)

St. Paul

Week Ending Feb. 3:

"HAPPY LANDING" (20th-Fox)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)

"LOVE AND HISSES" (20th-Fox)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"THOROUGHBREDS DON'T CRY" (M-G-M)
"BLOSSOMS ON BROADWAY" (Para.)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,300)

"QUICK MONEY" (RKO)
"HAWAIIAN BUCKAROO" (20th-Fox)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $2,000. (Average, $2,000)

Cooper Managers Shift

LINCOLN, NEB., Feb. 13.—Managers have been shifted by L. J. Finske, division manager of J. H. Cooper Enterprises. E. A. Patchen has been moved from the city manager post in Pueblo, Col., to assist Walt Shuttee in Oklahoma City. Ike Hoig has gone from the Trail, Colorado Springs, to Pueblo, and Kenny Mead of the Orpheum here has replaced him. Leonard Goldman, formerly in St. Joseph, Mo., has been brought here by City Manager Bob Huffman for the Orpheum top spot.

Form American Films

KANSAS CITY, Feb. 13.—American Films, Inc., has been formed here with W. L. Norris, president; Paul Humston, secretary, and Eleanor Bell, treasurer. The company, whose personnel formerly made up Consolidated Film Distributors, and Monogram Film Co. of Kansas City, Inc., will distribute independent product for the Kansas City area. Included in its present lineup are 10 United Artists features rereleases by Artcinema Associates, Inc.

Two Firms Dissolved

DOVER, DEL., Feb. 13.—Fox San Diego Theatre Corp. and Fox Westwood Theatre Corp. have been dissolved. Certificates of voluntary dissolution have been issued by the Delaware Secretary of State.

"Landing" $9,800 Milwaukee Leader

MILWAUKEE, Feb. 13.—High money in a week of sub-zero weather and sleet went to "Happy Landing" and "City Girl" with a $9,800 take at Fox's Wisconsin, just $1,800 to the good.

"It's Love I'm After" and "Swing Your Lady" collected $6,300 at the Warner, beating par by $1,300. "Some Blondes Are Dangerous" and "The Three Stooges" on the stage was good for $6,000 at the Riverside, $1,000 above average. Other business was off.

Total first run business was $30,200. Average is $26,500.

Estimated takings for the week ending Feb. 3:

"52ND STREET" (U.A.)
"CHANGE OF HEART" (20th-Fox)
PALACE—(2,400), 35c-50c, 5 days. **Gross:** $2,600. (Average, $5,000)

"THE BUCCANEER" (Para.)
"NO TIME TO MARRY" (Col.)
PALACE—(2,400), 35c-50c, 2 days. **Gross:** $2,000. (Average, $5,000)

"SOME BLONDES ARE DANGEROUS" (Univ.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: 3 Stooges, Joe and Jane McKenna, Les Ghezzis, Ted Lester, Prince and Princess Salandria. **Gross:** $6,000. (Average, $5,000)

"THE HURRICANE" (U.A.)
"SHE'S GOT EVERYTHING" (RKO)
STRAND—(1,400), 35c-50c, 3 days. **Gross:** $1,500. (Average, $4,500)

"BAD MAN OF BRIMSTONE" (M-G-M)
"SHE MARRIED AN ARTIST" (Col.)
STRAND—(1,400), 35c-50c, 4 days. **Gross:** $2,000. (Average, $4,500)

"IT'S LOVE I'M AFTER" (W.B.)
"SWING YOUR LADY" (W.B.)
WARNER—(2,400), 35c-50c, 7 days. **Gross:** $6,300. (Average, $5,000)

"HAPPY LANDING" (20th-Fox)
"CITY GIRL" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $9,800. (Average, $8,000)

Johnston En Route Here

HOLLYWOOD, Feb. 13.—W. Ray Johnston, president of Monogram, left today for New York. Prior to his departure he stated that 11 additional stories have been purchased for production on the 1938-'39 schedule and that John Carroll, star of "Rose of the Rio Grande," has been signed by the company to a term contract.

Darmour Starts "Trail"

HOLLYWOOD, Feb. 13.—Larry Darmour started production Saturday on "Stage Coach Trail," second of a series of outdoor pictures for Columbia release featuring Jack Luden, with Tuffy, shepherd dog. Joseph Levering will direct the original screenplay of Nate Gatzert.

Ullman Going to Europe

Frederick Ullman, Jr., vice-president of Pathe News, sailed Saturday on the *Ile de France*. He will visit London and Paris and possibly other cities for the purpose of increasing the newsreel's European coverage.

To Talk Labor Problems

MEXICO CITY, Feb. 13.—Film labor conditions will be one of the principal subjects to be discussed at the national convention of the National Federation of Cinematographic Industry Workers here Feb. 18 and 19.

World Takes More Space

World Pictures has taken additional office space in 729 Seventh Ave.

Production Holds Level; 30 in Work

HOLLYWOOD, Feb. 13.—With five pictures finishing and four starting, production dropped during the week to make 30 in work. Nine are being prepared and 56 are in the cutting rooms.

Those starting are: "Three Comrades," M-G-M; "Rose of the Rio Grande," Monogram; "Alexander's Ragtime Band," 20th Century-Fox, and "State Police," Universal.

The tally by studios:

Columbia finished zero, shooting one, preparing zero, editing six; Goldwyn, zero, zero, zero, zero; Grand National, zero, zero, zero, zero; M-G-M, zero, four, one, one; Monogram, zero, one, zero, zero; Paramount, one, four, one, seven; Principal, one, zero, zero, two; RKO, one three, one, five; Republic, one, one, one, four; Roach, zero, one, zero, one; Selznick, zero, zero, zero, zero; 20th Century-Fox, zero, seven, three, six; Universal, one, two, zero, two; Wanger, zero, zero, one, zero; Warners, zero, six, one, 22.

In the short subject field, RKO started one. Columbia and M-G-M each finished one. Roach and RKO each are shooting one. A total of four are being prepared, and eight being edited.

Attorney Sues B&K On Publicity Photo

CHICAGO, Feb. 13.—Charging libel and asking $500,000 damages, Attorney Otis M. Gallant has filed suit in Circuit Court here against Balaban & Katz Corp. through his attorney, George Rabens. Gallant is suing because his name and picture, appearing in ambulance-chasing stories in the *Chicago Times*, was used in blowups which were displayed in various B. & K. theatre lobbies in an advertising campaign for a film called "Torture Money," shown here a year ago.

Give Luncheon for Ford

Charles E. Ford will be guest of honor at a luncheon being given by his friends in the industry at the Lotos Club today. Ford is scheduled to leave for Hollywood about Wednesday to begin production work for Republic. His resignation as editor of Universal Newsreel became effective last Saturday.

William German of the Brulator office and R. B. Austrian of RCA Photophone are in charge of arrangements for the luncheon.

Warners Set 6 Musicals

HOLLYWOOD, Feb. 13.—Warners plan to make six musicals for production during the coming year. In addition to "Gold Diggers in Paris" and "Cowboy from Brooklyn" the company will produce "The Desert Song," "White Horse Inn," "On Your Toes" and "Garden of the Moon."

Protest U. S. Film Crews

VANCOUVER, Feb. 13.—The Victoria Trades and Labor Council has decided to make representations to immigration authorities at Ottawa, the British Columbia department of labor and the Canadian Trades Congress against entry into Canada of film crews from the United States.

Hearing Ordered on Stay for Time Ree

Time, Inc., was directed Friday b Justice Bernard L. Shientag to sho cause Feb. 17 in the N. Y. Suprem Court why a temporary injunctio pending trial should not be issued t restrain exhibition of the March o Time reel which deals with the Na tional Maritime Union. The orde was obtained by Frederick N. Myer and Jerome King, chairman and [illegible] retary of the union, and Clegg Low der, James Lampkin and Robert Stew art, seamen, who are the plaintiffs.

The union seeks $200,000 damage and the members ask $50,000 each.

The union contends that the fil holds their organization up to con tempt and ridicule and impedes its ac tivities. The seamen, who are unde indictment in the Brooklyn Federa Court for attempted mutiny on th S. S. *Algic*, also allege that wide ex hibition of the picture will preve them from securing a fair trial.

The plaintiffs allege that the fil misrepresents them as demandin watermelon, beers and tomatoes, an gives a false impression of their ac tivities. It is also charged that telegram to Joseph P. Kennedy, for mer chairman of the National Mari time Commission, was misquote Papers in the suit have not yet bee filed.

306 Continuing Its Local Theatre Driv

Operators' Local 306 is continuin its drive to sign up neighborhood an subsequent run theatres in the Metro politan area. The Trent, in Brookly which employs the Empire union's op erators, is being picketed by Local 30 and the campaign against the hous will continue until it signs a contrac the union said yesterday.

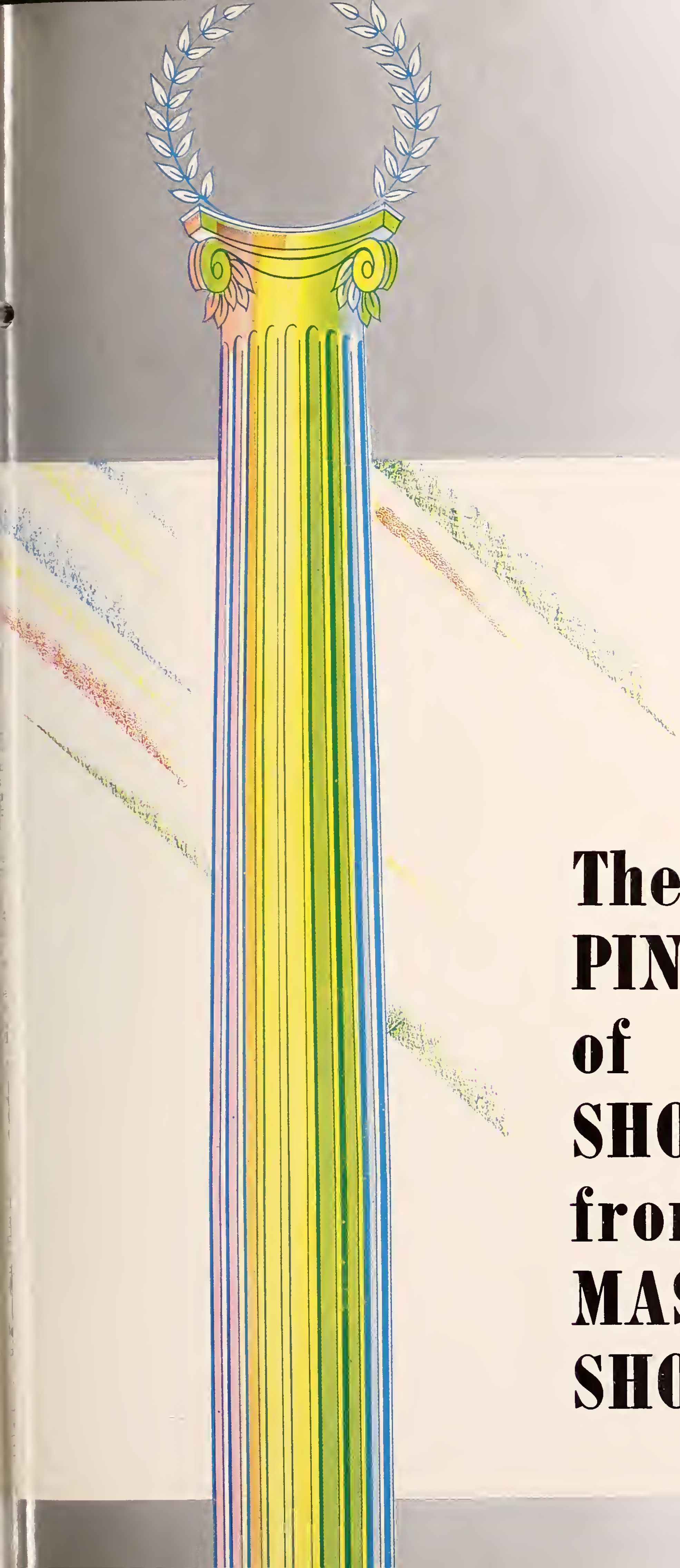
A contract with the Republic, for mer burlesque theatre on West 42n St., is due to be closed this week wit the return of Dave Weinstock, on of the owners, from Florida. Ma Rudnick has signed an agreement fo the Eltinge, also a former burlesqu house, the terms calling for employ ment of six men instead of five wit an increase in booth costs from $27 to $330 a week. This agreement wil run a year. Both theatres have bee using Local 306 men since the changed to films, but the scales wer below standard, according to th union.

McGuire in Local 244

P. A. McGuire, advertising and pub licity manager of International Projec tor Corp., was made an honorar member of Local 244, I.A.T.S.E. a the monthly meeting of the organiza tion in Newark recently. The secon annual goodwill dinner and dance o Local 244 was held at the Esse House, Newark, on Friday.

Rites for Irving Bonoff

MALISON, Conn., Feb. 13.—Funera services were held Friday for Irvin Bonoff, who for the past 18 years ha been operator with Leo Bonoff of th Bonoff Theatre. Bonoff had an activ part in planning and supervising th construction of the new Saybrook Theatre last summer, but had been i since that time. He was 48 at hi death. He is survived by his wife, tw children, his mother, his brother, Le who carries on the active operation o the two theatres, and a sister.



The
PINNACLE
of
SHOWMANSHIP
from the
MASTER
SHOWMAN . . .

F

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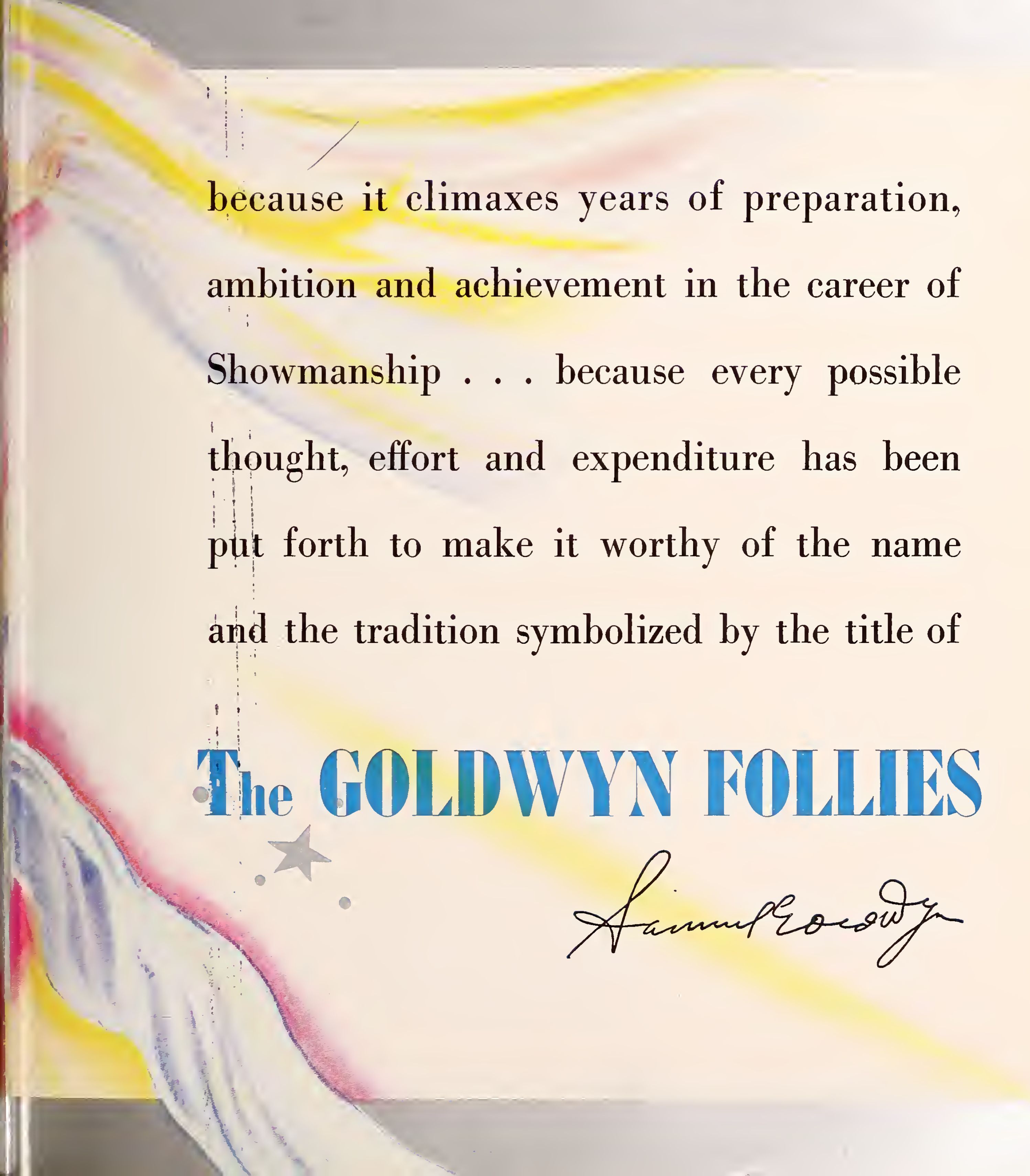
GIVE MY NAME TO A PICTURE



because it climaxes years of preparation, ambition and achievement in the career of Showmanship . . . because every possible thought, effort and expenditure has been put forth to make it worthy of the name and the tradition symbolized by the title of

The GOLDWYN FOLLIES

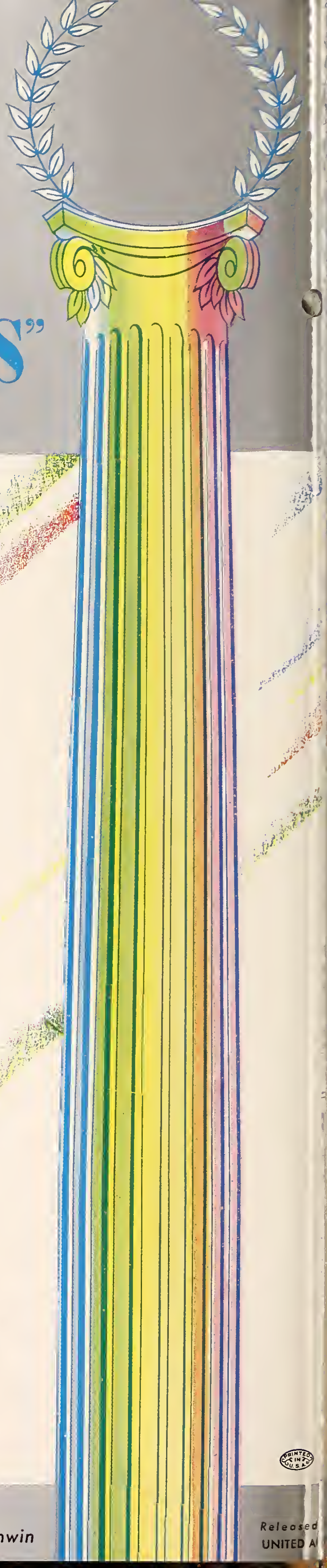
Samuel Goldwyn

SAMUEL GOLDWYN presents

the greatest array of stars from the Screen, Stage, Radio, Opera and Ballet in

"The GOLDWYN FOLLIES"

IN TECHNICOLOR



with

ADOLPHE MENJOU

The RITZ BROTHERS

ZORINA

KENNY BAKER

ANDREA LEEDS

HELEN JEPSON

PHIL BAKER

ELLA LOGAN

BOBBY CLARK

JEROME COWAN

The AMERICAN BALLET

The GORGEOUS GOLDWYN GIRLS

and introducing

the comedy sensation of the world

EDGAR BERGEN and "CHARLIE McCARTHY"

PRINTED IN U.S.A.

Story by Ben Hecht • Directed by George Marshall • Music by George and Ira Gershwin

Released

UNITED A

ATSE Plans Extension of Jurisdiction

(*Continued from page* 1)

hout official sanction of the C.I.O. ctors and were unsuccessful, he Browne is a member of the . of L. executive council.

he executive committee also ded operators working with 16mm. are under I.A.T.S.E. jurisdiction. decision was announced to repreatives of Jam Handy Pictures, , Detroit, who appeared before the mittee Saturday. Jam Handy is of the largest producers of comcial films using 16mm.

rowne said decisions of the comee usually are final and do not ire ratification in convention. veland was selected for the bienconvention June 5. The committee ects to remain in session here for eek.

ttending are John P. Nick, St. is; W. P. Covert, Toronto; Har- Holmden, Cleveland; Richard lsh, Brooklyn; Floyd Billingsley, Francisco; James Brennan, New k; Roger Kennedy, Detroit, viceident; Louis Krause, general secry, Philadelphia; Eddie Miller, ston; W. P. Raoul, Atlanta.

tart New French Firm

ARIS, Feb. 5.—Rudolf Sieber, husd of Marlene Dietrich, and Josef Sternberg, have formed a new ducing company here, as yet uned. The first film will be an adappn of Emile Zola's novel, "Geral," and the second will be "Sumin Austria." Miss Dietrich may in the films. The first will be e here in French and the second Vienna, in German, with Richard ber featured.

Varner in New Firm

OLLYWOOD, Feb. 13.—Articles of rporation have been filed in Caliia for Warner-Allender Roadvs, 723 Pacific Southwest Bldg., adena. H. W. Warner, Jack Aler and Jay D. Rinehart are ofs. The stated purpose of the comy is to acquire and roadshow films.

Wall Street

oard Recessions Predominate

	Open	High	Low	Close	Net Change
C	13⅛	13⅜	13⅛	13⅜	— ¼
C	1¼	1¼	1¼	1¼	— ⅛
C , pfd...	5½	5½	5½	5½	.....
E	154½	154½	154½	154½	—1½
L	48¾	48⅛	48¾	48⅛	— ⅝
P	10⅜	10½	10¼	10¼	— ⅛
P . 2	10¼	10¼	10¼	10¼	— ¼
P e	6	6	5⅞	5⅞	— ⅛
R	3¾	3⅞	3¾	3⅞	+ ⅛
20 Fox ...	22	22	21⅞	21⅞	— ⅛
20 pfd. ..	29½	29½	29½	29½	.....
W 3.	6¼	6¼	6	6	— ⅛

Curb Market Quiet

	Open	High	Low	Close	Net Change
G N.	11/16	11/16	⅝	11/16	.....
T	18	18⅛	17¾	17¾	— ¼

Little Trading in Bonds

	High	Low	Close	Net Change
L 3½s '46....	98⅜	98⅜	98⅜	— ⅜
R 6s '41........	70	70	70	—1½
W 3. 6s '39......	73½	73½	73½	.....

(Quotations at close of Feb. 11)

Charlotte Rescinds Sunday Film Action

CHARLOTTE, Feb. 13.—After a battle of words at a hearing held Feb. 9, the City Council rescinded its amendment of two weeks ago liberalizing Sunday sports, which would include motion pictures if exhibitors decided to take advantage of the letting down of the bars on Sunday blue laws.

The whole matter stands where it was Jan. 26 when the council voted to let the citizenry play ball, bowl, play golf, tennis, or attend theatres.

One of the highlights of the hearing was when Councilman H. H. Baxter told a pastor of one of the leading churches he was permitting motion pictures on Sunday in his church and allowing the operator a portion of the money from the collection plate. That was a bombshell tossed into the opposition camp. However, the opposition battled stoutly for a referendum on the question of an open Sunday until the council voted to rescind its action of Jan. 26. Charlotte rests securely in its church-supported blue laws and goes to Sunday school and prayer meeting, according to the good old Scotch-Presbyterian recipe.

File Contract Suit Against Berlin Firm

Fred Rose, Ed G. Nelson and Hyman H. Zaret, song writers, have filed a breach of contract suit in the N. Y. Supreme Court against Irving Berlin, Inc., Saul H. Bornstein, Harry Link, Herb Magidson and Allie Wrubel, charging that the plaintiffs' song, "Gone with the Wind," had been rendered "valueless" by the alleged misrepresentations of the publishers.

The complaint alleges that Irving Berlin, Inc., agreed in 1936 to publish the song and to use it in connection with the Selznick International picture of the same name. After contracts had been signed, it is alleged, the publisher used the title, but declined to publish the plaintiffs' song and published instead the composition by Magidson and Wrubel.

The answer contends that film rights were puchased by Selznick International and that the contract was subject to the approval of the producer. When Selznick International allegedly refused to use this song, Irving Berlin published the second song.

Ben Cohen to Be Honored

NEW HAVEN, Feb. 13.—Friends of Ben Cohen will give him a dinner at the Hotel Taft Feb. 19 on the eve of his departure to supervise a new Loew house under construction in Bombay. Cohen, for several years manager of the College, here, will sail on the *Conte di Savoia* March 2 for Italy, where he will spend eight days before continuing to India.

Edward Kiebanoff, chairman, is assisted by a large committee of men from theatre and other fields. Erle Wright is preparing an art souvenir of the event.

Warners Buy 'Sing Sing'

HOLLYWOOD, Feb. 13. — Warners have purchased another story by Warden Lewis E. Lawes of Sing Sing. It is titled "Sing Sing," and Humphrey Bogart is scheduled to play a leading role. Sam Bischoff will produce. This is the third story purchased from Lawes.

Spent $5,000,000 on 38 Italian Pictures

By JOSEPH D. RAVOTTO

ROME, Feb. 1.—Italian producers spent $5,000,000 in the production of 38 features during 1937, the first year of the country's attempt to become a leading European producing nation, and to attain self-sufficiency with respect to a film supply. The country's annual requirement is 300 films.

During 1937, 245 films were imported, of which more than 75 per cent were from the United States. The remainder were French, German and British. Although most of the $25,000,000 spent last year by Italians at film theatres went for American product, due to currency restrictions most of the money is still in Italy.

ERA, the new name of the former Ram company, has started work on "Rigoletto," its first operatic film. The company, which originally was formed by Mussolini's son and Hal Roach, was reorganized a short time ago and its capital stock increased to 990,000 lire. Both Mussolini and Roach are still on the board of directors, but it is generally known here that Roach has no connection with the firm, other than to lend his name to the enterprise.

What were to have been Italy's two greatest films, "Scipio l'Africano" and "I, Condottieri," have turned out to be only mediocre films. Each ran only one week at a Rome first-run theatre and then was relegated to neighborhood houses.

Belgian Exhibitors Protest High Taxes

By PIERRE AUTRE

PARIS, Feb. 3.—The new Belgium exhibitor organization, known as the Exhibitors' Association of Belgium Motion Picture Theatres, which includes virtually all the previous units, has addressed to the Minister of Finance of the Belgium Government a sharp protest against the allegedly excessive entertainment taxes levied on Belgium film houses.

The organization, which includes the Brussels Exhibitors' Association, the Syndical Chamber of Antwerp and the Cinema Association of Belgium, representing practically every exhibitor in the country, has pointed out in its protest that legitimate theatres, music halls and circuses pay no entertainment taxes, and has registered vigorous objection to discrimination.

Wired Theatres in France Total 3,725

By PIERRE AUTRE

PARIS, Feb. 3.—A total of 3,725 film houses, wired for sound, are in operation in France, while an additional 405 wired theatres are in operation in the French colonies, making an aggregate in France and her possessions of 4,130, according to the most recent statistics made public here.

The totals in the colonies are as follows: Corsica, 16; Algeria, 155; Tunisia, 32; French Morocco, 48; Western French Africa, 40; Indo-China, 60; Madagascar and Reunion, 27; other colonies, 17.

Retitle McCoy Film

HOLLYWOOD, Feb. 4.—"Code of the Rangers" is the new title of Tim McCoy's "Code of the Range," just finished for Monogram.

THEATRE ACCOUNTING

by

WILLIAM F. MORRIS
(Certified Public Accountant)

A system devised expressly for keeping a correct tabulation of receipts and expenses.

All the information required by the Social Security Act can be easily and quickly obtained both weekly and for longer periods as the total is accumulated.

TELLS ALL THE FACTS ABOUT YOUR BUSINESS EACH WEEK

- Payroll data for Social Security Taxes.
- Profit at a glance—Daily or Weekly.
- All expenses deducted—including Rent, Taxes and Depreciation.
- Complete record of advance bookings.
- Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.
- Does not require a bookkeeper to handle it.

$4 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
Rockefeller Center New York

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER - - NEW YORK
GENTLEMEN:
Please send me WILLIAM F. MORRIS' THEATRE ACCOUNTING. Enclosed find remittance of $4.00.

NAME..
ADDRESS......................................
CITY ....
STATE ....

FCC Assigns Dates on New Applications

WASHINGTON, Feb. 13.—The Federal Communications Commission has added to its hearing docket by assigning cases for examiner's hearings and oral argument as follows:

Feb. 14, before an examiner: Applications of Amarillo Broadcasting Corp. for a 1,500-kilocycle, 100-watt station at Amarillo, Tex.; W. C. Irvin for a 1,500-kilocycle station, also at Amarillo, with 100 watts night, 250 watts day; Northwestern Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Vernon, Tex., and Great Western Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Omaha.

To Hear Louisville Contest

Feb. 24, before the commission: Argument on contesting applications of the *Louisville Times* and Louisville Broadcasting Co. for a 1,210-kilocycle station at Louisville, the former seeking unlimited time with 100 watts and the latter 250 watts day only; contesting applications of Southwest Broadcasting Co. and W. P. Stuart for a 1,500-kilocycle, 100-watt station at Prescott, Ariz., contesting applications of WFNC and Capitol Broadcasting Co., Inc., for a 1,210-kilocycle station, the former seeking a 250-watt day station at Fayetteville, N. C., and the latter a station at Raleigh, N. C., with 100 watts night, 250 watts day; and applications of the Birmingham News Co. for a 590-kilocycle, 1,000-watt station at Birmingham; Juan Piza for a 1,500-kilocycle station at San Juan, P. R., with 100 watts night, 250 watts day; WBZA, Springfield, Mass., for change of frequency from 990 to 550 kilocycles, seeking facilities of WDEV, Waterbury, Vt.; KQV, Pittsburgh, for increase of power from 500 to 1,000 watts, and WSMK, Dayton, for increase of power from 200 watts to 250 watts night, 500 watts day.

March 25, before an examiner: Application of P. W. Spencer for a 1,500-kilocycle, 100-watt daytime station at Rock Hill, S. C.

Cleveland Plea Scheduled

March 29, before an examiner: Applications of Fredericksburg Broadcasting Corp. for a 1,200-kilocycle, 250-watt daytime station at Fredericksburg, Va.; Cuyahoga Valley Broadcasting Co. for a 1,500-kilocycle, 100-watt daytime station at Cleveland; McComb Broadcasting Co. for a 1,200-kilocycle, 100-watt daytime station at McComb, Miss., and Cuyahoga Valley Broadcasting Co., a 1,200-kilocycle, 100-watt unit, Warren, O.

March 30, before an examiner: Applications of Chester Howarth and Clarence Berger for a 1,420-kilocycle station at Wallace, Ida., with 100 watts night, 250 watts day; King-Trendle Broadcasting Corp. for a 1,440-kilocycle, 250 watt station at Pontiac, Mich., and WHBF, Rock Island, Ill., for change of frequency from 1,210 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts.

April 7, before the commission: Oral argument on application of Gerald A. Travis for a 1,420-kilocycle, 250-watt daytime unit, La Porte, Ind.

Blackett, Procter & Gamble Lead NBC Billings in 1937

Eighty-five advertising agencies, of which the leader was Blackett-Sample-Hummert, Inc., and two direct accounts contributed gross client expenditures of $38,651,286 for NBC network time in 1937, an analysis just completed by the network's statistical division reveals.

Blackett-Sample-Hummert, with an expenditure for its clients of $5,086,667, showed an increase of 25.6 per cent over 1936, when it was in third place. The two accounts billed direct, RCA and Benjamin Moore & Co., contributed $1,009,087 for time.

The agency which placed under the leader is J. Walter Thompson Co., with Lord & Thomas third, and the Compton agency, fourth. Among the first 10 agencies, H. W. Kastor & Son and Lennen & Mitchell are new members in that group. Of the total expenditures for the year, 63.7 per cent of all expenditures were billed through the first 10 agencies.

Leading individual advertiser for the year was Procter & Gamble, with gross expenditures of $4,456,525. Standard Brands was next, with $2,508,139; General Foods was third with $2,332,193; and Sterling Products fourth, with $2,169,836.

Following are the leading 10 advertisers, and their gross expenditures for the year:

Advertiser	Gross Expenditures
Procter & Gamble	$4,456,525
Standard Brands	2,508,139
General Foods	2,332,193
Sterling Products	2,169,836
Miles Laboratories	1,457,470
American Home Products	1,403,496
National Dairy Products	1,275,202
Pepsodent	1,269,158
RCA	1,153,585
General Motors	953,831

The following tabulation lists the 10 leading purchasers of NBC air time among agencies, in the order of their ranking, and a comparison with the amount each spent with the network in 1936.

	1937	1936
Blackett-Sample-Hummert, Inc.	$5,086,667	$4,048,579
J. Walter Thompson Co.	4,376,915	4,151,376
Lord & Thomas	3,872,588	4,492,369
Compton Advertising, Inc.	2,916,100	2,018,344
Young & Rubicam, Inc.	2,772,680	1,745,184
Wade Advertising Agency	1,457,470	1,220,132
Benton & Bowles, Inc.	1,200,461	857,047
Stack-Goble Advertising Agency	1,192,559	933,251
Kastor & Sons Advertising Co.	873,255	179,386
Lennen & Mitchell, Inc.	851,357	532,628

Reach New Zealand

Cincinnati, Feb. 13.—WCKY, NBC-Blue, operated by L. B. Wilson, which recently increased its power from 5,000 to 10,000 watts, is being plainly heard in New Zealand, according to reports received here. Because New Zealand is 17 hours ahead of U. S. Eastern Standard Time, listeners there hear the programs the day before they are actually broadcast from the local station.

"Hilltop House" to Go Out Twice Daily

"Hilltop House," script series placed on CBS some months ago as a Monday through Friday presentation, will be put on twice daily on the one network beginning April 1. This is believed to be the first time that one series will be duplicated over a single network. Procter & Gamble has been doubling twice daily with programs on NBC, but the presentations have been over two networks, the Red and Blue.

The early "Hilltop House" broadcast will be broadcast at 4:15 P. M., with the second broadcast following at 7:30 P. M. Colgate-Palmolive-Peet is the sponsor.

Kroger Plans New Program

The Kroger Grocery & Baking Co., through its agency, Ralph H. Jones Co. will begin a new script show today over 17 selected stations in the north, central and south midwestern areas. World Broadcasting System is producing the show. It will be a daytime serial titled "The Editor's Daughter." Originally the sponsor was represented by 370 spot announcements weekly on 14 stations.

Mexico Tightening Radio Restrictions

MEXICO CITY, Feb. 13.—Because of numerous complaints, the Federal Government has started to enforce strictly existing regulations governing commercial and amateur radio stations. Heavy fines are to be imposed for violations of the code and operators are obliged to abide by official interpretation of the law instead of interpreting it themselves.

Announcers are forbidden to interrupt programs with advertising talks or to speak longer than two minutes at a time, and there is to be less extensive playing of records in English and advertising talks in that tongue.

Canadians Attack "Program Brokers"

(*Continued from page* 1)

from the broadcasting stations. Some brokers, it was complained, had even invaded the field of the advertising agencies and thus obtained both commissions, 15 for booking the talent and arranging programs and another 15 per cent for placing the account. After much data had been presented by members of the association, it was decided to deal with the situation through the new board of directors.

The need for radio censorship was explained by Dr. J. J. Heagerty, chief executive officer of the Health Division, Federal Department of National Health. This speaker decla "We are severe in our censorshi far as fraudulent and misleading st ments go. We know, in order tc business, it is necessary to exagge to some extent, but gross exagg tion calls for supervision."

Radio Personals

FELIX KNIGHT, NBC tenor, been engaged with Leo Reism record six tunes for Victor. . . Howard, WHN's whistling piani now featured at the Park Ce Hotel. . . This department ext thanks to "Arizona Red," the W "cowboy" entertainer, for provid many thrilling moments to Leslie two, and Roberta Muriel, five, department's two principal sourc pride and joy. . . The youngsters ply refuse to leave the house a noons until they've heard "Arizo . . . Mark Hawley, prolific W Mutual commentator, is a busy currently appearing on 14 spons programs a week. . . Charles Rol son, Jr., and Charles Coward of Ralph E. Jones agency, Cleveland in New York conferring on agency's two shows, "Hello, Peg network serial, and "The Edi Daughter," transcribed series.

McNinch, Wheeler Will Address N

(*Continued from page* 1)

member of the Board of District C missioners; an address by Presi John Elmer and the reports of M aging Director James W. Bal and Treasurer Harold Hough.

Edwin W. Craig, chairman of committee on reorganization, is present the proposals of his group mediately upon convening of the ond session. The balance of the will be devoted to consideration of plan.

Argument on the N.A.B. "ho cleaning" is expected to be exte because of the conflicting interest network, affiliated and indepen station groups, but it is hoped that address of Commissioner T. A. Craven, F.C.C. commissioner, ca presented during the Tuesday a noon meeting, to be followed by report of district elections.

Signs for Buffalo Ball Game

BUFFALO, Feb. 13.—Buffalo's b ball club has sold exclusive broadcast rights to the Buffalo Br casting Co. over the bid of the N Ayer advertising agency. The clusive angle is an innovation and follows the policy of most m league ball clubs.

Named KARK Music Head

LITTLE ROCK, Feb. 13.—With addition of a staff orchestra to KA Thomas Morrisey has been appoi musical director. The orchestra be heard in a variety of daily grams from the studio.

WIBW Promotes Hodges

TOPEKA, Kan., Feb. 13.—H Hodges, special announcer at WI Capper Publications station, has promoted to the continuity s However, he retains six of his c mercials.

Radio

MCA to Have aily Prayer for ppressed People

hat may be the first definite an- cement of an editorial policy by merican radio station came from ald Flamm, president of WMCA past weekend, who disclosed that rayer for oppressed peoples in lands" will be given nightly, be- ing at once, at the conclusion of broadcasting day.

ie prayer, set to music, and pre- d by the national anthem, reads: this time may we express the nt prayer that the sweet freedom mocracy, so keenly enjoyed by all ricans, may some day soon be re- d to those people of other lands tonight are yoked by oppression. may the spirit of brotherly love rve inviolate the glorious prin- s on which our great country founded. Peace on earth, good to men."

earst Radio Agent WDRC and WORC

ternational Radio Sales, division earst Radio, Inc., has been signed ct as exclusive station representa- for WDRC, Hartford, and RC, Worcester. Both stations members of CBS, WDRC a basic on, and WORC a basic supple- ary.

he deals were consummated by ray Grabhorn, general manager of national Sales, with Edward E. director of WORC, acting for station, and Franklin H. Doo- representing WDRC. The ap- tments will be effective March 1. ith the new appointments, Inter- nal Radio Sales is serving as esentative for 14 stations.

hange Florida Station Call

AMPA, Feb. 13.—WFLA, Clear- r, will be known in the future as LA, Tampa. This station was blished in Clearwater. Later the ators took over the St. Peters- station WSUN and established a ch studio in Tampa. They were NBC outlet for this territory. year WFLA and WSUN split each station taking three of the days as their own, and dividing Sunday hours. Since the split the LA call has been, "with studios ampa and Clearwater." Permis- has now been granted to eliminate Clearwater.

usted WLW-WSAI Executive

NCINNATI, Feb. 13.—K. Wallace ted, assistant general manager of CO, Minneapolis, will become as- nt sales manager of WLW- AI effective March 1. Also, John lling Koepf, promotion manager he *Cincinnati Post*, will join the ley stations Feb. 14 as sales pro- on manager. E. C. Krautters, moved to the sales department a months ago, will continue as as- nt sales manager in charge of ice.

Majority Oppose Air Censorship Study Indicates

A nationwide survey by Dr. George Gallup, director of the American Institute of Public Opinion, shows that, contrary to the opinions recently expressed by a number of Congressmen and Senators, a majority of the radio audience is opposed to government censorship of radio.

The survey shows that 59 per cent of the radio audience is against censorship of radio on the ground that it would be harmful. Forty-one per cent feel that censorship is merited. Taken in numbers instead of percentages, the poll indicates that of the estimated 24,500,000 set owners in America, 14,500,000 prefer to have no censorship while 10,000,000 favor it.

The main objection to censorship, judging by comments from voters, is that direct Federal censorship would be a dictatorial usurpation of power which might conceivably lead to censorship of other media besides radio. Impairment of free speech is given as another reason. Many declared that both public opinion and the broadcasting stations themselves are now exercising a sufficiently effective censorship.

Eighty-five per cent, answering on whether they were satisfied with the moral standards of progress, said they had not been offended by "vulgarity" on the air. Only 15 per cent said they had been offended.

On the other hand, those who favor Federal censorship declared that (1) better programs might result, (2) that it would eliminate misleading advertising.

KFWB Closes Atlas Franchise on Coast

HOLLYWOOD, Feb. 13.—Negotiations have been completed whereby KFWB, Warners' Hollywood station, has obtained an exclusive franchise covering the Los Angeles area for the use of the 1938 product of Atlas Radio Corp. Herbert L. Ebenstein, Atlas president, who is now in Hollywood, negotiated the pact with Harry Mazlish, manager of KFWB.

Twenty-eight programs are involved in the deal.

KSD Builds Auditorium

ST. LOUIS, Feb. 13.—Increased activity in local production, both musical and dramatic, has forced KSD, *Post-Dispatch* station, to augment normal studio space with an auditorium studio. Constructed to theatre specifications and known as KSD's Radio Playhouse, the addition will accommodate an audience of 700 people.

To Sponsor Sports Broadcast

OMAHA, Feb. 13.—A 13 week contract starting April 1 for sponsorship of Ralph Wagner's sports column by Brown & Williamson has been placed by John Blair & Co. Wagner is a former newspaper sports editor and has a 15-minute daily program.

G. N. Reorganizing Petition Set Aside

(*Continued from page* 1)

petitioning creditors, B. F. Zeidman Productions, Inc., Pacific Title and Art Studios, Inc, and Howard Anderson. Formal orders setting aside, cancelling and annulling the two orders made Friday at a filing by the creditors were signed yesterday. Harry Dunn, of law firm of O'Melveny, Tuller & Myers, representing G. N., prepared the documents.

Judge James instructed Wright not to act as trustee nor take any steps in accordance with the order previously made. Krasne, in announcing Judge James' order, said the filing of the petition by the creditors came as a complete surprise and shock to G. N. officers and was filed without according G. N. an opportunity to be heard.

Say G. N. Indebtedness Cut

Grand National's indebtedness to the Bank of America, originally $500,000, has been reduced to $27,000, it was said by Edward Peskay, vice-president, on Saturday. The company has been meeting other obligations as well and "we are rapidly satisfying all creditors," he said.

No one is slated to succeed Morris Epstein, who resigned as New York branch manager to join Republic, but Stanley Hatch, who is in charge of exhibition contracts in the home office will, in addition, supervise the local office.

Expect No Sale Tax For Phila. Rentals

(*Continued from page* 1)

case of outright sale of film, however, the tax probably will be enforced.

There will be no sales tax on admissions which already have national and state taxations.

No machinery has been set up for handling the new tax. In addition, a court decision is being awaited before the plan will go into effect.

Plan New Illinois House

JACKSONVILLE, Ill., Feb. 13.—Plans will be ready about Feb. 15 for the new theatre to be erected here by the Fox Midwest Agency, Inc. It will be known as the Illinois and will stand on the site of the present theatre bearing that name.

Buys Oklahoma Theatre

HELENA, Okla., Feb. 13.—Jack Shiverdaker of Enid, Okla., has purchased the Palace here from S. N. Daugherty of Canton, Okla. The name will be changed to the Helena.

"U" Buys Clarke Yarn

HOLLYWOOD, Feb. 13.—Universal has purchased "She Meant No Harm," an unpublished novel described as a modern problem drama by Donald Henderson Clarke. No production plans were announced.

To Modernize Circuit

MEXICO CITY, Feb. 13.—Modernization of all its 14 theatres here has been started by Jose Echeverria & Co. The work is to take six months.

World's Film Theatres Now Total 89,097

(*Continued from page* 1)

exception of Europe and Latin America showed an increase in either new or reopened theatres, according to Golden's survey. On Jan. 1, 1938, there was a total of 59,187 theatres operating in Europe, of which 34,819 were wired, as compared with 66,876, open, and 29,207 wired in 1937.

Theatres operating in Latin America this year showed a decrease of 118 theatres, with 5,174 theatres, of which 4,355 were wired, as compared with 5,292, of which 4,068 were wired. In 1937, the Far East showed an increase of 293 houses in operation, and 482 additional wired during 1937. This year there were 5,834 operating, of which 4,869 were wired, as compared with 5,244 open, and 4,387 wired a year ago.

Africa and the Near East had 813, with 763 wired, on Jan. 1, 1938, against 676, with 610 wired, in 1937. Canada showed an increase in 1937 in new theatres. This year there were 1,089, all wired, compared with 1,033, all wired, in 1937.

In the United States, the total of 17,000 theatres, with a seating capacity of 10,720,400, is an increase of 742 either new or reopened during 1937, the Golden survey indicates. In January, 1937, the total was 16,258, seating 10,440,632.

In the 90-odd countries studied, American films during 1937 accounted for 70 per cent of the screen time in all foreign markets.

Commons Action Due On Bill This Week

(*Continued from page* 1)

group are canvassing members of the House of Lords, demanding an increase in all the quota percentages and greater powers for the Films Council, which will be set up under the terms of the new legislation.

The group is protesting that the bill provides no remedy for uneconomic prices on British films which may be set by foreign distributors, and that the quota protection for British product is inadequate.

ITOA Probes Church Hall Chance Games

(*Continued from page* 1)

the law since no fee is collected for participation in the games, it was decided by the court.

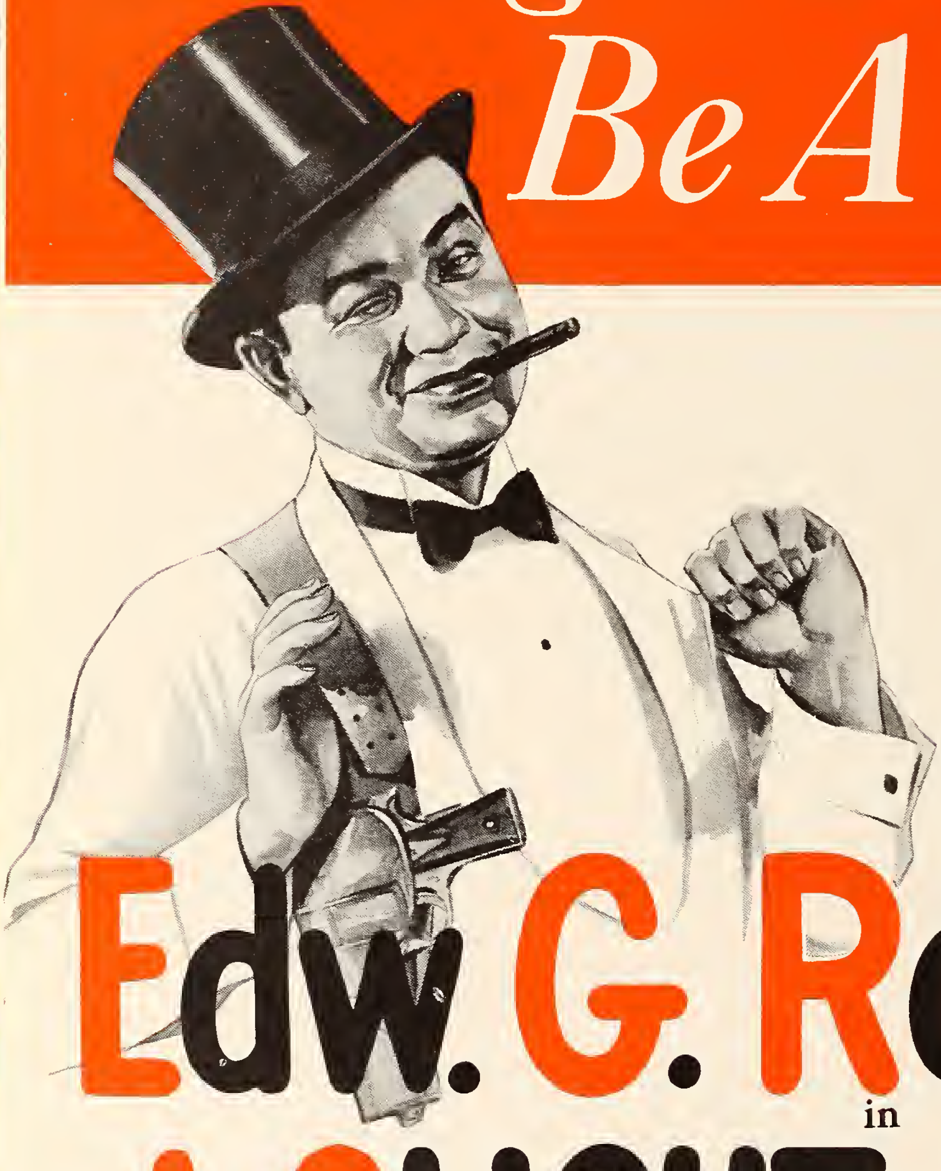
The I. T. O. A.'s campaign follows the banning of Bingo by District Attorney Foley in the Bronx. Police captains in some of the other districts are cooperating with exhibitors in the survey.

Italian Series Planned

ROME, Feb. 1.—Leonardo Film, Italian producing company, and World Window, Ltd., new British firm, have closed a deal to produce a series of educational features in Technicolor, which United Artists will distribute throughout the world. Three have been completed in Italy.

CALL IN THE COPS, MEN

There's Going To Be A Killing!



Warners are out to slay 'em agai
in the same sweet way they did
with Robinson in 'Kid Galahac
It's guaranteed by a super-wow
a story by the one and only Damo
Runyon himself, and Howar
Lindsay—and double-guarantee
because Warners are on a hit ra
page and nothing can stop 'er

Edw. G. Robinson

in

A SLIGHT CASE OF MURDER

with JANE BRYAN
ALLEN JENKINS
RUTH DONNELLY
WILLARD PARKER
Directed by
LLOYD BACON

Screen Play by Earl Baldwin and Joseph Schrank · From a Play by DAMON RUNYON and HOWARD LINDSAY · Music & Lyrics by M. K. Jerome and Jack Scholl · A First National Picture

WARNER BROS., *Winter-Hit Headquarters!*

THE SEAR
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the Motion
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dustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

3. NO. 37 NEW YORK, TUESDAY, FEBRUARY 15, 1938 TEN CENTS

ctors Guild Moves to Bar IATSE Plans

eks a Closed Shop for Extras in Ranks

OLLYWOOD, Feb. 14.—The first ite move to circumvent the T.S.E.'s declared intention to ex- its jurisdiction to all production s was made today by the Screen rs' Guild in seeking a closed shop extras.

ne guild is sending letters to pro- r signatories of the 10-year guild ract advising them that, unless ctions are raised, the books of the or Guild are to be closed to Cali- ia residents. Producers are given the end of February to file ob- ons to the move.

nder the contemplated procedure or members admitted in other s may not join here unless with

(Continued on page 5)

oduction Gains With 34 Shooting

OLLYWOOD, Feb. 14.—With eight ires starting and only three end- production climbed this week to efore the cameras. Fourteen are g prepared and 51 are being edited our of those starting are at 20th ury-Fox. They are "Little Miss adway," "The Battle of Broad- " "Trip to Paris," and "Josette." er pictures which went before the eras are: "Judge Hardy's Chil- ," M-G-M; "The Gentleman from don" and "Fire Over the Water- t," Republic, and "All Rights Re- ed," (tentative title), Warners. ne tally by studios:

olumbia finished none, shooting

(Continued on page 7)

efinancing Halted G. N. Court Action

os Angeles, Feb. 14.—Federal ge William P. James, explaining order which last Friday revoked permission granted three creditors rand National to file a petition for reorganization of the company er 77B of the bankruptcy act and appointment of Loyd Wright as porary trustee, today told Motion ture Daily his cancellations were licated on the representation by nd National that new financing for organization has been arranged.

he orders were revoked after a

(Continued on page 7)

M-G-M Drops Proposal for 3-Reel Films

Duals Are Regarded as Too Much of Hurdle

Hollywood, Feb. 14.—Production of three-reel featurettes aimed to oust the second feature from double bills has been vetoed by the M-G-M sales department, although the shorts production department in Hollywood favored the idea as a means of getting greater attention for shorts, it is learned. The sales department, it was said, does not believe that the market can absorb three-reel subjects because of the prevalence of duals.

As a result, M-G-M's shorts for the new season will be confined to one and two-reelers, as in the past, with a greater expenditure planned because of the increase in production costs. In discussions on the new season product, Jack Chertok, shorts production head, told the distribution heads he favored more money for quality rather than a larger number of subjects. The 1938-'39 schedule, therefore, will remain about the same, numerically, as this year during which 82 shorts are to be

(Continued on page 7)

Report Appeal Group Appointed in Albany

While no word was forthcoming yesterday from Albany on the action of the Board of Regents at their meeting last week, Motion Picture Daily learned that a definite sub-committee was appointed to view pictures and also that action on "The Birth of a Baby," subject of current controversy following its rejection by the Motion

(Continued on page 7)

Charles Ford Given Sendoff by Friends

Charles Ford, formerly manager of Universal Newsreel and now leaving for the coast to assume his new duties as a producer for Republic, yesterday was given a farewell luncheon at the Lotos Club by his friends in and outside of the industry.

Among the well wishers present were: Ralph I. Poucher, Richard Brady, James Sweeney, Ralph B. Austrian, Charles Bonn, A. Schimel, A. Pettie, James Cron, H. C. Foster, M. Kurtz, M. Mathieu, William German, Lowell Calvert, Frank Meyer, Charles Alicoate, M. Siegel, William Powers, Mike Clofine, Tom Mead, Alan Friedman, Jules E. Brulatour, Alois Havrilla, Matty Fox and H. J. Yates.

N.A.B. WARNED ON MONOPOLY OF AIR

Governm't Would Direct All Broadcasting, Says Wheeler

By JACK BANNER

Washington, Feb. 14.—Monopoly in the field of broadcasting will result in Government ownership of all radio facilities, members of the National Association of Broadcasters, meeting for their annual convention, were told today by Senator Wheeler of Montana. The 16th annual meeting opened today at the Willard Hotel, and will continue through Wednesday.

Senator Wheeler warned the station executives not only against permitting monopoly to get a foothold in the industry, but also against taking sides in political controversies and against undesirable program features, such as the recent Mae West "Adam and Eve" broadcast.

Through a letter to Frank R. McNinch, chairman of the Federal Communications Commission, President Roosevelt extended a greeting to the NAB, and told its members they had a "very great" opportunity to serve the public and an equally great responsibility of making radio serve the "high purposes of a democracy."

Broadcasters were told that extension of the license period, now limited

(Continued on page 6)

Reorganization Plan Adopted by the NAB

Washington, Feb. 14.—Discarding the vacillating methods that have characterized the organization's conventions in the past, the NAB., meeting here in the Hotel Willard, today, by the unanimous vote of the more than 300 delegates attending the organization's 16th annual convention, adopted a broad plan of reorganization which is expected to change the NAB from a supine to a militant self-protectant trade association. The adoption of the reorganization plan was heralded on the floor of the convention as the beginning of a "new and better day for broadcasters."

Principal changes in the NAB occasioned by the adoption of the reorganization plan is the abolition of the present governing body of the organization, the adoption of a new certificate of incorporation and a new set of by-laws,

(Continued on page 6)

Additional developments in Radio on pages 6-7

Majors Study Wage Demands in Mexico

Wage increase demands of the film exchange workers' unions of Mexico City were discussed by foreign managers of major companies at a meeting here yesterday. No decisions were reached, according to an informed source. Indications are that adjustment of the problem will be left in large part to the company representatives in Mexico City, who probably will be instructed to negotiate with the unions.

Foreign managers here declared that the unions' demands involved wage increases as much as 200 per cent in some instances. They stated that the unions started in all cases with the highest salary paid to any employe by any film company in Mexico City and asked a flat 35 per cent increase on the maximum salaries. The demand, thus, would increase salaries of less than the maximum to much more than the 35 per cent standard increase.

The Mexican exchange unions orig-

(Continued on page 7)

Wednesday Deadline For Mexican Strike

By JAMES LOCKHART

Mexico City, Feb. 14.—Two days of grace, expiring Wednesday, have been granted the industry here to meet the demands for salary increases to white collar workers. The impression prevails that the demands will be met and a strike averted.

Increases asked by the unions average 50 per cent.

May Change English "Snow White" Rating

By AUBREY FLANAGAN

London, Feb. 14.—A new development in the censor rating of "Snow White and the Seven Dwarfs" has arisen, with the decision of the County Councils of London, Middlesex, Surrey and Essex to demand a special preview of the film on Friday with a view of possible change in the present rating.

The classification of the film may be changed to "universal" by the council decisions, thus permitting children to see it without restriction, or it may be placed in the "horrific" category, which is possible in view of the censor declaration that there are certain scenes unsuitable for children.

MOTION PICTURE
DAILY
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Delaware Asks Garbo For Historical Film

WILMINGTON, Feb. 14.—Greta Garbo is likely to make a film based on the life of Armegot Printz, daughter of Johan Printz, an early governor of Delaware, it has been disclosed here. Efforts are being made to have the Swedish star play the role in the picture which would be released in connection with the Swedish tercentenary celebration to be held in Wilmington in June.

Sigfried Edstrom, chairman of the new Sweden Tercentenary Commission in Stockholm, has sent word here that he has talked with Miss Garbo on the subject. She will be more than willing to undertake the film if it can be arranged with M-G-M, Edstrom reported.

Janet Gaynor's Next Set

HOLLYWOOD, Feb. 14.—"The Young in Heart," picturization of the as yet unpublished *Saturday Evening Post* novel, "Gay Banditti," has been chosen by David O. Selznick as the next starring vehicle for Janet Gaynor. This will be the first of two productions still due under Selznick's present releasing arrangement. Preparation will begin immediately.

◂ *Purely Personal* ▸

BERNARD BARTON of the Harold F. Oxley office, will sail Saturday with EDGAR HAYES and his orchestra for a European tour. BARTON will be accompanied by MRS. BARTON and FRANCES OXLEY, daughter of HAROLD F.

•

WILLIAM SUSSMAN, 20th Century-Fox eastern division manager, attended the opening of "In Old Chicago" at the Colonial in Boston last night. He will return tomorrow.

•

CHRISTY WILBERT of the 20th Century-Fox publicity department, will return today from Pittsburgh where he handled the opening of "In Old Chicago" at the Nixon.

•

EDWIN MILES FADMAN, managing director of Films Red Star, Paris, was compelled to cancel his scheduled sailing on the *Ile de France* Feb. 12. He will said on the *Hansa* today.

•

JOE VOGEL of Loew's is vacationing in Havana, having gone there from Miami. C. C. MOSKOWITZ is planning a Florida trip when VOGEL returns.

•

RAMON NOVARRO is due by plane today from the coast for conferences on advertising plans of his next Republic picture, "As You Are."

•

JACK COHN, ABE MONTAGUE and A. Schneider left for the coast yesterday and will be at the Columbia studio for several weeks.

•

M. J. SIEGEL, head of Republic production, arrived yesterday from the coast. He will leave for Hollywood Friday.

•

PETER GODFREY left yesterday for the coast where he will supervise dialogue for WALTER WANGER'S "The River Is Blue."

•

LOUIS H. LARIME has been appointed director of exploitation for "Selling America," a Jam Handy release.

•

RAMOS COBIAN, president of United Theatres, Inc., Puerto Rico, has opened offices in the Paramount Building.

•

J. DON ALEXANDER, president of Alexander Film Co., of Colorado Springs, is here for a few days.

•

JACK PARTINGTON of Fanchon & Marco returned yesterday from coast conferences.

•

LASZLO FODOR'S unpublished story, "Courrier de Paris," has been purchased by M-G-M.

•

CHARLES IGOR GORIN, M-G-M player, has arrived from the coast for a short vacation.

•

MAX REICHMANS, European director, left yesterday for the coast.

•

ELEANOR POWELL will arrive in Hollywood tomorrow from the east.

•

NATE J. BLUMBERG left yesterday for the coast.

Legion of Decency Approves 12 Films

A total of 13 pictures were reviewed classified by the National Legion of Decency for the current week, with nine listed as unobjectionable for general patronage, three as unobjectionable for adults, and one called objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Bringing Up Baby," "The Goldwyn Follies," "International Settlement," "The Kid Comes Back," "Of Human Hearts," "Outside of Paradise," "Romance in the Dark," "Start Cheering," "To the Victor." Class A-2, Unobjectionable for Adults—"Karl Fredrik Reigns" (Swedish), "Night Spot," "Um Freiheit und Liebe" (German). Class B, Objectionable in Part—"La Nujer de Nadie" (Spanish).

Arthur Lee Holding Regionals for G.B.

Following an eastern regional conference held Sunday at the home office of G. B., Arthur A. Lee, vice-president and general manager, left by plane last night for Kansas City where he will hold a similar meeting. This will be followed by conferences in the territories of the far west.

Among those at the meeting here Sunday were Clinton M. White, assistant general manager; Arthur Greenblatt, eastern division manager; Albert Margolies, director of advertising and publicity; Claude Macgowan, Charles Schwengeler and Bernard Kearney.

Mayer Dinner Feb. 24

HOLLYWOOD, Feb. 14.—Louis B. Mayer, retiring president of the Association of Motion Picture Producers, will be honored by members of that organization at a formal dinner in the ballroom of the Biltmore Hotel Feb 24, according to invitations dispatched to more than 200 couples by the arrangements committee composed of Joseph M. Schenck, Jack Cohn, Charles R. Rogers and Jack L. Warner. The affair, originally scheduled for Feb. 21, will be a tribute to Mayer's service during the past seven years as head of the organization in which he continues as first vice-president.

Telephoto Suit Dropped

The $900,000 treble damage suit brought by Telephoto Corp. for alleged violation of the Clayton and Sherman anti-trust act by alleged limitation of licenses to exhibit films was marked settled and discontinued as to the defendant Erpi, and discontinued as to the defendant Western Electric and American Telephone & Telegraph Co., in the U. S. District Court here yesterday. The suit was started in May, 1934.

Resume M. & R. Testimony

The taking of depositions in the Morse & Rothenberg anti-trust action against major distributors, the Maine & New Hampshire and M. A. Shea circuits was resumed here yesterday and is scheduled to continue throughout the week. Routine testimony was added to the record yesterday and Joseph Quittner, attorney and son of the former Middletown, N. Y., theatre operator, is scheduled to be called today.

"Chicago" Run Ma
. Be Given Extens

"In Old Chicago" is set for a
week run at the Astor. If busi
holds up the engagement may be
tended further. Reservations are
ing taken to March 27, which is
weeks longer than originally sc
uled. The fifth week's gross was
300, as good as the fourth week.

The strong pace set by pr
weeks of "Snow White and the
Dwarfs" continues at the Music
a take of $65,000 for the first four
of the fifth week, presaging a $10
gross for the week.

The Lincoln's Birthday hol
Saturday helped Broadway gro
generally. Opening business on "
Is Where You Find It," at the Str
was reported as "the biggest
months," and the film will hol
second week. The Roxy, it is
mated, will finish with $33,000 for
fourth week of "Happy Landing."
tivity at the Criterion has take
jump with "The Girl Said No" a
supporting bill consisting of "
River" and the first episode of "
Lone Ranger."

20th-Fox Is Sued o
"Baba's" Authors

LOS ANGELES, Feb. 14.—A suit
$1,000,000 today was filed in Supe
Court here against 20th Century-
Films Corp., Eddie Cantor and C
Fowler by Andreas S. Michael
writer, who alleges that "Ali B
Goes to Town" was taken from
untitled manuscript submitted by
to the studio in 1936.

The suit asks attorney's fees
$25,000 and orders restraining
tribution of the film and the impo
ing of the profits.

Cinecolor Asks Dela

WASHINGTON, Feb. 14.—Further
ferment of the effective date of
registration statement was asked
the Securities and Exchange Com
sion today by Cinecolor, Inc., Los
geles. The company refiled its re
tration, which was withdrawn
year, on Jan. 7, and asked and
tained deferments of the effective
on Jan. 21 and again on Feb. 1, tod
application being for a third postp
ment.

DeMille Asks Tax Hearing

WASHINGTON, Feb. 14.— Rede
mination of the tax liability of Ceci
DeMille Productions, Inc., was as
by the company of the United St
Board of Tax Appeals today. A
ficiency assessment of $22,325
imposed on the company by the C
missioner of Internal Revenue foll
ing audit of its 1934 income tax
turn.

"Dwarfs" in Hub Reco

BOSTON, Feb. 14.—What is belie
to be a national RKO record, with
exception of New York's Music H
was set on Saturday when "S
White and the Seven Dwarfs,"
gether with a stage show, was sh
to 17,540 at the RKO Memorial h
The previous Saturday record
RKO theatres was made at the B
ton during the Eddie Cantor book
of November, 1936. Five stage sh
and six screenings were shown on
urday.

*An Exhibitor reads his Morning Times

SCANDAL STREET
RIVER

"I picked up The New York Times Saturday morning to glance at the amusement page and saw the government had turned out a film called 'The River' which the Times' critic, Nugent, claims is one of the really great pictures of the year. Never read such raves for a picture in my life in the dignified New York Times. Noticed that the picture was released by Paramount.

"Glanced down the column and saw another rave on well wrought melodrama 'Scandal Street.' This one also released by Paramount Pictures.

"Kept on reading and saw another Times' reviewer had caught a Western called 'Thunder Trail' and here he was calling this 'the most saleable merchandise' praising the use in a Western of such well known actors as Charles Bickford, Gilbert Roland, J. Carroll Naish and Marsha Hunt, praising workman-like direction and editing and unusually careful photography, and this one also I noted had the Paramount seal on it.

"Frankly, this screen column in The Times is one of the finest ads I have ever seen for a picture company, for it shows that Paramount is just as careful about its program pictures, its Westerns, its novelty pictures, as it is about its huge double A productions like 'Wells Fargo,' 'The Buccaneer,' 'The Big Broadcast of 1938,' 'Romance in the Dark,' 'Dr. Rhythm' or 'Bluebeard's Eighth Wife.'

"The next time a Paramount salesman talks to me, I am going to remember that column in The Times and you can believe me I'll sign on the dotted line."

A New York Exhibitor

* *If you think this is a gag just pick up THE NEW YORK TIMES SAT. FEB. 5—and read page 19.*

Walker Firm Takes Over Fourth House

The St. Cloud Amusement Corp., which is headed by Frank C. Walker, president of the Comerford Circuit, is expanding in New Jersey, having taken over the Sussex, Sussex, N. J., which increases the holdings to four theatres. Others are the St. Cloud and Washington, Washington, N. J., and the Belvedere, Belvedere, N. J.

The Comerford Circuit is a Paramount partner in a number of theatres, but the St. Cloud operations have no connection with Comerford, Walker's office said yesterday. C. E. Smith is secretary of the St. Cloud company.

Other transfers are: Leon Shusterman of the Rocky, Perth Amboy, N. J., has taken over the Cameo, Yonkers, to be operated by the Terry Lee Theatre Corp. The Cameo formerly was operated by the Weinberg Amusement Corp., Joseph Weinberg, principal.

The Lindy, Graham Ave., Brooklyn, formerly operated by the Graham Amusement Corp., has been acquired by the Lindy Amusement Corp., Rose Albert, president, Meyer Friedman, vice-president.

The River Theatre Corp. has taken over the Granada, Pearl River, N. Y., formerly operated by Irving Sherman. Herbert Markfield is president of the corporation.

The Strand, East Orange, N. J., has been taken over by the Pyrgos Theatre Corp., Peter Mann, president.

Will Continue Utah Games Pending Test

Salt Lake City, Feb. 14.—Bank Night, Buck Night and Ten-O-Win will continue in Utah theatres until a test case has been submitted to the Utah Supreme Court, it was decided at a meeting of theatre operators with members of the Utah State Trade Commission. Cease and desist orders had been issued to theatres by the board.

Questioning the power of the commission to attack the games. Ira A. Huggins, attorney, held that the powers of the newly created commission are limited to trade and commerce and that the film houses are not engaged in commerce. He claimed that there is no element of gambling in the games in question because no consideration is involved. It was agreed that the lottery angle would not be contested, but that the commission would base its case on the contention that the games are unfair to competition. Decision from the state Supreme Court is not expected for several months. In the meantime the games will continue.

Hollywood Preview

"The Adventures of Marco Polo"

(Goldwyn-U.A.)

Hollywood, Feb. 14.—It was Robert E. Sherwood, vitriolic cinema critic of the then comic *Life,* who enriched his reputation as a rising young humorist by calling Valentino's "The Sheik" "an average western with the cowboys wearing kimonas." It is the same Robert E. Sherwood, yet a different as well as more famous one, who wrote the screenplay of what he might in those gay days have called "Kublai Khan Rides Again." It is of record, of course, that critic Sherwood's salty exposure of "The Sheik" for what it was didn't keep it from climbing into the *Motion Picture Almanac's* list of "All Time Best Sellers," and so it is just possible, if not probable, that the now distinguished playwright set out cold-bloodedly in this enterprise to make history repeat itself. Who can say it will not?

Knowingly or otherwise Samuel Goldwyn, himself an adventurer of parts, has invested in Sherwood's "Adventures of Marco Polo" a tidy sum of money and the talents, not to say reputations, of a notable company of players. In the title role, which would have suited Valentino much better, Gary Cooper instructs a daughter of China at length in the art of osculation, romantically appeases another by way of of spelling her kingly husband, Alan Hale, and survives to sack Peking and win the princess. She is the personable Sigrid Gurin, a promising newcomer. The villainous chief of state is blasé Basil Rathbone and H. B. Warner plays a bit. Others involved more or less seriously are Ernest Truex, George Barbier, Ferdinand Gottschalk and Henry Kolker.

If the general public happened to display renewed interest in Sherwood's pre-fabricated type of entertainment about now it will find a far finer specimen of it than has been supplied previously. The production is lavish in the Goldwyn manner, from massive sets to meticulously authenticated triviata, and the platinum sepia process adds to both beauty and illusion. It is a big picture, and it carries the Goldwyn signature, made more lustrous than ever by "Stella Dallas," "Dead End" and "The Hurricane." These are better reasons than Sherwood's why it may turn out to be another "Sheik."

Running time, 100 minutes. "A."

Menches Is Elected To Head Akron ITO

Akron, Feb. 14.—Robert Menches was elected president of the Akron I.T.O. at the annual meeting, when the organization resolved to fight the construction of new theatres in the city, on the ground that it is already overseated. The unit decided to oppose the new theatre planned by Canton interests here.

The organization pointed out that there is one theatre seat for every nine persons in Akron, and than an increase would be dangerous to all existing theatres. Other officers elected were: Albert A. Ploenes, first vice-president; Park Belden, second vice-president; J. G. Deetjen, secretary, and R. C. Wahl, treasurer.

Serial in 44 Loew Spots

Loew's has booked Republic's "Lone Ranger" serial into 44 of its 70 houses in the metropolitan area. This is claimed to be a record, serials heretofore having been limited to 20 or 25 houses in the circuit. The Valencia, Paradise and other houses will run the serial on Saturday afternoon, and elsewhere it will be used for children's shows.

Schaefer to Tour Keys

Gus Schaefer, former foreign manager for Universal, plans to leave at the end of the week on an extended tour of all key cities. He described the trip as part business and part pleasure, but primarily to reacquaint himself with domestic distribution and theatre operation. He plans to be away about a month.

FEATURE FILMS MAKE HISTORY OVERNIGHT BY...
AIR EXPRESS
AIR EXPRESS
DIVISION
RAILWAY EXPRESS AGENCY, INC.

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Variety Club

Des Moines

Des Moines, Feb. 14.—Practic everyone in town not engaged where attended the Variety Cl charity ball at the Tromar ballr and paid approximately $2,500 dance to the music of Ted Lewis his orchestra. An hour floor show Lewis and his 40 entertainers was of the highlights of the evenin

Members from Minneapolis Omaha and Burleigh Grimes, n ager of the Brooklyn Dodgers v there.

The proceeds of the dance wil used to buy an artificial respirato "iron lung" for Broadlawns Gen Hospital. The club previously given charity parties for shutins, now plans to hold a number of s affairs for other charitable purpos

Omaha

Omaha, Feb. 14.—Omaha Var Club members were guests of t wives at the annual Valentine p Saturday in the club's headquart

The committee in charge incluc Joe Jacobs, chairman; D. V. Lucas, E. R. Cummings, I. Weiner, Ted Emerson, Bill kell, Jack Epstein, A. M. A and Al Hill.

To Study Single Bill

The single feature policy to be augurated at Loew's Ziegfeld Marc will be permanent for Tuesday Wednesday of each week, and whe the theatre will discard double entirely depends on the reaction to two-day singles, it was said by Gil Marbe, manager, yesterday. On short end of the week, the the plans to show a good feature four or five shorts and three ne reels.

Sues for Building Pern

Minneapolis, Feb. 14.—Henry Griffith, has obtained from Ju Mathias Baldwin an alternative of mandamus ordering the City Cc cil to grant him a permit for a the forthwith or show cause Feb. 21 the permit should not be issued.

Wall Street

Light Advance on Board

	Open	High	Low	Close	Ch
Col.	13½	13½	13½	13½	+
E. K.	154½	154½	154⅛	154⅛	−
E. K. pfd.	164½	165	164½	165	+
G. T. E.	11	11	11	11	.
Loew	49⅛	49⅛	48	48⅜	+
Para.	10¼	10⅜	10⅛	10¼	.
Para. 2	10½	10½	10½	10½	+
Pathe	6	6	6	6	+
RKO	3¾	3⅞	3¾	3⅞	.
20th Fox	21¾	21¾	21½	21½	−
W. B.	6⅛	6⅛	6	6	.

Curb Rises Fractionally

	Open	High	Low	Close	Ch
G. N.	⅝	⅝	½	½	−
Monogram	2½	2⅝	2½	2⅝	+
Technicolor	17¾	18	17¾	18	+

Loew Bonds Rise

	High	Low	Close	Ch
Loew 3½s '46	98¾	98¾	98¾	+
Para. Pict. 6s '55	92	92	92	.
W. B. 6s '39	73	73	73	−

(Quotations at close of Feb. 14)

Actors Guild Moves to Bar IATSE Plans

(Continued from page 1)

special approval of the board of ors. Junior members were ad- ed of the move at a mass meeting nday night by Franchot Tone, ior board member, who read the ter being sent to the producers. ne cited prevailing unemployment in extra ranks, declaring that extras ready far outnumber the available bs. The guild has 12,500 members rolled, but the number is being re- ced through delinquencies, with- awals and the rule obviating the cessity for juvenile players enrolling.

The guild's action is looked upon in or circles as the first move of any ganization affected by the I.A.T.- E.'s claims to forestall them. It is orted here that the first move of I.A.T.S.E. in extra ranks would the issuance of an invitation to join th the promise of a closed shop for nosphere people. Under the guild ntract obtained last year with I.A.- S.E. aid, no closed shop is granted, t a stipulation is made that all ex- s must be guild members and that guild must keep its membership oks open.

Browne, Bioff Expected

George Browne, I.A.T.S.E. head, d William Bioff, his west coast aide, scheduled to go to Chicago from San Antonio meeting of their or- nization's executive council and will me here immediately afterward, pre- mably to attempt to line up those dio crafts not already affiliated with I.A.T.S.E.

It was learned here that I.A.T.S.E. ders, who failed to press for A. F. L. sanction of their jurisdictional ims at the recent Miami meeting of parent organization's executive uncil, feel that the I.A.T.S.E.'s char- is broad enough as it stands to lude all film crafts under its juris- tion. Thus, if any protest against A.T.S.E. expansion is to be made A. F. of L. leaders, it would have come from the guild and other labor iliates upon whose fields the I.A.- S.E. may encroach.

I.A. Claims "Astonish" Gillmore

Asserting that he was "astonished d disturbed" by the reiterated claims the I.A.T.S.E. to jurisdiction over tors, Frank Gillmore, president of e Associated Actors and Artistes of merica, which has jurisdiction over e Screen Actors' Guild and other rformers' unions, declared yesterday at he did not believe that the A.T.S.E. membership would approve e claims if presented at the organi- tion's annual convention in June.

Gillmore said that he "could not derstand how the claims of the A.T.S.E. could be presented ser- usly."

Ask for Disney Election

Hollywood, Feb. 14.—The Federa- n of Screen Cartoonists today filed request before the Regional Labor elations Board for an election of orkers at the Walt Disney Studios determine the collective bargaining ency. The Federation claims a ma- rity of the Disney workers.

"Chicago" at $15,200 2nd Chicago Week

Chicago, Feb. 14.—Sellout business every night gave "In Old Chicago" a strong gross for the second week and the picture took in $15,200 which was almost double average. Matinee business on this film was comparatively light.

"Mannequin" at the United Artists was also a money-maker with $18,700 for the opening week. This was $3,700 above average. The Palace with "Radio City Revels," the Oriental with "Paradise for Three" and the Garrick with "Hurricane" did better than normal.

The weather was unsettled most of the week with rain and snow prevalent.

Total first run business was $130,600. Average is $122,500.

Estimate takings:

Week Ending Feb. 10

IN OLD CHICAGO" (20th-Fox)
APOLLO—(1,400), 75c-$1,50, 2 shows daily, 7 days, 2nd week. **Gross:** $15,200. (Average, $8,000)

"BUCCANEER" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 3rd week. Stage: William Hall and Revue. **Gross:** $26,700. (Average, $32,000)

"HURRICANE" (U. A.)
GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $7,000. (Average, $6,500)

"PARADISE FOR THREE" (M-G-M)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Herbie Kay and Band. **Gross:** $19,200. (Average, $18,000)

"RADIO REVELS" (R-K-O)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Jimmy Dorsey and Band. **Gross:** $20,000. (Average, $19,000)

"WHEN THIEF MEETS THIEF" (U. A.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Milt Britton and Band. **Gross:** $13,000. (Average, $13,000)

Week Ending Feb. 11:

"HAPPY LANDING" (20th-Fox)
ROOSEVELT—(1,500), 35c-55c-75c, 7 days, 2nd week. **Gross:** $10,800. (Average, $11,000)

"MANNEQUIN" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $18,700. (Average, $15,000)

O. O. McIntyre Dead

O. O. McIntyre, noted columnist whose "New York Day By Day" was widely syndicated, died here yesterday following a brief illness. He was 54 years old.

McIntyre's reading audience has been estimated to be around 7,000,000. He was born in Pittsburg, Mo., in 1884. From cub reporter on the Gallipolis, Mo., *Daily News*, he worked his way up to the point where he was considered the most successful columnist in the country.

McIntyre at one time handled publicity for Florenz Ziegfeld and William Fox. Funeral services will be held tomorrow in Gallipolis. He will be buried in the Mound Hill Cemetery.

Air Tribute to McIntyre

A tribute to the late O. O. McIntyre, columnist who died yesterday, will be broadcast over WNEW tonight at 7:15, by Richard Brooks, station commentator.

Hold Rites for Edith Segal

Boston, Feb. 14.—Funeral services were held today in Brookline for Edith Segal, 16-year-old daughter of Harry Segal, who operates Imperial Pictures of New England, Inc. Miss Segal was taken ill suddenly on Saturday and died that day.

Expect Fight Today On Child Labor Bill

Albany, Feb. 14.—The bitterest verbal skirmish in the 1938 legislature is expected tomorrow afternoon in the Assembly when ratification of the Child Labor Amendment comes up for a vote. The industry's interest in the amendment lies in the section restricting labor of persons under 18 years of age. Passed by Congress in 1924, the amendment has been ratified by 28 states, though the highly controversial legislation has been denied official affirmation in New York for more than a decade.

Little doubt exists that opponents will defeat ratification of the Andrews bill in the Assembly, as in former years, although the margin will probably be less in 1937, when 101 negative and 41 affirmative votes were cast in the lower chamber. The State Senate passed the measure last year.

"Antoinette" Ready Soon

"Marie Antoinette," Norma Shearer's first picture after a long absence, will be completed in about a month, it was reported by Howard Dietz, M-G-M advertising and publicity director, who returned yesterday from the coast. With Mrs. Dietz, he had been gone since Christmas, and their trip included a month's vacation in Honolulu.

It has not been decided whether "Marie Antoinette" will be roadshown, Dietz said. He named "Girl of the Golden West," "Merrily We Live" and "Test Pilot," with Clark Gable, as three other new films for which M-G-M has great expectations.

Republic Sets Actor For Roles of Autry

Hollywood, Feb. 14.—Republic today named Roy Rogers, 25-year-old western radio program star, as successor to Gene Autry, leading cowboy star in *Motion Picture Herald's* poll, who is engaging in a strike for more money per picture. The studio said Rogers was signed four months ago and kept under cover while being groomed. The lad came from "Sons of the Pioneers," coast song program. His first picture will be "Washington Cowboy," originally set for Autry and to be produced by Sol Siegel. Smiley Burnette also will be featured.

Meanwhile Autry returned to Hollywood Saturday and said he was staying away from the studio until it meets his terms. The studio two weeks ago obtained an injunction in Tennessee courts restraining Autry from vaudeville, radio and film work. Sam Wolf, Autry attorney, today said no litigation on Autry's behalf is planned yet.

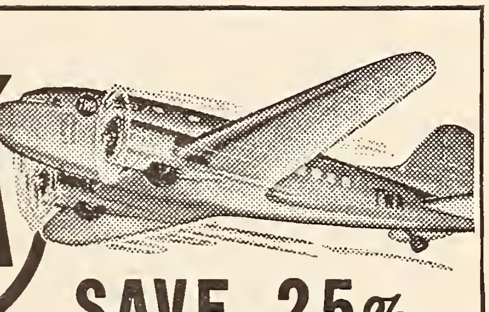
Two Republic Producers Quit

Hollywood, Feb. 14.—Differences of opinion over productions today resulted in two Republic writer-producers leaving the lot. Harry Sauber, who produced two pictures last year, and Harold Shumate, who has produced only one for studio since quitting Columbia, have left. Both expect to connect with a major studio.

Reopen Bronx Theatre

The Bridge, Nicholas Ave., Bronx, operated by Bard Theatre Corp., I. Woolson, president, has reopened.

FLY
TWA first



SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday, Sunday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA
For further information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

TWA first

Note to "Scrip" Holders
Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

SHORTEST-FASTEST COAST TO COAST

NAB Warned Against Any Air Monopoly

(Continued from page 1)

to six months, to three years, would be opposed in Congress, Senator Wheeler declaring that such a period was too long, although favoring requiring station operators to apply for renewal of license only once a year.

"During the past year we have witnessed basic developments and progress in radio," Roosevelt said, "which will have a profound effect upon the application of broadcasting in this country as well as on the North American Continent.

"One of the greatest advantages of the system of licensing broadcasting is that it is sufficiently flexible to lend itself readily to adjustment to meet our changing social and economic needs."

"There are several species of monopoly that might get a stranglehold on radio," Wheeler declared. "All deal with power. One is power in watts—high power protected over unlimited areas. A second is power in number of stations concentrated in identical ownership. The third relates to the power and the status of the networks.

Cites Importance of "Power"

"Each deals with the extent of influence, of coverage, in the hands of a single person or group. And in each case you have another element of 'power' that which reposes in radio because of its peculiar faculty in molding public opinion—a unit of force and influence that cannot be achieved by any other medium.

"Only broadcasting's own folly would make the threat real. And that would evolve if we allowed any entities in the industry, or outside of it seeking entry, to become too large, too potent; to permit them to reach the point where the influence they exert is so great as to create political animosities and internecine strife that could only result in its destruction."

Prior to the formal opening of the convention, several important meetings of groups within the NAB were held on Sunday. These groups included the I. R. N. A. committee, which, it is reported, discussed the advisability of making the organization of network affiliates a permanent one. Another was among the group of broadcasters interested in facsimile. meetings of the managers and owners of the stations affiliated with the networks, and a meeting of the N.A.B. sales committee.

RCA's simplified radio facsimile system, which has been in the course of development for 10 years, is now available to broadcasters, and today had its first demonstration for executives and engineers attending the N.A.B. convention.

Seven large stations already have placed orders for the system, to be used in experimental work on facsimile broadcasting, including KMJ, Fresno; KFBK, Sacramento; KHQ, Spokane; WBEN, Buffalo; WTMJ, Milwaukee; KGW, Portland, Ore., and WOR, Newark. Most of the stations are owned by newspapers.

The Federal Communications Commission requires each station to install a minimum of 50 receiver-printers for each scanner-transmitter. The new system was developed by Charles J. Young, RCA Victor research engineer, and his associates.

More Fan Mail

WOR's fan mail is on the increase. Thus far this year the total number of pieces has reached 173,047, compared to 136,164 for the same period last year. The weekly average has increased as well. This year it is 35,663, against an average last year of 28,897.

AIR FEATURES, Inc.

RADIO PRODUCTIONS

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247 Park Ave. New York City

WAPI Microphone on Tour

BIRMINGHAM, Feb. 14.—WAPI, cooperating with the Birmingham Chamber of Commerce, has inaugurated a series of "Touring Microphone" broadcasts in which cities within a 60-mile radius are visited by "The Touring Mike," remote lines are installed in an auditorium, city hall or court house, from which point the program is fed to the studios in Birmingham.

On each broadcast local artists are given opportunity to participate.

W3XIR to Start Shortly

PHILADELPHIA, Feb. 14.—Philadelphia's new high frequency transmitter, W3XIR, will be completed about Feb 20 and the station will immediately start a daily schedule. The station is located on top of 1,616 Walnut St.

Signs for WOR Broadcasts

Gardner Nursery Co. has taken two five-minute spots over WOR, beginning today, on Tuesday, Thursday and Saturday, from 8:20 to 8:25 A. M and 4:50 to 4:55 P. M., through Northwest Radio Advertising Co., Inc., Seattle.

To Broadcast Fair Preview

The preview of the 1939 World's Fair in New York, which will be held on April 30, will be broadcast over an international hookup. Part of the preview ceremonies will be televised, as well.

Joins Ida Allen Sponsors

J. Walter Thompson Co. has placed its fifth participating program with the signing of the Calsodent Co. for 13 weeks on Ida Bailey Allen's "Homemakers" of the Air" over WHN.

Scott, Miss Angel on Kraft Show

Randolph Scott, Heather Angel and Grisa Goluboff will appear as guests on Bing Crosby's Kraft Music Hall, Thursday.

Reorganizing Plan Adopted By the N.A.B.

(Continued from page 1)

the ultimate selection of a new "paid" president and the division of the membership into 17 voting groups.

Under the new dues set-up, the payments are based on a classification of net income from the sale of time. Stations with incomes of $15,000 will pay monthly dues of $5, with the scale graduated upward to $500 a month for stations having a yearly income of over $2,000,000.

The new dues system, it is estimated, will raise approximately $250,000 annually for the NAB. This is approximately double the present NAB dues budget. The new schedule of dues is to become effective March 1.

Director for Each District

Each district among the 17 newly created divisions will elect a director, and the 17 district directors will nominate 12 candidates for directors at large, two of the directors at large to represent small stations, two medium sized stations, and two large stations, the station classification being determined on the basis of power. The new board thus created would determine, by a two-thirds vote, the individual to serve as the paid president, and would designate also who is to serve as the secretary-treasurer of the NAB.

District directors elected at meetings conducted last night, and the districts they represent, are as follows: District 1, John Shepard, Yankee network; district 2, Harry C. Wilder, WJTN, Jamestown, N. Y.; district 3, Clair McCullough, WGAL, Lancaster, Pa.; district 4, John Kennedy, WPAR and WBLK, both of West Virginia; district 5, W. Walter Tison, WFLA, Tampa, Fla.; district 6, E. W. Craig, WSN, Nashville, Tenn.; district 7, Mark Ethridge, WHAS, Louisville. Ky.; district 8, John Fetzer, WKZO, Kalamazoo, Mich.; district 9, Walter Damm, WHMJ, Milwaukee; district 10, John Gillin, WOW, Omaha; district 11, Earl W. Gammons, WCCO, Minneapolis; district 12, Herb Hollister, KANE, Wichita, Kans.; district 13; O. L. Taylor, KGNC, Amarillo, Tex.; district 14, Gene O'Fallon. KFEL, Denver; district 15, Ralph Brunton, KJBS, San Francisco; district 16, Don Thornburgh, KNX, Los Angeles; district 17, C. W. Myers, KGW, Portland, Ore.

Reorganization Planned in N. Y.

The reorganization plan adopted at the convention yesterday was evolved by the committee appointed at the last NAB convention in New York. The members of this committee are Edwin W. Craig, chairman; Edward A. Allen, Mark Etheridge, Walter J Damm and John Shepard. Philip G Loucks, Washington attorney, served as the committee's counsel. Election of the directors at large will take place at district caucuses.

Thus far there has been little or no talk here as to who ultimately will be selected at the paid president. The reorganization committee has stated that thus far it has not issued a single invitation to anyone to serve as the N.A.B. president.

Radio Personals

HELEN JEPSON and Charl Kullmann, featured in the "Gol wyn Follies," will present musical e cerpts from the film on the RC Magic Key program, Feb. 22. T period also will offer Margalo [illegible] more, Linton Wells, Patricia Co[illegible] and Felix Knight. . . . Col. Lemu Q. Stoopnagle will make a solo a pearance on Paul Whiteman's CB spot, Friday. . . . Bernice Ash, co tinuity writer at KTUL, Tulsa, due here shortly on a vacation. . . Roy Post, amateur criminologist, w be Fred Allen's guest on Feb. 23.

+

Fibber McGee has entered tl pugilistic field. He has taken over tl management of Milt Aron, Chicag welterweight. . . . Lorraine Edward NBC player, is en route to the coa for a new NBC series. . . . D Thomas, NBC director, has be awarded a bonus for his *Liberty* stor "Last Public Appearance." . . . Mari Talley is so busy with broadcasting th she has turned down an offer to pl the feminine lead in a Broadway pr duction of Gilbert and Sullivan "Knight of Song." . . . Gertrude Ber author and leading character of "Tl Goldbergs," has been voted "Dean radio script writers" by the studen of Columbia University's course radio writing. . . . Walter Connol will be Al Jolson's guest on the la ter's Feb. 22 broadcast.

+

Jack Benny and Fanny Brice will a morsel described as "the love sce of the century" on "Good News 1938" Thursday. . . . John Brownle Metropolitan baritone, will be hea as guest soloist with the Philadelph Orchestra on Feb. 21. . . . Humphre Bogart, Louise Fazenda and Fra McHugh will do a radio version "Swing Your Lady," Friday, on tl "Hollywood Hotel" broadcast. Lis Sergio, NBC Italian announcer, wi peak today at a luncheon given the Advertising Women of New Yor . . Hoot Gibson will be the guest "The Lone Ranger" on Friday broadcast. . . . Sam Brown, WMC announcer, has challenged Andre Ba ruche to a ping-pong match. Baruch holds a cup for his prowess in the i door sport.

Start Catholic Air Series

ALBANY, Feb. 14.—The Rev. John A. O'Connor, editor of *The Evang list*. Catholic paper for the Alban diocese, introduced the first in a s ries of 10 Sunday discourses yeste day over WABY. Half of the pr gram will be devoted to discussio of Catholic doctrine and the remai der to "truth behind the news" an to answering questions mailed phoned to the studio. Rev. Willia M. Slavin will handle the question

WHO in Facsimile Broadcast

DES MOINES, Feb. 14.—WHO no conducts a nightly facsimile broadca from midnight to 1 A. M. under a experimental license granted by th Federal Communications Commissio The program is titled "WHO Radi Photo News." Fifty additional re ceiving sets are to be installed throug out the midwest by the Central Broa casting Co.

Radio

'ill Dedicate WTAM 'tudios on Saturday

LEVELAND, Feb. 14. — The new 000 studios of WTAM here, the owned and operated station, will ormally dedicated on Saturday. highlight will be a special half- r broadcast from the new studios, st-to-coast over the NBC-Red at . M. (E.S.T.). Frank Black, NBC ic director, will conduct a sym- ny orchestra of 40 musicians from Cleveland Symphony. Margaret aks and Mario Cozzi will be ists.

pproximately 650 guests will tour studios and a supper and dance follow the broadcast. During the ent week, and earlier in the day Saturday, elaborate plans have been nged for the dedication ceremonies. AM operates on a frequency of 0 kilocycles, with a power of 00 watts. Provision has been made he studio for television broadcast-

lcAdoo in "America" Program

enator William G. McAdoo will 1 the list of speakers on the nth annual "Hello America" pro- n which will be broadcast on the C-Blue Feb. 28 from 11:30 P. M. 2:30 A. M. The program will be sented by the Veterans of Foreign rs. Other scheduled speakers are tt Squyres and Mrs. Laurie ertle. Eddy Duchin, Henry Busse, py Newman and the U. S. Navy d will supply the music.

Harbord Starts World Tour

en. James G. Harbord, chairman the board of RCA, left yesterday a tour of inspection of his com- y's plants and facilities in Europe, a and Australia. He will address io and communications experts at World Radio Conference in Syd- . He will return home by way of scow and Europe, planning to h New York in July.

NBC to Broadcast Fight

BC has obtained exclusive rights ie Joe Louis-Nathan Mann heavy- ght championship bout to be held . 23 at Madison Square Garden. Blue network will handle the ch beginning at 10 P. M. Sam b. Bill Stern and Clem McCarthy be at the microphones.

To Handle Mutual Exhibit

ob Edge will be in charge of an ibit at the National Sportsmen's w at Grand Central Palace, begin- Feb. 18, called "Around the Clock WOR-Mutual." The following he will begin a new series of pro- ns on hunting and fishing.

Steel Firm Band on Mutual

he Yorkville Band from the eeling Steel Co. plant will be fea- d on the "Musical Steelmakers" gram over Mutual on Feb. 20 from 5:30 P.M. The program originates n WWVA, Wheeling, W. Va.

uise Rainer on "Good News"

uise Rainer will be featured in er the Wire," Jean Cocteau sketch, he "Good News of 1938" program . 24.

C. M. Pettit Joining KDKA Program Staff

PITTSBURGH, Feb. 14.—Clarence M. Pettit, Denver business man, has been added to the staff at KDKA, where he will be in charge of building sustaining programs. Derby Sproul remains in charge of commercial shows.

Another shift at KDKA takes Lynden Morrow, former radio editor of the *Post-Gazette*, out of sales promotion and moves him to the regular sales department. Morrow joined the station several years ago as publicity director, a job now held by Kay Barr.

To Air Salute to Estonia

A salute to Estonia on the 20th anniversary of that country's declaration of independence will be broadcast over the NBC-Red at 2:30 P. M. on Feb. 24. Charles Kuusik, Consul General of Estonia, will deliver a talk, while the musical portion of the program will be furnished by Vladimir Padwa, Ludwig Juht and Miriam LeMon.

To Air Basketball Tourney

INDIANAPOLIS, Feb. 14.—Buick has signed for the broadcast of the finals of the Indiana State High School Basketball Championship, through the Arthur Kudner Agency, New York. WFBM will feed the program to a statewide network. Len Riley and Gilbert Forbes of WFBM will handle the descriptions.

New Show "Royal Crown Revue"

"Royal Crown Revue" is the title of the new Nehi Co. program which will start March 11 over 58 stations of the NBC-Blue. George Olsen and his band, Tim and Irene, Graham McNamee, Teddy Bergman, Bud Pearson and the Golden Gate Quartet will be featured.

Hull to Speak on Mutual Program

The National Farm Institute program on Mutual on Feb. 19 will feature Secretary of State Cordell Hull, who will speak on foreign trade, and Sir Wilmott Lewis, American correspondent for the *London Times*, whc will be heard from KSO, Des Moines.

Tarshish Returns on WOR

Jacob Tarshish, "The Lamplighter," will return to the air over WOR on Feb. 27, from 3:45 to 4 P. M. and Sundays thereafter, in another series of weekly talks on human problems The series will conclude on April 3

Liebmann Signs WHN Deal

Liebmann Breweries of Brooklyn have been signed by WHN for eight weeks of spot announcements. Erwin-Wasey is the agency.

"Romance" Next Lux Show

Madeleine Carroll and Herbert Marshall will do scenes from "Romance" on the Lux Radio Theatre next Monday over CBS.

Vallee to Interview Guedalla

Philip Guedalla, prominent biographer, will be interviewed by Rudy Vallee on the Royal Gelatin Hour Thursday.

M-G-M Drops Proposal for 3-Reel Films

(*Continued from page 1*)

released. Chertok returned today after several weeks in New York more than ever convinced that improved quality in shorts will eventually induce exhibitors to discard double features.

Chertok conferred with Government officials in Washington on the possibility of making a series of shorts explaining the operations of various departments and including "behind-the-scenes" material. He said he has a writer working on an outline of such a series, but it has not been definitely decided to what extent they will be made for new season release.

The company will continue to budget some shorts as high as $40,000 and, as in the case of "Servant of the People," at $52,000, he said.

The series of one-reel subjects of a topical nature which was scheduled for production with John Booth Nesbitt, radio commentator, may be shelved, it was said. Eastern executives are not strong for the idea.

Chertok plans to return to New York next year since Robert Benchley's contract permits him to be in the east six months of the year. While in the east Chertok completed three Benchleys.

Report Appeal Group Appointed in Albany

(*Continued from page 1*)

Picture Division and Commissioner Frank P. Graves, has been delayed until the March meeting of the Regents.

Though confirmation is lacking, it is understood that Susan Brandeis of New York, daughter of U. S. Supreme Court Justice Louis D. Brandeis, and George J. Ryan of Flushing, president of the Board of Education in New York City, have been named to the committee as two of the Regents. A third member is believed to have been named, though his acceptance or rejection has apparently not yet been received.

Chancellor Thomas J. Mangan of Binghamton and vice-chancellor William J. Wallin of Yonkers are *ex-officio* members of all Regents' committees and hence will undoubtedly sit in review on important pictures up on appeal. It was stated on good authority that the Regents' sub-committee will use the Motion Picture Division's projection room at 80 Center St., State Office Bldg., New York, for reviews.

It is not known whether the Regents commented on the new appeal concerning "The Birth of a Baby," though any action was understood to have been delayed until next month.

"Nocturno" Ban Upheld

ALBANY, Feb. 14.—The Board of Regents has disapproved the appeal of Gustave Schwab on "Nocturno," German film previously denied a license by Irwin Esmond, head of the N. Y. censor board. The examiners who viewed the film declared it came under the provisions of the law as "indecent," "immoral" and "tending to corrupt morals."

Production Gains With 34 Shooting

(*Continued from page 1*)

one, preparing zero, editing three; Goldwyn, zero, zero, zero, zero; M-G-M, zero, five, two, four; Monogram, zero, one, zero, zero; Paramount, zero, four, one, 10; Principal, zero, zero, zero, one; RKO, one, two, four, four; Republic, one, two, zero, five; Roach, zero, one, zero, one; Selznick, zero, zero, zero, zero; 20th Century-Fox, zero, 10, one, four; Universal, zero, two, three, three; Wanger, zero, zero, one, zero; Warners, one, six, two, 16.

Three shorts are currently shooting, one each at Columbia, RKO and Roach. Two are being prepared at M-G-M and one at Roach. A total of 13 are in the cutting rooms at the present time.

Majors Study Wage Demands in Mexico

(*Continued from page 1*)

inally had given the distributors until yesterday to reply to the demands, but later extended the deadline to Wednesday to permit the company representatives to further advise their home offices. The unions have threatened a walkout in the event the demands are not granted.

Refinancing Halted G.N. Court Action

(*Continued from page 1*)

conference between Judge James and B. F. Zeidman Productions, Inc., Pacific Title & Art Studios, Inc., and Howard Anderson, creditors; Phil Krasne, Grand National vice-president, and Harry Dunn of Omelveny, Tuller & Myers, representing the producers.

Judge James set Feb. 21 as the date for a hearing in the case after Krasne stated that Edward L. Alperson, president, had wired from New York that new money had been obtained and that the appointment of a temporary trustee was premature inasmuch as Grand National had had no opportunity to discuss the case.

"Zola," Muni Winners

HOLLYWOOD, Feb. 14.—As a result of *The Minneapolis Journal's* nationwide poll of film editors on daily newspapers, "The Life of Emile Zola" has been chosen as the best film and the work of Paul Muni in the title role of the same picture has been declared the finest individual performance of the year. Presentation was made here on the Burbank lot of the Warner studios.

Rolsky's Son to Wed

KANSAS CITY, Feb. 14.—The wedding of Robert Rolsky, eldest son of E. Rolsky, former head of the I.T.O. and operator of the National, and Annette Kopald will take place at the Rolsky home Feb. 20.

"Algiers" for Cromwell

HOLLYWOOD, Feb. 14.—Walter Wanger has signed John Cromwell to direct "Algiers," story of the French underworld which will star Charles Boyer.

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MOTION PICTURE DAILY

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. 43. NO. 38 NEW YORK, WEDNESDAY, FEBRUARY 16, 1938 TEN CENTS

ourt Grants 215,440 for Roxy Services

vards Virtually Close Reorganization

dditional allowances of $215,440 to rneys, creditors' committees and nesses for services in the Roxy re- anization were granted by Federal ge Francis G. Caffey in the U. S. trict Court here yesterday. To- ner with $61,000 for disbursements viously awarded, the order disposes 5 petitions which asked a total of 5,800. The award of allowances ually ends the Roxy reorganiza- proceedings.

udge Caffey characterized the re- sts for allowances as "modest, or east not unreasonable." He pointed that only $287,000 was available for ribution and stated that "a ratable ortionment of payment" might be essary. Howard S. Cullman, Roxy stee, was instructed to set aside

(Continued on page 4)

tterson Signs Deal or French Remakes

deal was closed yesterday under ch John E. Otterson, former presi- t of Erpi and of Paramount, will ticipate in the financing of a pro- tion venture by Edouard Corniglion linier, French producer, who ar- ed in New York about 10 days ago. nitial plans call for the remaking several of Molinier's French pro- tions for the American market, in- ling "Le Grand Illusion," a World r picture which has been acclaimed oad. The production activities will centered at Eastern Service Studio, oria. Distribution arrangements e not been completed yet.

Drop Review Line

Hollywood, Feb. 15.—The legend, "Passed by the National Board of Review," has passed. With the elimination this week by Paramount, the line is no longer being used by any of the major producing companies.

According to a current checkup here, the legend now is being placed on production titles only in the case of Goldwyn productions, among films intended for major release, and on certain independent pictures.

Service Is Above Profits, McNinch Tells N.A.B. Meet

By JACK BANNER

WASHINGTON, Feb. 15.—Chairman Frank R. McNinch of the Federal Communications Commission, in his first face-to-face talk with broadcasters, today took the industry to task for elevating profits to the impairment of public service. Granting that radio, like all industries, had its economic aspects, he nevertheless warned broadcasters not to look too closely at profits if they desired to maintain the present license system of radio, reminding that they were but the trustees of a public resource, and that the public is "quick to discern the devices of the profiteer."

McNinch's address opened the second day of the National Association of Broadcasters' convention, now in session here. The commission chairman delivered greetings to the convention from the President on Monday, but his talk yesterday was his first to broadcasters as an entity.

The commissioner urged that station owners scrutinize more carefully the sponsored advertising script, particularly in patent medicines, and flatly declared he was opposed to the advertising of intoxicating beverages on the air. Congratulating radio for the comparatively little advertising of liquor now on the air, he urged that the broad-

(Continued on page 7)

Additional Radio Developments on Page 18

N.A.B. Reorganizing Support Unanimous

WASHINGTON, Feb. 15.—The 16th annual convention of the National Association of Broadcasters, meeting here since Monday, adjourned tonight following a sweeping reorganization that was adopted, remarkably, without a single dissenting vote from the membership.

The 300-odd delegates, following a banquet last night, are now en route to their various home cities, but the new board of 23 members who now rule the destinies of the N.A.B. will remain here until tomorrow night to put the finishing touches to the reorganization, and to discuss the proposed new "paid" president. According to reliable information received here,

(Continued on page 7)

Invite Creditors to Reorganize G. N.

HOLLYWOOD, Feb. 15.—Seeking to avert action in Federal Court on reorganization or other measures of the bankruptcy act, Grand National heads, at meeting of creditors today, invited a special creditors committee to inspect all books of the companies and work out a reorganization plan without legal action. Phil Goldstone presided at the session attended by Edward L. Alperson, president, and Phil Krasne, of G.N. and creditors' representatives.

A committee of Daniel C. Hickson, general service studio; H. C. Jensen, Sun Lumber Co.; A. C. Snyder of International Cinema, and Paul Younkin, attorney for J. E. Brulatour, Inc., all

(Continued on page 11)

Republic to Have 700-800 at Meet

Between 700 and 800 will attend Republic's annual sales convention at the Roosevelt Hotel in Hollywood, May 3 to 5, it was said yesterday by H. J. Yates. In addition to franchise holders and home office representatives, it has been decided to have salesmen and bookers at the meeting, he said. Foreign distributors also have been invited.

Production costs will be held to a rigid budget on Republic's 1938-'39 program of 34 features, which is an increase of 10 over this year, plus 24 westerns and four serials, said Yates, and producers will be expected to hold expenditures to the limits set, except that some pictures may necessitate

(Continued on page 7)

Theatres, Radio Not In Chain Store Bill

WASHINGTON, Feb. 15.—Neither motion picture theatres nor broadcasting stations will be covered by the Patman bill providing for graduated taxes on chain stores.

The bill is intended definitely to eliminate chain stores. Taxes would run as high as $1,000 a store, multiplied by the number of states in which a company operated, so that the maximum might be as high as $49,000.

The bill was never intended to cover either film exhibition or broadcasting, it was explained by Representative Wright Patman (Dem., Tex.). While there may be problems in both those industries, he said, the appropriate approach is by methods other than taxation.

Playdate Law Invalidated In Ohio Test

Federal Statutory Court Bars Enforcement

COLUMBUS, Feb. 15.—A three-judge Federal statutory court here today invalidated the Ohio anti-playdate law on the ground that it violated the 14th Amendment to the United States Constitution, in that it deprived the plaintiff of its property without due process of law.

The court overruled the contention of the state's attorney-general that the statute was a valid exercise of the police power of the state and held there was no moral issue involved. The law, which was sponsored by Allied, made illegal the designation of playdates by distributors in exhibition contracts.

The action was brought by RKO with the attorney general of Ohio named as defendant. Identical litigation is pending in Wisconsin and will be argued shortly. The distributors

(Continued on page 11)

Film Buying Quiz Held in Abeyance

Further action in the investigation of the film buying situation in Brooklyn and Long Island, launched by the late Leo J. Hickey, U. S. Attorney for the eastern district of New York, is being held in abeyance. Harold St. L. O'Dougherty, acting U. S. Attorney, said yesterday that he has received instructions from his superiors in Washington to take no action until he is advised further.

The status of the investigation, which was started last summer, has not been changed since Hickey submitted a preliminary report on his

(Continued on page 7)

Nickel Shows Back

Lincoln, Feb. 15.—The first nickel shows here since the nickelodeon days 25 years ago have been started by the Varsity. Two features, a serial, two shorts and a newsreel are shown. In the nickelodeon days, the longest show was 30 minutes, while the present bill extends to almost three hours. It's a 1,100-seat house.

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(Registered U. S. Patent Office)

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Fair Practice Code Proposed by Equity

The Actors' Equity Council yesterday proposed that the League of New York Theatres draw up a code of fair practice, after which Equity would consider the league's request to negotiate a basic agreement with Equity for one or two years. The proposal was made at a meeting at which a group of managers asked for a preferential agreement that would give league members certain concessions as a wedge to force outside managers into the league.

The proposed fair practice code would cover ticket speculation, among other things, and would seek to increase attendance and runs of plays.

Cohn, Montague West

Hollywood, Feb. 15.—Jack Cohn, Abe Montague and Abe Schneider of Columbia will arrive here Thursday at the request of Harry Cohn to discuss the 1938-'39 product plans.

Whitney Coming East

Hollywood, Feb. 15.—John Hay Whitney will leave the end of the week for New York on business connected with Selznick International.

F.W.C. Managers In Contest by MGM

Hollywood, Feb. 15. — M-G-M is sponsoring a campaign among Fox West Coast circuit managers serviced by the M-G-M exchange for the best grosses and exploitation for "Of Human Hearts." Prizes will go to the manager who garners the best gross for the run of the picture as compared to the best grosses for the last three years, second prize to the manager with the best exploitation campaign, and third prize for the booker in whose division the highest gross award is run.

Judges will be Larry Kent of Fox West Coast and Clayton Lynch, manager of the Los Angeles M-G-M exchange, for the grosses; Frank Whitbeck and Howard Strickling of the studio, for the exploitation.

Revamping Ampa Ad Awards to Come Up

A plan to revamp the method of making the Ampa advertising awards will be discussed at a closed business meeting of the membership at the International Casino tomorrow. Plans for the organization's annual affair and what it shall consist of will also be discussed.

The members will also be asked for their opinion on whether the advertising awards, which have been made the past two years, shall be dropped. Some of the members feel that the awards should have greater significance, it was said. Ampa officers have decided to leave the matter entirely to the members and have requested a large attendance at tomorrow's meeting, which will start at 12:45 o'clock.

Managers Union Pickets

The first action of the Theatrical Managers', Agents' and Treasurers' Union against a film house was taken yesterday when pickets were posted at the Arena, a Consolidated Circuit house on Eighth Ave. between 41st and 42nd Sts. The union claimed that the manager, Sol Schwartz, was discharged last week after he joined the union. Laurence Bolognino, head of the circuit, said the man was dismissed for other reasons.

Honor Mark Twain Today

A plaque honoring Mark Twain, author of "Tom Sawyer," today will be dedicated by David O. Selznick at 14 West 10th St., the little red brick house where the novelist lived following the death of his daughter in 1910.

Many at Allied Party

About 100 New Jersey exhibitors and exchangemen from New York attended the beefsteak dinner and card party sponsored by Allied of New Jersey at the Ritz restaurant in Passaic, N. J., last night.

Christie to Start Comedy

"Beautiful But Dummies" is the title of a Marcy Klauber-Art Jarrett comedy which will go into production next week at the Eastern Service Studios under the direction of Al Christie.

To Welcome Ted O'Shea

Local exhibitors will tender a welcoming luncheon to Ted O'Shea, new M-G-M district manager who has succeeded William Scully, at the Hotel Astor on March 23.

U. S. Court Upholds Copyright Decision

The U. S. Circuit Court of Appeals, on reargument, has affirmed a decision in favor of Bud Wilkie of Hollywood against Santly Bros., music publishers, and Bernice Petkere, involving copyright infringement of a song. The suit was heard in the U. S. District Court here originally, the decision was upheld by the Circuit Court and the U. S. Supreme Court and then sent back to the Circuit Court for reargument on motion of the plaintiff. Affirmations were given in all instances.

Louis Nizer, counsel for the plaintiff, said this was the first instance to his knowledge that a case had been reheard in the Circuit Court after a decision in the U. S. Supreme Court. It was alleged that the melody of "Confessing" was infringed in the song "Starlight." Damages are to be computed by a referee.

Commons Group Asks Stronger Film Bill

By AUBREY FLANAGAN

London, Feb. 15.—The British Government has been petitioned by 128 members of Parliament, headed by Sir Adrian Baillie, asking that the Films Bill, which shortly will go before the House of Commons for a third reading, should be strengthened.

It was indicated by the group that the purpose behind the move for added strength in the bill is the protection of the domestic film industry against foreign domination.

Seek Negotiations On Mexican Demands

All major company home offices yesterday instructed their representatives in Mexico City to endeavor to negotiate an amicable settlement of the Mexican film exchange workers' demands for wage increases of 35 per cent of the maximum salaries now being paid to any exchange worker.

The Mexico City exchange employes' union has threatened a walkout unless the demand is met by noon today. Indications are that no major company will withdraw from the Mexican market as a result of the present situation.

Harvey on MPTOA Board

H. V. Harvey, new president of the I.T.O. of Northern California, has been named to the board of directors of the M.P.T.O.A. as the representative of the former organization. Harvey succeeds Morgan A. Walsh, who represented the California organization on the national board for several years.

No other changes on the board of the national organization have been made, according to M.P.T.O.A. headquarters here.

Fined for Sunday Show

Portland, Me., Feb. 15.—Charles Kellerman, manager of Keith's here, today was fined $10 by Judge Harry C. Libby in municipal court for having conducted a film show on Sunday.

Recent attempts to legalize Sunday shows in Maine have failed.

Hold "Girl Was Young"

G. B.'s "The Girl Was Young" has boosted the Criterion gross this week and will be held for a second stanza, beginning Friday.

Purely Personal

Y. FRANK FREEMAN, Paramount theatre head and Austi C. Keough both remained in Florid after the recent Paramount theatr meeting in Miami. They are expect back within the next two or th days.

●

Tommy Kelly and Ann Gillis juvenile stars of "The Adventures o Tom Sawyer," have been booked b the Music Hall for a week of personal appearances beginning Wednesday.

●

Jess Gourlay of the Warner ar department, who recently broke hi leg, is back at the home office. He i managing to navigate with the aid o crutches.

●

Susan Haywood, New York fashion model, has been signed by Warners on the coast. Miss Haywoo formerly was known as Edythe Mariner.

●

Ernest V. Heyn, executive edito of Macfadden Publications, has gon to the coast to look for a new wester editor to act as his assistant.

●

Sam H. Meinhold, Loew's theatr supervisior in the metropolitan area observed his 70th birthday Sunday He has been with Loew's 34 years.

●

Spyros Skouras returned by plan last night about nine hours behin schedule due to the grounding of th airliner at El Paso.

●

Lamar Trotti, 20th Century-Fox writer, is en route to the coast. H was here to gather material for "Elli Island."

●

Leo Spitz, RKO president, an Sam Dembow, Jr., among the noonday diners at the Mayan yesterday.

●

W. Ray Johnston, Monogram president, is due in from the coast today.

●

Walter and Mrs. Reade left las night for Florida.

ONE AIRLINE
takes you through
Southern Sunshine
TO CALIFORNIA

● Turning South out of New York, American's route takes you quickly into Tennessee's friendly climate. Continues down to Texas and then across the sunny plains and deserts of the Southwest to California . . . OVERNIGHT! Nature designed this all-year, greater-comfort route . . . and American uses it!

For reservations call your travel agent
or VAnderbilt 3-2580

AMERICAN AIRLINES

the American eagle is about to scream — *with laughter!*

•

there's no cure for trouble like a howling movie and M-G-M's got one that will convulse the nation!

•

coming soon! "MERRILY WE LIVE" (*Hal Roach-M-G-M*)

Here's the tip-off: it tops tip-top "Topper" by a mile!

(*Cast:* CONSTANCE BENNETT · BRIAN AHERNE · Alan Mowbray · Billie Burke · Patsy Kelly · Ann Dvorak · Tom Brown · Bonita Granville · Marjorie Rambeau · Screen Play by Eddie Moran and Jack Jevne · Directed by Norman Z. McLeod · Milton H. Bren, Executive Producer)

Court Grants $215,440 for Roxy Services

(*Continued from page 1*)

$30,000 as a reserve for possible payment to George W. Garrson and Roemer-Kenny Co., Inc., if their appeal is sustained. Judge Caffey refused their request for $528,692 brokerage fees for alleged negotiation of the sale of the Roxy under a reorganization plan to 20th Century-Fox.

The largest award, $47,500, went to White & Case, attorneys for the Pound first mortgage bondholders' protective committee, proponents of the plan of reorganization. They had asked $65,000. The committee itself received $15,000 out of $23,318 requested, plus an additional $1,176 for disbursements.

Cullman Gets $37,500

Cullman was granted $37,500, in addition to $80,000 previously received. He had requested $120,000 additional. Proskauer, Rose & Paskus, his attorneys, received $33,000 out of $50,000 requested. Kramer & Kleinfeld, counsel for Class A stockholders who were not permitted to share in the reorganization, received $1,800 for their services. They had asked $10,000. Marshall, Bratter & Seligman, attorneys for the Tipton bondholders' protective committee, principal opponents of the plan, asked for $10,000 and received $3,750.

Judge Caffey pointed out that the creditors of the equity receiver had failed to claim $1,000, which is being held for them. If it is not claimed, and the $30,000 reserve for the Garrson appeal is not used, it will be awarded to bondholders of the new company.

Other awards were: Addison S. Pratt, special master who conducted the hearings, asked $10,000, received $6,000; second mortgage gold noteholders' protective committee, asked $10,000, received $8,600, plus $3,539 for disbursements; Beekman, Bogue, Leake, Stephens & Black, attorneys for the gold noteholders, asked $25,000, received $15,000; Chase National Bank, second mortgage trustees, asked $3,270, received $1,900; Milbank, Tweed, Hope & Webb, Chase Bank attorneys, asked $5,000, received $3,800; Continental Bank & Trust Co. of New York, first mortgage trustees, asked $12,262, received $6,800, plus $2,536 for disbursements.

Continental Attorneys Listed

Also, Wise, Shepard, Houghton & Hoffman, Continental attorneys, asked $20,000, received $11,500; Manufacturers' Trust Co., depository, asked $14,156, received $7,500, plus $689 for disbursements; Miller, Owens, Otis & Bailly, associate counsel for the Pound committee, asked $20,000, received $6,300; Jones, Clark & Higson, also associate counsel for the Pound committee, asked $6,500, received $600; Barrow, Wade, Guthrie & Co., accountants, asked $13,000, received $3,600; Milton H. Reuben, attorney for the debtor, asked $5,000, received $2,000.

Also Thomas Jefferson Ryan, attorney for John Kane, who started the receivership proceedings, asked $3,500, received $1,000; Argyll R. Parsons, arbitrator for the lobby lease, asked $1,250, received $450; Louis B. Altreuter, also arbitrator for lobby lease, asked $1,250, received $900; Russell V. Cruikshank, real estate expert, asked $1,500, received $950; Leo Brecher, independent theatre operator, as witness, asked $3,000, received $1,150.

Out Hollywood Way

HOLLYWOOD, Feb. 15. — Interior scenes of the Hall of Archives, Library of Congress and other important rooms in Washington, D. C., will be shown by GEORGE SEITZ, directing M-G-M's "Judge Hardy's Children."

Under a shift of production plans, BARNEY GLAZER'S first picture for Warners will be "Comet Over Broadway," starring BETTE DAVIS, instead of "You Can't Escape Forever." . . . A. W. "Doc" SOLOMON, Warner studio official at Teddington, England, and former head of police at the Burbank lot, is in Hollywood for a visit."

✚

Casting—DON DOUGLAS in "Judge Hardy's Children," M-G-M. . . . MAE BUSCH to "Marie Antoinette," M-G-M. . . . MAXIE ROSENBLOOM in "The Amazing Dr. Clitterhouse," Warners. . . . JACK MULHALL, JULIA FAYE, BERNADENE HAYES, CECIL CUNNINGHAM and GEORGE STONE in "You and Me," Paramount. . . . PATRIC KNOWLES in "All Rights Reserved," Warners. . . . EVELYN THAWL to "Gold Diggers in Paris," Warners. . . . J. FARRELL MACDONALD to "White Banners," Warners. . . . JOHN HALLIDAY in "The River Is Blue," Wanger. . . . LIONEL BARRYMORE in "You Can't Take It with You," Columbia.

✚

Contracts—The Los Angeles Superior courts have approved Paramount contracts with the following minors—CHERYL WALKER, RUTH ROGERS, LOLA JENSEN, LAURIE LANE, JOYCE MATHEWS, BARBARA JACKSON, YVONNE DUVAL and BARBARA SALISBURY. . . . M-G-M has extended the contract of PHILLIP TERRY.

✚

Writers—BERNARD MCCONVILLE and OLIVER DRAKE have been signed by RKO to write a story for "Dealers in Death," the second of GEORGE O'BRIEN'S vehicles for RKO. . . . JULES FURTHMAN has been assigned to the script of "Zara" at Paramount.

✚

Directors—WILLIAM CLEMENS has been assigned to direct Warners' "Up She Goes." . . . EDWIN L. MARIN will guide "Snug Harbor," in which DENNIS O'KEEFE, FLORENCE RICE, UNA MERKEL, RAY BOLGER, NAT PENDLETON and REGINALD GARDNER will appear. . . . ZION MYERS will make his bow as an M-G-M producer with the picture.

Appeals Court Sets Date for Hart Case

March 12 was set yesterday for a hearing in the U. S. Circuit Court of Appeals on the appeal filed by William S. Hart and Mary Hart from the dismissal of their $185,000 breach of contract suit against United Artists by Federal Judge Alfred C. Coxe in the U. S. District Court here.

The Harts sued for the return of $185,000 which United Artists retained as its share for distribution of the film "Tumbleweeds" in 1925. The plaintiffs contended that the picture was wrongfully block-booked with "Wild Justice," a dog picture, but their complaint was dismissed several months ago.

A $500,000 suit between the same parties is still pending in the New York Supreme Court.

English Exports Drop

LONDON, Feb. 15.—Exports of exposed positive film from England during January, 1938, totaled 1,874,152 feet, a decrease from January, 1936, of 96,289. The imports of exposed positive film for the month amounted to 914,269 feet, showing a decrease from January, 1936, of 1,139,446 feet.

Chicago Opening Tonight

CHICAGO, Feb. 15.—The Esquire, Chicago's newest theatre, will open tomorrow. Operated by the Harry Balaban circuit, the new $250,000 theatre will play pictures in "B" week on a single feature basis.

N. Y. Admission Bill Passes the Assembly

ALBANY, Feb. 15.—The New York Assembly today passed without debate the amended legislation of H. B. Ehrlich, Erie county Republican, intended to legitimatize admission of children over eight and under 16 years of age.

Intended to give state troopers the right to enforce public laws in theatres located where no other officers have jurisdiction, another measure was introduced last night by Assemblyman H. J. Armstrong of Schenectady as a companion bill to that of Senator Howard, New York. Backing of the Labor Dep't., whose industrial commissioner would supervise the safety measures under the bill, is claimed.

Foresee Return of Ontario Ticket Tax

TORONTO, Feb. 15. — The return of the amusements tax in Ontario, in some form at least, is expected because of the statement of Premier M. F. Hepburn of the Provincial Government that additional sources of revenue will have to be found for the fiscal year starting April 1. Hepburn removed the amusement ticket levy in its entirety last summer and then launched his election campaign, which resulted in his return to office with a large majority.

But, since then, costs have mounted for the maintenance of the unemployed and public works. Hepburn's statement of the need for more money is taken to mean that theatres and patrons will face a new impost. The amusements tax represented a revenue of $2,000,000 per year before it was abolished.

Hungarian Film to Open

"Mami," Hungarian film, will have its American premiere Friday at the Modern Playhouse.

Unger to Testify in M & R Action Toda

J. J. Unger, Paramount easter
division sales manager, is schedule
to give his deposition today in th
local preliminaries of the Morse
Rothenberg anti-trust suit again
major distributors, the Maine & Ne
Hampshire and M. A. Shea circuit
which was filed some time ago in Fed
eral court in Boston. The local
sions are expected to be adjour
again for several weeks following th
conclusion of Unger's testimony.

The deposition of Edward Quittn
son of the late Joseph Quittner, Mi
dletown, N. Y., theatre operator, w
taken yesterday.

Settle Suit Against Para.

A libel suit brought by Nation
Police Gazette Corp. against Par
mount was marked settled and disco
tinued in the U. S. District Court he
yesterday.

The plaintiff claimed damage to
reputation in a scene in the pictur
"Klondike Annie," in which M
West was shown reading *The Poli
Gazette*. The suit was originally fil
as a copyright infringement action, b
was later changed to a libel suit.
started last May.

802 Suit Ready for Trial

The test suit brought to determi
the right of Local 802 of the Ame
can Federation of Musicians to lin
the number of jobs which a memb
earning more than $54 weekly m
hold was marked ready for trial in t
N. Y. Supreme Court yesterday. T
case is expected to be assigned to
trial justice before the end of t
week.

See Vote Delayed on Neely Booking Bi

Little chance for vote on the Ne
block booking bill by the Senate f
some time to come was seen by
servers in Washington tonight. T
Senate is far behind in its work,
in the midst of an anti-lynching bill fi
buster, and has as its objective a
journment of the session early in t
summer.

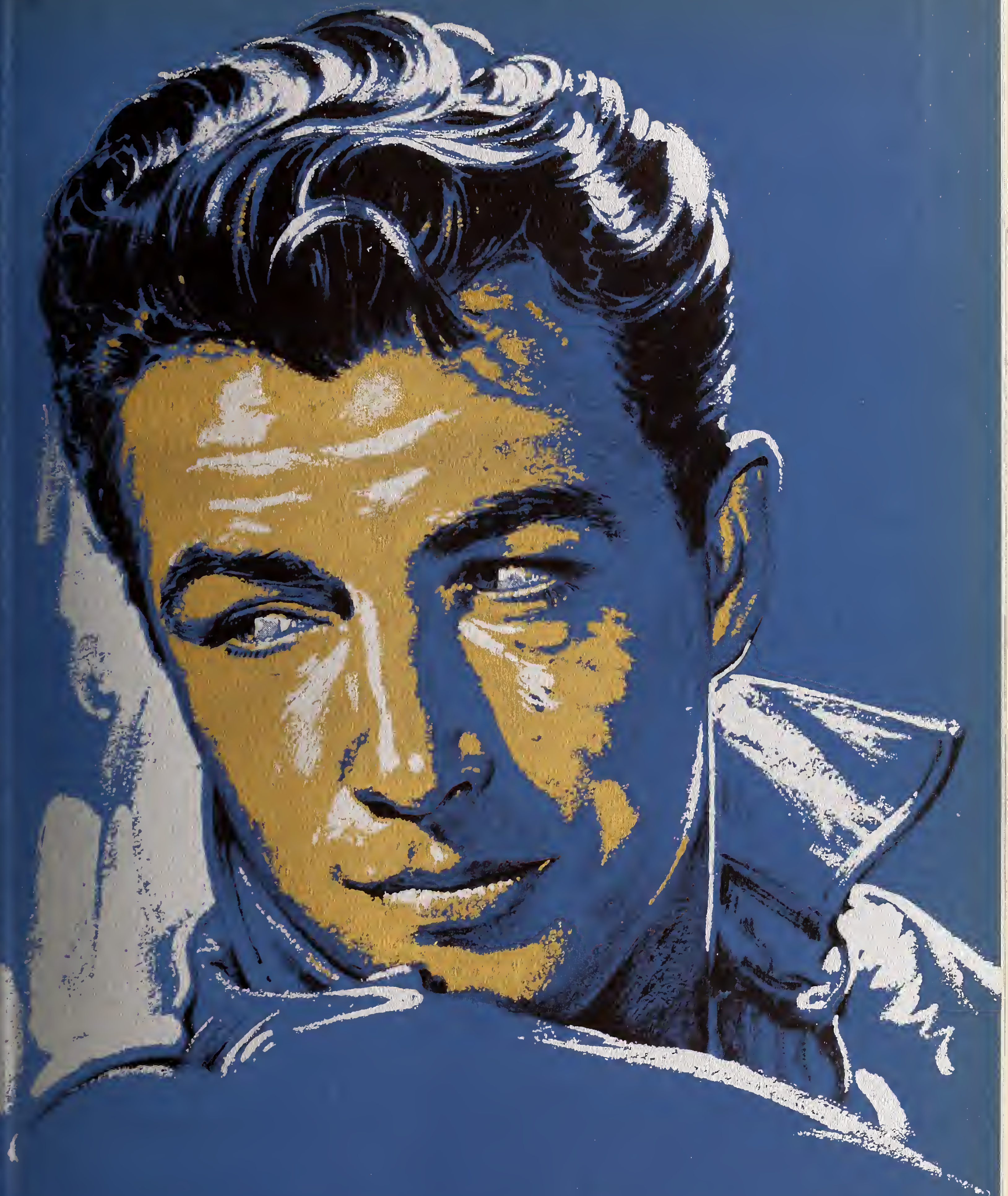
Leaders in Congress refuse to spec
late as to whether Senator Neely w
be able to secure consideration of t
measure, but point out that even if t
Senate should pass it, there is lit
chance of the House taking action tl
year.

Harris Shifts Manager

PITTSBURGH, Feb. 15.—With the
covery of Bill Peacock, veteran m
ager, after a long illness, the Har
Amusement Co. has moved him to
Harris in Beechview, shifting J
Hooley from that house to the Pala
Richard Craig, who has been in cha
of the Palace for some time, has g
to Salem, O., where the circuit op
ates two houses.

Asks New Shutter La

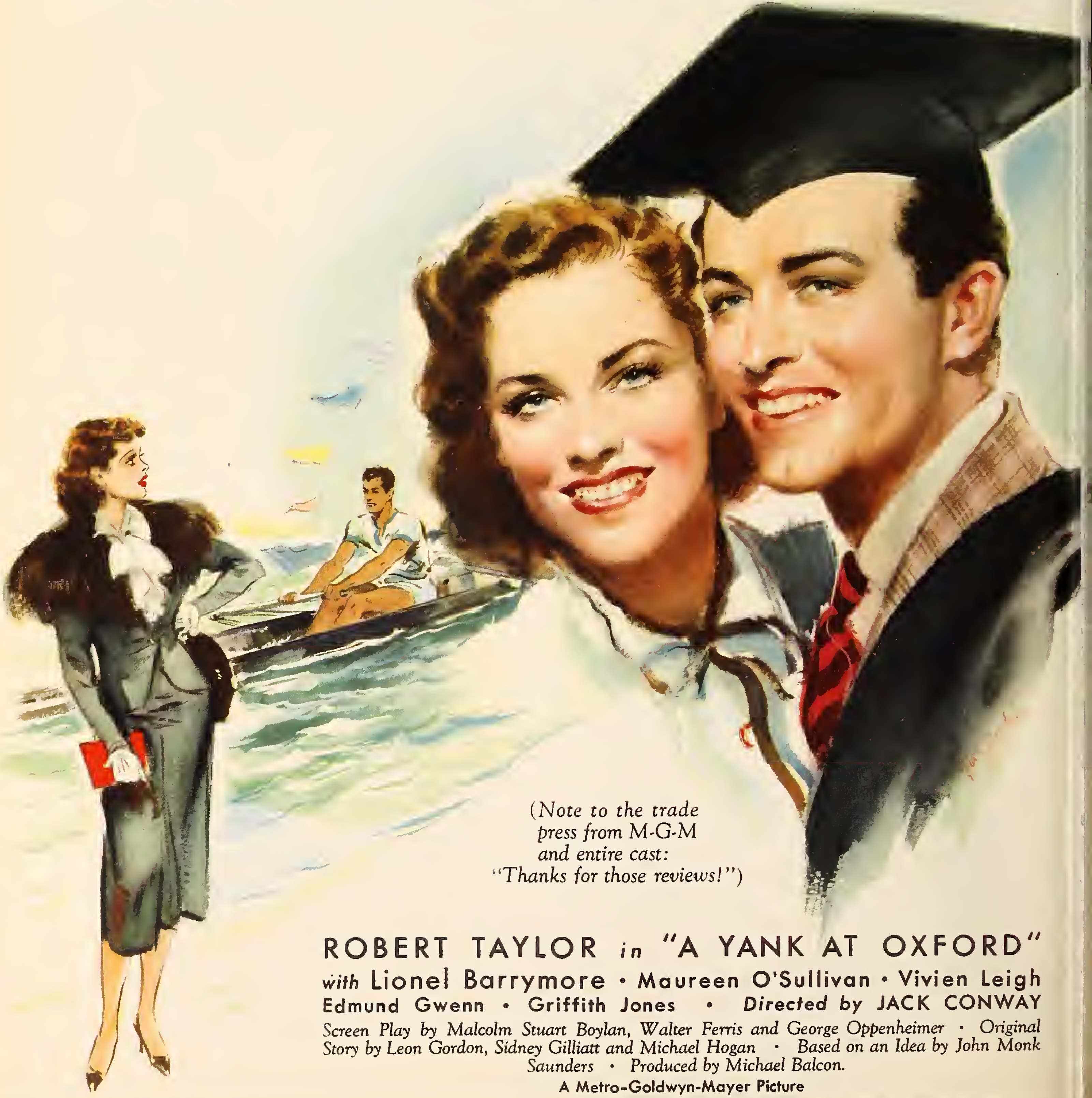
BOSTON, Feb. 15.—A bill to fo
use of a "heat resisting shutter
guard between the projection light a
film" has been filed by H. J. Cunni
ham. It would automatically shut u
breakage or change of speed of fi
The projector would automatically
stopped.



METRO-GOLDWYN-MAYER presents to the box-offices of the world ROBERT TAYLOR in "A YANK AT OXFORD"

Just what the public ordered!

The sensational opening engagements of "A YANK AT OXFORD" confirm the astute choice of vehicle for a great popular idol. This two-fisted romance of a roving Yank is the stuff that makes even standing-room a pleasure!



(Note to the trade press from M-G-M and entire cast: "Thanks for those reviews!")

ROBERT TAYLOR *in* "A YANK AT OXFORD"

with **Lionel Barrymore • Maureen O'Sullivan • Vivien Leigh**
Edmund Gwenn • Griffith Jones • *Directed by* JACK CONWAY

Screen Play by Malcolm Stuart Boylan, Walter Ferris and George Oppenheimer • Original Story by Leon Gordon, Sidney Gilliatt and Michael Hogan • Based on an Idea by John Monk Saunders • Produced by Michael Balcon.

A Metro-Goldwyn-Mayer Picture

Film Buying Quiz Held in Abeyance

(*Continued from page* 1)

ndings to the Department of Justice st fall. Shortly before his death, te in December, he said he was still waiting instructions on the course to pursued. The investigation, it has n determined, was made on comnt of the Century Circuit and chief involved Century's asserted inabily to obtain first run product. Skouras, arner and Paramount representaves were interrogated by Hickey, and e Loew's and RKO circuits also ere involved.

Among attorneys representing the ajor distributors the understanding that the inquiry definitely has been ropped and will not be revived. The . S. Attorney started the probe on structions from Washington, it was id.

O'Dougherty said yesterday that ere is a Department of Justice reglation which prevents his office from stigating action until it receives ord from Washington. Whether the vestigation will continue hinges on decision of the Attorney General's ffice, O'Dougherty indicated.

At the time of the investigation, ouis Nizer, at the request of Leo pitz, president of RKO, completed a 0-page report on the conditions comlained of and traced the Century Cirit's exhibition policies over a number f years. Details of the report were ever disclosed, but it concluded that e Government has no basis for action gainst Loew's or RKO, it is learned. izer pointed out that the film companies have a legal right to sell product anyone they please, and that this as been established in the courts.

Grosses Holding Up, States Walter Reade

Business in the Walter Reade cirit is holding up and "if we have the tractions it is no worse than it has en," said Reade yesterday in commenting on reports that theatre busiess is off.

While Reade's Community Theatres onstruction program for this year has en slightly delayed, it is scheduled go forward late in March when one eatre will be started. Plans for two thers are in work, he said. In addion, the Strand, Long Branch, N. J., to be remodeled at an estimated cost $25,000.

Reade's Lyric, Asbury Park, N. J., ill be reopened Saturday. The Paraount, in the same city, which was osed for the winter for the first time, ill be reopened by Reade late in arch.

Handles Italian Films

Cinepix Co., headed by Leo Seligan, has acquired distribution rights r the eastern part of the United tates for the product of I. C. I. inema Industries, Rome. Three films e now being released and six others e said to be on the way from Italy.

Kelly "Borough Head"

Tommy Kelly, star of "Tom Sawer," today will serve as acting presient of Bronx borough and will be ficially sworn in by James J. Lyons, orough president, at the Bronx City all.

Service Is Above Profits, McNinch Tells N.A.B. Meet

(*Continued from page* 1)

casters consider the wisdom of adopting a policy that would deny radio facilities completely to liquor interests.

Concurring with Senator Wheeler's stand against monopoly in radio, Commissioner McNinch urged the radio delegates not to permit their industry to "fall into the grievous errors that other industries have fallen into in the past."

"The railroads and the power industry and other industries have paid the price of public condemnation for their own folly in permitting these industries to come under the domination of a few powerful and greedy men," he said. "Do not flatter yourselves that this could not happen to radio." He said he had in mind suggesting to the F.C.C. that it soon stage an investigation of radio to determine whether there is monopoly and any undue or anti-social centralization of power and control in the industry. This, he said, would mean an investigation of the networks and of the chain contracts with the affiliates.

Seeks Accounting System

As a means to the proper regulation of the industry, the commission soon hoped to adopt a uniform system of accounting, he said. He also reminded the convention that of the sum of $84,000 allotted to broadcasters for the Federal Radio Education Committee, an educational body created by the commission, only a relatively small amount has been received to date.

Commissioner T. A. M. Craven, also of the F. C. C., delivered the most temperate speech made at the convention to date when he declared at the afternoon session that he favored broadcasting as it is now constituted. He did admit, however, that there was some room for improvement, but he felt that the improvements will come through voluntary action of the industry.

As opposed to the stand taken by F. C. C. Chairman McNinch, who this morning stated that the industry was allowing the profit motive to endanger the future of radio, Craven said that "it is proper that radio in this country be operated by private industry and equally proper and necessary that the industry be encouraged to earn profits, when it renders good service to the public."

Asks Aid for Government

He urged broadcasters to cooperate with the Government in obtaining facts about radio of an economic nature which are now lacking, so that the Government may be enabled to reach an intelligent appreciation of vital questions pertaining to the industry.

Commissioner Craven reported on the radio conference in Havana last year and the agreements effected there to alleviate the chaotic conditions in radio on the North American continent due to international interference.

He replied strongly to the analysis of the Havana treaty made recently to the N. A. B. by its managing director, James Baldwin, who will retire from office shortly.

Baldwin had criticized the treaty severely because, according to his (Baldwin's) interpretation, it favors networks over local stations.

Craven said he was surprised by Baldwin's apparent lack of understanding of the treaty. He said this was a domestic situation, and should not have been confused by Baldwin with an international problem. He urged that the industry study the report again. Craven said if the treaty terms were understood properly, the industry would subscribe wholeheartedly to it.

N.A.B. Reorganizing Support Unanimous

(*Continued from page* 1)

the new president will be paid approximately $25,000 a year, and most likely he will be a candidate from outside the radio industry. The new leader, however, will not be nominated for at least another month, pending a complete canvass of all eligible for the post.

Elected as N.A.B. directors-at-large at yesterday's meeting were the following:

Representing clear channel stations: Harold Hough, WBAP, Fort Worth, and Lamdin Kay, WSB, Atlanta.

Representing regional station interests: Frank M. Russell, WRC, Washington, and Elliott Roosevelt, Hearst radio.

Representing local stations: John Elmer, WCBM, Baltimore, and Edward A. Allen, WLVA, Lynchburg, Va.

These six, together with the 17 directors elected Monday, will comprise the new governing and administrative body of the reorganized N.A.B., and from them will come the choice of the new president.

Expect Temporary President

Although it is known that the final choice for the new head of the N.A.B. will not be made for at least another month, it is reported that a temporary president, as well as a secretary-treasurer, may be named following tomorrow's meeting of the board.

Eight new stations were accepted as members of the N.A.B. yesterday. These included WINS of New York City.

Resolutions passed at the close of the convention included expressions of thanks to President Roosevelt, F.C.C. Commissioners McNinch and Craven, and Senator Wheeler, for their participation in the convention proceedings, and for their interest in the industry.

Entertainers at the banquet tonight included Kate Smith and Ted Collins, Benay Venuta, John S. Young, Graham McNamee and Soopnagle & Budd.

"Marco Polo" in Miami

The world premiere of Samuel Goldwyn's "The Adventures of Marco Polo" will be held at the Lincoln, Miami Beach, tomorrow night. "The Goldwyn Follies" has just completed its run at the house. A big premiere is planned and will be attended by groups of notables at the resort.

Republic to Have 700-800 at Meet

(*Continued from page* 1)

exceeding budgets by $1,000 or $2,000, he indicated.

"From time to time as producers and other talent and available, we expect to grab it," Yates asserted. "We never expect to stop building."

Yates denied that Roy Rogers would succeed Gene Autry in western roles. Republic has been grooming Rogers to feature in a group of westerns for next season, but in no way will take Autry's place, he stressed. "Washington Cowboy," which was reported to be Rogers' first picture, will be made by Autry, as scheduled, whenever the latter returns to the studio, he said. When that will be depends on Autry, Yates indicated.

There will be no replacements for Harry Sauber and Harold Shumate, writer-producers, who left the studio early this week, and their work will be absorbed by others, said Yates.

Quebec May Remove Child Admission Ban

TORONTO, Feb. 15.—The attention of exhibitors and film exchanges in the Dominion has turned to legislative matters with the current opening of sessions of legislatures in various provinces. A prime subject before the Quebec legislature is a definite proposal to lower the ban on the admission of all juveniles under 16 years of age to any film performance in a theatre. This law has been in effect since January, 1927, when 78 children lost their lives in the Mont Laurier Theatre fire and panic in Montreal.

The current proposal, which is being pressed by Famous Players Canadian Corp. and the organized independents, is to permit the admission of children to film theatres under stipulated conditions. The proposed requirements would be the designation of film attractions by the Quebec censor board as suitable for juveniles and that certain days be set apart for the admission of juveniles when additional safety precautions would be provided by the theatre managers to protect the young patrons, these to include the attendance of a representative of the police or fire departments at such shows and the employment of a full theatre staff. The proposed days for juvenile attendance are Thursday and Saturday of each week.

Spanish Series Started

HOLLYWOOD, Feb. 15. — Eddie Le Baron Productions has embarked on a program of six Spanish films, having completed the first, "Castillos en Aire" (Castles in the Air) this week at Conn Studios. Jaime Salvador directed. In its cast were Christina Tellez, Rafael Alcaide, Andres de Segurola, Bilar Arcos, Jose Penapepet, and Amelia Leovalli. George Gastine is production manager.

Toups Has Anniversary

NEW ORLEANS, Feb. 15.—Rodney Toups is observing his 19th anniversary with Loew's theatres. He started as assistant at the old Crescent, which is now a parking lot, after his discharge from the Army in 1919. He became manager of the State here when it opened in 1926 and has retained that post since.

Simplex Projectors To Be Shown Tonight

The heads of the projection departments of several major circuits, as well as executives of International Projector Corp. will attend a dinner tonight at the Hotel Pennsylvania, at which the company will demonstrate its new Simplex E-7 projector mechanism.

Among those scheduled to attend will be: Frank E. Cahill, Jr., Martin F. Bennett, Jr., Warners; Deon De Titta, 20th Century-Fox; Lester B. Isaac, M. D. O'Brien, Loew's; Harry Rubin, Jesse J. Hopkins, Paramount; Charles F. Horstman, RKO; Charles Muller, Music Hall; Earle G. Hines, president, General Theatres Equipment and International Projector Corp.; Walter Green, president, National Theatre Supply Co.; Herbert Griffin, vice-president, International Projector; E. M. Hartley, General Theatres Equipment; Arthur Meyer, general sales manager; P. A. McGuire, advertising manager, and H. Heidegger, sales engineer, International Projector; J. Servies, J. Frank, Jr., and W. C. Smith, National Theatre Supply.

Seek Test on Sign Law

Detroit, Feb. 15.—Ordinance Court judges will be asked this week to set an early date for trial of the city's suit to force removal of all advertising signs now projecting over sidewalks along the newly widened sections of Woodward Ave., according to Vance G. Ingalls, Assistant Corporation Counsel. Judge George Murphy of Recorders' Court last week dismissed an injuction restraining the city, which had been obtained by the owners of several Woodward Ave. theatres that have large and expensive projecting signs. Houses affected would include the Fox and the Palms-State, first runs.

American Seating Gains

American Seating Co. and subsidiaries report a net profit for 1937 of $636,746 after interest, depreciation and Federal income taxes. This amount is equivalent to $2.88 a share on 221,062 no-par shares of capital stock. It compares with $541,368 for 1936.

Wall Street

Board Recessions Predominate

	Open	High	Low	Close	Net Change
E. K.	154	154	153½	153½	— ⅝
E. K. pfd.	165	165	165	165	.....
G. T. E.	11½	11⅞	11½	11⅞	+ ⅞
Loew	48¾	48⅞	48⅜	48⅜	.....
Loew, pfd.	106½	106½	106½	106½	+ ¼
Para.	10⅜	10½	9⅞	9⅞	— ⅜
Para. 1	89	89	89	89	+ ½
Para. 2	10⅛	10⅛	10	10	— ½
Pathe	5⅞	5⅞	5⅞	5⅞	— ⅛
RKO	3⅞	3⅞	3⅝	3⅝	— ¼
20th Fox	22	22	21⅛	21⅛	— ⅜
W. B.	6	6⅛	5⅞	6	.....

G.N. in Slight Curb Gain

	Open	High	Low	Close	Net Change
G. N.	9/16	9/16	½	9/16	+1/16
Tech.	18⅜	18½	18	18	.....
Univ. Corp.	3	3	3	3	.....

Para. Bonds Up Fractionally

	High	Low	Close	Net Change
Loew 3½s '46	98¾	98¾	98¾	.....
Para. Pict. 6 '55	92	92	92	.....
Para. Pict. '47	74	74	74	+ ¾
W. B. 6s '39	72¾	71½	71½	—1½

(Quotations at close of Feb. 15)

The Newsreel Parade

Movietone News
Vol. 20, No. 45
(20th Century-Fox)

The current developments in the press of the rescue of four Soviet scientists who are drifting somewhere off the coast of Greenland is effectively tied in with the lead of this issue. There are about 400 feet of material culled from Amkino, making up the greater part of the reel, depicting the surroundings and equipment of the men. The stuff is well narrated by Lowell Thomas and has much interest.

Otherwise the reel offers routine shots of a dog show, a whale washed ashore in San Francisco and Mussolini reviewing his goose-stepping troops in anticipation of a visit from Hitler. Lew Lehr, with the aid of some funny sound effects, applies his familiar dialect lines to shots of penguins. There are some fast moving sport clips to conclude the reel. These include bobsled racing, ice skating and a number of youngsters boxing in Florida. Running time, 10 mins. P.

News of the Day
Vol. 9, No. 243
(M-G-M)

Here too a collection of scenes from Amkino depicting the Soviet polar expedition is the lead. The material is made to bear on the present newspaper stories which are making exciting newspaper reading. It is well handled, presented and interesting.

Here again is the dog show, the Italian army practicing the goose step and the beached whale in San Francisco. There are a few glimpses of "Dixie" Davis being arrested in Philadelphia. The GHQ flight to Buenos Aires is caught with excellent scenes taking off from Langley Field. Scenes of the floods in Illinois and central California conclude the regulation news coverage. The Sporting Page offers bobsledding and ice skate racing at Lake Placid and youngsters having a slugfest at Coral Gables. Running time, 9 mins. P.

Paramount News
No. 56
(Paramount)

Several subjects of outstanding interest so overshadow the routine material in this release as to give it an excellent rating on the basis of general appeal and novelty.

The outstanding subject depicts the four Russian scientists on their ice floe camp adrift in the Polar seas and the efforts being made to rescue them. Subjects such as this, perhaps, reveal the newsreel at its best. There is genuine drama and high human interest for all types of audiences in this material in spite of the fact that the scenes were made when the scientists were left on the ice.

Second in interest are the storm scenes from California, with towns flooded by torrential rains and homes and automobiles wrecked by huge uprooted trees. Other scenes from Colorado depict the damage wrought by the year's first dust storm. Highly interesting for other reasons is the clip showing Italian troops in a goose-step parade borrowed from Germany, with Il Duce himself in an obviously strained effort to outstep his legions. A spectacular coal yard fire at Lynn, Mass., is good of its kind, and shots of the four winners and some of the losers in the much publicized Toronto "baby derby," or "stork race" will undoubtely be found either amusing or interesting by most patrons.

On the routine side are shots of winter maneuvers of French and Italian Alpine ski troops, the American dog show in New York and Lincoln's Birthday observances in Washington with the President and Mrs. Roosevelt attending. Running time, 10 mins. K.

RKO Pathe News
Vol. 9, No. 60
(RKO)

Recent storms in California and Colorado, shots of a Chicago ski meet and of a European bobseld run contribute the most to this release. The damage wrought by wind and rain in northern California is impressively pictured, and for sheer action and thrills the ski jump and bobsled shots, with the camera recording some bad spills in each, are outstanding of their kind.

The remainder of the reel runs pretty much to routine material. It includes the arraignment in New York of "Dixie" Davis, fugitive racketeer who was captured recently in Philadelphia; Washington ceremonies at the Lincoln Monument, with the President and Mrs. Roosevelt in attendance on the occasion of the Emancipator's birthday anniversary; dedication of the light at Menlo Park in honor of Thomas A. Edison on the anniversary of his birth; the inevitable Miami beach pictures, and the start of the Mohammedan pilgrimage from Cairo to Mecca. A final subject depicting the work of Federal game wardens in conserving and studying wild duck life in Maryland is of better than average interest. Running time, 9 mins. K.

Universal Newsreel
Vol. 10, No. 641
(Universal)

By taking Amkino footage made when the Soviet scientists were left on the ice at the North Pole several months ago and building up a dramatic commentary Universal has done a smart job of capitalizing on the current world-wide interest in the fate of these men.

Shots of the burning of a gas and electric plant at Lynn, Mass., furnish some lively topical interest, and views of floods at Watsonville, Cal., indicate that the sun doesn't always shine out there. The first dust storm of the season in Texas and Oklahoma is presented, but the commentary is stronger than the pictorial content. Ski jumps on artificial snow at Norfolk, Conn., are exciting. The operation of a machine that prints from radio broadcasts is intriguing material.

Routine clips make up the rest of the reel. They include Fascist militiamen doing the goose step; a legless swimmer at Miami, two women walking across an ice-coated shore and plunging into the water at Revere Beach; youngsters boxing at Miami; a twin-engined bomber in England and the New York dog show. Running time, 9 mins.

Short Subjects

"Snow Foolin'"
(Columbia)

A winter sports subject, with narrative by Jack Kofoed and description by Ford Bond, is a virtual tour of winter sports, including skiing, skating, iceboating, trotting races on the ice, basketball and baseball on ice skates and sled racing. It is fast moving and fairly effective, although concentration on fewer types of activity might have made it more effective. Running time, 10 mins. "G."

"Enric Madriguera and Orchestra"
(Vitaphone)

Good band music is furnished with a slight plot. This famous band plays its familiar and tuneful music against the enactment of a sketch wherein a young girl is infatuated with Madriguera against the wishes of her parents. The light farce is amateurishly acted. But there is enough orchestral and dancing novelty to put it over. Running time, 10 mins. "G."

"Himber Harmonies"
(Paramount)

Here is a tastefully produced and pleasant band offering that should have good reception. It features a day in the routine of Richard Himber and his band. In the morning they rehearse, later they make a record, do a broadcast and finally wind up their schedule in a night club. Throughout the proceedings there is plenty of music, well done in the familiar Himber mode. Running time, 11 mins. "G."

"Life in Lapland"
(Sanders Artists' Bureau)

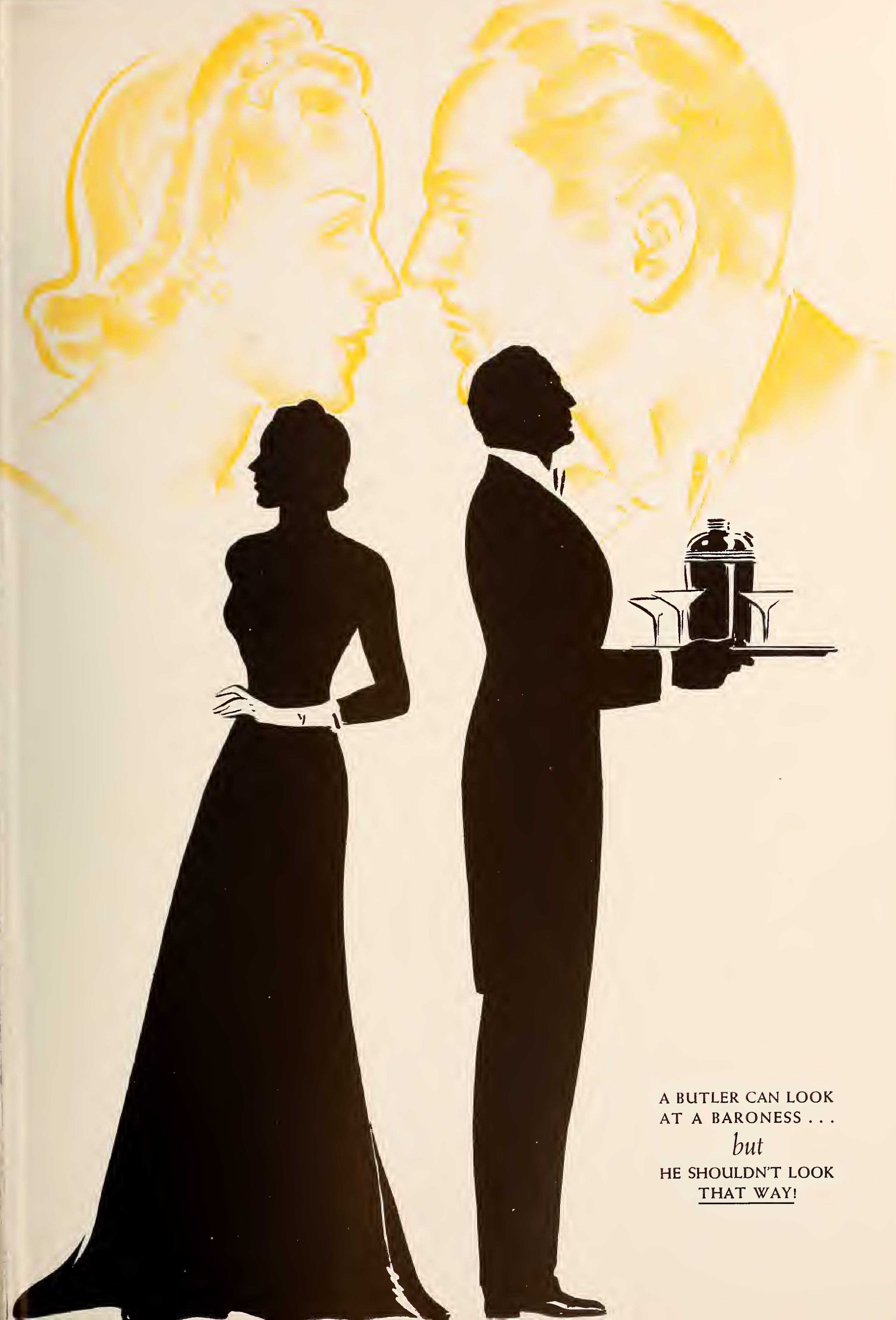
A moderately interesting ethnological excursion into the life, customs and activities of the little known people who inhabit Sweden's northerly reaches. The film suffers from poor photography which can be attributed to the frigid conditions of the country. The comment is interesting. Its subject matter is novel and it should have a fair reception in newsreel houses and wherever else it can be fitted. Running time, 9 mins. "G."

"Cupid Takes A Holiday"
(Educational)

Danny Kaye, a comedian with a Russian accent, sets a breakneck pace in the beginning of this short and maintains it until the hilarious conclusion rolls around. While it might be familiar stuff there are a few new twists to provide the right degree of farcical merriment. Kaye gets into many jams as he seeks a wife before the advent of the new year, otherwise he will go crazy. He does. It has a lot of laughs. Running time, 14 mins. "G."

"His Pest Friend"
(RKO)

The limber-legged Leon Errol is amusing in this comedy of marital complications, which is superior to the average two-reel comedy and should be entertaining for the adults. Errol's wife buys a cabin as a surprise for him, and his best "friend" spreads suspicion when he sees her with the man from whom she made the purchase. Errol's frantic efforts to catch up to his wife are good for a number of laughs. Running time, 18 mins. "G."



A BUTLER CAN LOOK
AT A BARONESS . . .
but
HE SHOULDN'T LOOK
THAT WAY!

20th's SHOWMANSHIP AT WORK FOR YOUR BOXOFFICE AGAIN!

It was a marquee inspiration to pair romantic William Powell, at his debonair best, with bewitching Annabella —a revelation in her first American-made picture. And these two grand stars make the most of it . . . which means they'll make plenty *for you!*

William POWELL
and
ANNABELLA
in
"The BARONESS and the BUTLER"

with
HELEN WESTLEY • HENRY STEPHENSON
JOSEPH SCHILDKRAUT • NIGEL BRUCE
J. EDWARD BROMBERG • LYNN BARI
Directed by Walter Lang
Associate Producer Raymond Griffith • Screen Play
by Sam Hellman, Lamar Trotti and Kathryn Scola
Based on a play by Ladislaus Bus-Fekete
Darryl F. Zanuck In Charge of Production

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

'laydate Law Invalidated In Ohio Test

(*Continued from page* 1)

ined injunctions in both states to effectuation of the laws pending courts' decisions. It is not be- ed an appeal will be taken.

Vashington, Feb. 15.—Comment- here on the decision of the U. S. trict Court in Columbus enjoining Ohio anti-compulsory playdate law, -am F. Myers said:

While disappointing in immediate ılts the decision adds needed clari- tion to the law. It holds simply t the designation by the distributors playdates does not involve any -al issue. The court rejected the tentions of the distributors that the interfered with interstate com- -ce or that it infringed upon the yright law or that the public ex- tion of motion pictures is not af- ed with a public interest. In these ticulars the decision is a precedent avor of the North Dakota theatre orcement law.

It is hoped that the state will ap- l on the moral issue on which the rt did not give sufficient weight to right of the theatre-going public hold the exhibitor responsible for proper dating of pictures."

Move Expected, Says Hess

abriel L. Hess, general attorney, P.P.D.A., advised last night by tion Picture Daily of the Myers ement, declared:

The distributors were confident t they would succeed in having the declared unconstitutional because ore the law was signed by the Gov- or, the attorney general of the state lared it unconstitutional.

No further comment can be made hout a reading of the opinion."

randt to Discuss Outlook with Roper

Iarry Brandt, president of the In- endent Theatre Owners Associa- , is to confer with Government ials in Washington on assistance small exhibitors. He was invited Secretary of Commerce Roper to "small business men's conference" ntly held in Washington but did attend.

randt was asked to that meeting the representative of the film in- ry, he said. Since he failed to nd, he has been invited to Wash- on for a private discussion. He not indicate when it will take e.

wa Group Hits Games

es Moines, Feb. 15.—The board managers of the Iowa Congress of ents and Teachers has adopted the gestion of the motion picture com- ee chairman, Mrs. Clay Swisher, the organization oppose Bank ht "and other lotteries." The or- ization plans a campaign against k Night and also will oppose the wing of double features in Iowa tres.

Boost for School

Heavener, Okla., Feb. 15.—Manager Ray Hughes of the Liberty here has hit on a plan to increase the average daily attendance at all the schools in this section. He gives a pass to every school child who has a perfect record of attendance each month until the end of the present school term.

So far, he has issued 977 passes for the month of January. Hughes' plan, he believes, is building goodwill for his theatre.

Report New Soviet Films Head Chosen

A new head for the Russian film industry has been named to succeed Boris Z. Shumiatsky, who was recently deposed following charges of waste and extravagance, it has been learned by Amkino, the Soviet film agency here.

The new director's identity is not known by Amkino, nor has the local office been advised of other changes that have taken place during the reorganization, according to N. Napoli of Amkino. He said that he has to depend on the Moscow newspapers for such information and that nothing pertaining to the reorganization has been printed in the Soviet press since Shumiatsky was ousted.

The same reticence is maintained by V. I. Verlinsky, president of Amkino, who has been in Moscow since December. He has said nothing about the changes in communications to his New York office, although he attended the meeting of Soviet industry officials at which Shumiatsky was made the target of severe criticism, resulting in his ouster.

Verlinsky, who left for Moscow Dec. 8, is extending his stay and is not expected back until some time next month. He has shipped a number of films for distribution here, and this year Amkino will distribute 22 pictures, an increase of five over last year, Napoli said. Among them is "Lenin in October."

Set "Fugitive" Hearing

Atlanta, Feb. 15.—Hearing of Judge Vivian L. Stanley's $200,000 "I Am a Fugitive" damage suit against Warners and various distributors and exhibitors has been set for March 21 in Fulton Superior Court here. Judge Stanley, a member of the Georgia Prison Commission, charges Warners' picture, "I Am a Fugitive from a Chain Gang," was based on Robert Elliott Burns book, "I Am a Fugitive from a Georgia Chain Gang," and held Georgia Prison officials up to ridicule.

Dionnes Start in May

"Everybody's Sweetheart," the Dionne quintuplets' next feature for 20th Century-Fox, will go into work in May, when location shots will be made by a Hollywood crew at Callender, Ont. Joe Moskowitz returned yesterday from Callender where he made preliminary arrangements. John Patrick and Lou Breslow, who will do the story, were also there, and they conferred with Dr. Allan Dafoe.

Invite Creditors to Reorganize G.N.

(*Continued from page* 1)

creditors, was named to inspect companies financial records being sent from New York on Friday.

Goldstone, in opening the meeting, told the group that the company has mismanaged but has enough assets to pay off the outstanding $350,000 debts. He asked the creditors to draft a plan to reorganize without Federal Court aid. He declared that G.N. heads wanted to borrow money from him but said that he, at his own expense, had made a survey of the companies and found them in wobbly shape. He said the distribution cost was top heavy and that by consolidating offices, $10,000 weekly expense could be eliminated.

The committee met with Alperson, Krasne and Goldstone after the general session broke up.

The private opinion of one of the attorneys was that the filing of the petition to reorganize the G.N. companies in Federal Court by B. F. Zeidman Productions, Inc., Pacific Title and Arts Studio, Inc., and Howard Anderson would lead either to the appointment of a temporary trustee or to a reorganization as ordered by the court if the tribunal sustains the allegation in the petition that acts of bankruptcy were committed through alleged preference of creditors and the transfer of equipment and money with intent to defraud.

Missouri Theatres' Tax $235,128 in '37

Kansas City, Feb. 15.—Theatres paid $235,128.94 in sales taxes during 1937, according to the report of Forrest Smith, state auditor of Missouri. Other shows, attractions and amusements paid $38,418.49; athletic contests paid $25,776.65, and dances, $3,842.58. The admission group paid $303,166.66.

This is for the 12-month period ending Nov. 30, 1937, and includes December, 1936. The tax levy was one per cent for the first seven of the months covered in the report, two per cent for the last five months. Figured on the basis of two per cent, the tax collection of $235,128 from theatres indicates a total gross at Missouri boxoffices of $11,756,400. The actual gross, however, would be substantially larger than this.

Shift Loew's Managers

Boston, Feb. 15.—Walter Murphy is now assistant manager at Loew's Orpheum. George Jones manages the theatre. Maurice Druker has been brought south from Toronto to join the Orpheum staff. Stanley Gosnell has gone north from Richmond to replace Druker with Loew's in Canada. Gosnell formerly managed Loew's State here.

Join RKO Sales Staff

Minneapolis, Feb. 15.—Sol Malasol and Jerry Marks have been appointed to the RKO sales staff here by L. E. Goldhammer, branch manager.

James Coston on Coast

Hollywood, Feb. 15.—James Coston, Warners theatre head for the Chicago zone, has arrived to look over forthcoming product.

Dickinson Acquires Two Kansas Houses

Kansas City, Feb. 15.—The Glen W. Dickinson Theatres, Inc., has assumed control of the Liberty, Columbus, Kan., and the Maywood, Galena, Kan., from N. W. Huston, effective Feb. 27. Huston will continue to manage the theatres.

Acquisition of the two new units gives the Dickinson group 31 houses in Missouri, Kansas and Iowa.

Commonwealth Amusement Corp. has purchased a half interest in the Uptown at Marceline, Mo., from Roy Jones, who will continue as manager and part owner. With the theatre the circuit is building in Washington, Mo., the Garden, the circuit now has a total of 34 theatres in Missouri, Kansas, Arkansas and Iowa.

Fox Midwest Theatres, Inc., has taken over the Rivoli at Girard, Kan., from Mrs. Mary Valentine.

Will Open K. C. Brookside

Kansas City, Feb. 15.—Fox Midwest Theatres, Inc., will open the Brookside, 1,000-seat house on the South Side Feb. 18 as a 25-cent single feature spot. The theatre will have a clearance substantially the same as the Fox Warwick. The Warwick has third subsequent run, following the Plaza and Isis, both Fox houses.

Joseph Redmond, Jr., who has been at the Fox Tower for several years, will manage the Brookside.

Opening Wisconsin House

De Pere, Wis., Feb. 15.—W. R. Vincent, operator of five theatres in Wisconsin, has opened his sixth, the 500-seat De Pere here. The new house, remodeled from a former storage garage, now gives De Pere, which has a population of 5,500, four theatres, all operated by independent exhibitors, while Green Bay, just a few miles distant and having a population of 37,500, has the same number of theatres.

Kubitzki to Open Soon

Kansas City, Feb. 15.—Will Kubitzki is planning to open the 400-seat Plaza, in Higginsville, Mo., within the next week or two. Kubitzki formerly was booker for Consolidated Films, then salesman for Grand National, and, later, for Independent Film Distributors.

Cancels Minneapolis Lease

Minneapolis, Feb. 15.—The Minnesota Amusement Co. has cancelled its lease on the Minnesota here, according to John J. Freidl, general manager of the circuit, because it has not shown a profit.

To Construct New Ohio Theatre

Camp Perry, O., Feb. 15.—Emil Marx has awarded contracts for the construction of a theatre here at an approximate cost of $75,000. The proposed theatre will seat 1000, and is expected to be completed by Sept. 1.

Buys Theatre in Iowa

Blockton, Ia., Feb. 15.—Mrs. A. D. Hahn has purchased the Electric here and leased it to M. M. and Mrs. Young. The Hahns now own three houses in this locality.

Will Build House in Oklahoma

El Reno, Okla., Feb. 15.—E. R. Slocum, Oklahoma City, has purchased a building here and plans to remodel it into a theatre.

"Swing" with Lopez Big at Philadelphia

PHILADELPHIA, Feb. 15. — "Swing Your Lady," with Vincent Lopez and his band on the stage at the Earle, was the only attraction to escape a general blight during the early part of the week. The $20,000 gross was $6,000 over the line.

"Mannequin" took $4,700 in its second week at Keith's, and "The Buccaneer" grossed a normal $14,000 at the Stanley. Other spots were in a bad way.

Total first run business was $72,950. Average is $79,100.

Estimated takings for the week ending Feb. 10:

"PARADISE FOR THREE" (M-G-M)
ALDINE—(1,300), 40c-55c-65c, 4 days. **Gross:** $3,000. (Average, 7 days, $8,160)

"I MET MY LOVE AGAIN" (U. A.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 4 days. **Gross:** $900. "Bulldog Drummond's Revenge" (Para.) (2 days). **Gross:** $350. (Average, 7 days, $2,800)

"HITTING A NEW HIGH" (RKO)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $9,500. (Average, $14,000)

"SWING YOUR LADY" (W. B.)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Vincent Lopez and Band, Lee Dixon, Benay Venuta. **Gross:** $20,000. (Average, $14,000)

"HAPPY LANDING" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 7 days. 2nd week. **Gross:** $13,000. (Average, $14,000)

"THERE GOES THE GROOM" (R-K-O)
KARLTON—(1,000), 25c-40c-50c, 7 days. **Gross:** $2,000. (Average, $4,000)

"MANNEQUIN" (M-G-M)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 9 days. **Gross:** $4,700. (Average, 7 days, $4,000)

"THE BUCCANEER" (Para.)
STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $14,000. (Average, $14,000)

"PENITENTIARY" (Col.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,500. (Average, $7,000)

"Buccaneer" Dual $7,000, New Haven

NEW HAVEN, Feb. 15.—"The Buccaneer" and "Love on Toast" chalked up a $7,000 week, $2,200 over par at the Paramount; the bill was held.

Loew's-Poli, with "Mannequin" and "She Married An Artist," beat the $8,000 by $1,500 on a $9,500 take, and was moved to the College for a second week. "Bordertown" and "Wise Girl" at the Roger Sherman pulled $4,300, under the line by $300; while the second week of "Man-Proof" and "Beg, Borrow or Steal" at the College fell to $2,300, under by $500. "Ice Follies" at the Arena was a sellout and cut into all theatre business.

Total first run business was $23,100. Average is $20,200.

Estimated takings for the week ending Feb. 11:

"MAN-PROOF" (M-G-M)
"BEG, BORROW OR STEAL" (M-G-M)
COLLEGE—(1,499), 35c-50c. 7 days, 2nd week. **Gross:** $2,300. (Average, $2,800)

"MANNEQUIN" (M-G-M)
"SHE MARRIED AN ARTIST" (Col.)
LOEW'S-POLI—(3,040), 35c-50c, 7 days. **Gross:** $9,500. (Average, $8,000)

"THE BUCCANEER" (Para.)
"LOVE ON TOAST" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $7,000. (Average, $4,800)

"BORDERTOWN" (W. B.)
"WISE GIRL" (RKO)
ROGER SHERMAN—(2,200), 7 days. **Gross:** $4,300. (Average, $4,600)

Free Show

Hartford, Feb. 15.—A total of 3,300 people saw "Snow White and the Seven Dwarfs" without charge at the Bushnell Memorial, local civic auditorium, Sunday afternoon. Theatre managers were surprised, but were unwilling to be quoted as to whether the preview harmed their matinee business for the day. Everybody present was "either a member of the press or one of those regularly admitted to theatres free of charge anyhow," said William H. Mortensen, managing director of the Memorial.

"Buccaneer" Kansas City Hit, $10,400

KANSAS CITY, Feb. 15.—Of three good bills "The Buccaneer" made the best comparative score of the week by taking $10,400 in seven days at the Newman, where $7,000 is par. The picture was held.

Big money went to "Mannequin" and "You're Only Young Once" at the Midland, where the $14,900 score was $3,400 over the line. Dave Apollon & His Varieties of 1938 and "She's Got Everything" gave the Mainstreet $12,300, $3,300 up.

"In Old Chicago" went into the Uptown "cold" for a roadshow engagement, but even so in six days garnered $5,000. "City Girl" was pulled from the Tower after five days, in which, with a stage show, it took $5,600, $400 over par for the 5-day course.

Total first run business (excluding Uptown) was $41,200. Average (excluding Uptown) is $32,700.

Estimated takings:

Week Ending Feb. 8:

"CITY GIRL" (20th-Fox)
FOX TOWER—(2,200), 25c-50c, 5 days. Stage: Rosita Royce. Ada Brown. Wally & Verdyn, Nelson & Knight. **Gross:** $5,600. (Average, 5 days, $5,200)

Week Ending Feb. 9:

"SHE'S GOT EVERYTHING" (RKO)
MAINSTREET—(3,100), 25c-35c-50c. 7 days. Stage: Dave Apollon & His Varieties of 1938, featuring Cass Daley, Bob Ripa, Five Hollywood Coeds. Maxine Lewis, Max & His Gang, George Lyons, the Digantos, Twelve Continental Dancing Ladies, and La Conga. **Gross:** $12,300. (Average, combination bill, $9,000)

"THE BUCCANEER" (Para.)
NEWMAN — (1,900). 25c-40c. 7 days. **Gross:** $10,400. (Average, $7,000)

"IN OLD CHICAGO" (20th-Fox)
UPTOWN—(2,000), 65c-83c-$1.10-$1.65, 6 days. **Gross:** $5,000.

Week Ending Feb. 10:

"MANNEQUIN (M-G-M)
"YOU'RE ONLY YOUNG ONCE"
(M-G-M)
MIDLAND—(4,000), 25c-40c. 7 days. **Gross:** $14,900. (Average, $11,500)

"U" to Star Jimmy Savo

HOLLYWOOD, Feb. 15.—Jimmy Savo will be starred by Universal in "The Winner's Circle," which will mark the return of Val Paul, studio manager, to active production. He will handle the picture.

"Buccaneer" $16,000 Top In Cleveland

CLEVELAND, Feb. 15.—"The Buccaneer" turned in a fine $16,000 at Loew's State. This was $1,000 over normal.

"Swing Your Lady," with Jane Withers heading a vaudeville bill, made a good showing at $18,000, also $1,000 over the line, and "Penitentiary" was $1,000 to the good on a take of $7,000 for nine days at the Allen.

Total first run business was $56,300. Average is $58,500.

Estimated takings for the week ending Feb. 11:

"PENITENTIARY" (Col.)
ALLEN—(3,000), 30c-35c-42c-55c, 9 days. **Gross:** $7,000. (Average. 7 days, $6,000)

"HAPPY LANDING" (20th-Fox)
WARNERS' HIPPODROME — (3,500). 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $10,000. (Average. 12,000)

"SWING YOUR LADY" (W. B.)
RKO PALACE—(3,100). 30c-42c-60c-75c, 7 days. Stage: Jane Withers as vaudeville headliner. **Gross:** $18,000 (Average, $17,000)

"BUCCANEER" (Para.)
LOEW'S STATE—(3,500). 30c-35c-42c-55c, 7 days. **Gross:** $16,000. (Average, $15,000)

"TRUE CONFESSION" (Para.)
LOEW'S STILLMAN—(1,900). 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $5,300. (Average, $6,000)

"Buccaneer" Dual $9,200 in Omaha

OMAHA, Feb. 15. — "The Buccaneer," with "Prescription for Romance," grossed $9,200 at the Omaha in seven days, topping weekly par of $5,500 by $3,700.

Walter Wanger's "Vogues of 1938" and "Stand-In," the first U. A. first run pictures shown in Omaha in over three months, grossed $9,500 at the Orpheum, beating seven-day average of $7,200 by $2,300. Terms between U. A. and Tri-States Theatre Corp. were recently signed after negotiations had dragged for six months. The Orpheum had a seven-day run.

"I'll Take Romance" and "Paid to Dance" did $3,800 in seven days at the Brandeis, dropping slightly below par of $4,000 for seven days.

Total first run business was $22,500. Average is $16,700.

Estimated takings:

Week Ending Feb. 9:

"I'LL TAKE ROMANCE"
"PAID TO DANCE" (Col.)
BRANDEIS—(1,200). 25c-35c-40c, 7 days. **Gross:** $3,800. (Average. $4,000)

"THE BUCCANEER" (Para.)
"PRESCRIPTION FOR ROMANCE"
(Univ.)
OMAHA—(2,200). 25c-40c, 7 days. **Gross:** $9,200. (Average, $5,500)

Week Ending Feb. 10:

"WALTER WANGER'S VOGUES OF 1938" (U. A.)
"STAND-IN" (U. A.)
ORPHEUM—(3,000), 25c-55c, 7 days. **Gross:** $9,500. (Average, $7,200)

Sunday Ban Is Upheld

LINCOLN, Feb. 15.—A request of last summer's vote for and against Sunday shows in Beatrice, Neb., turned up a majority of 14 votes against the seven-day openings with about 3,200 votes cast.

The recount was ordered when a 49-vote error was discovered.

"Buccaneer" Frisco Best With $22,00

SAN FRANCISCO, Feb. 15.—"Th Buccaneer," with "The Kid Co Back," was something of a sensa at the Fox. The $22,000 gross pass normal by $5,000.

"The Hurricane" was strong in i second week at the United Artis with $8,500. This was $1,500 over pa At the Embassy, also in a second wee the same picture was in the pro column with a take of $5,500.

Total first run business was $88,20 Average is $87,800.

Estimated takings:

Week Ending Feb. 8:

"DOUBLE DANGER" (R-K-O)
GOLDEN GATE—(2,850), 15c-35c-40c-55 7 days. Stage: Vaudeville. **Gross:** $15,0 (Average, $16,000)

Week Ending Feb. 9:

"HURRICANE" (U. A.)
EMBASSY—(1,400), 15c-35c-40c-55c, days, 2nd week. **Gross:** $5,500. (Averag $5,000)

"BUCCANEER" (Para.)
"THE KID COMES BACK" (W. B.)
FOX—(5,000). 15c-35c-40c-55c-75c, 7 day **Gross:** $22,000. (Average. $17,000)

"PENITENTIARY" (Col.)
"NO TIME TO MARRY" (Col.)
ORPHEUM—(2,440). 15c-35c-40c-55c-75 7 days. **Gross:** $8,700. (Average, $8,500)

"MANNEQUIN" (M-G-M)
"CHANGE OF HEART" (20th-Fox)
PARAMOUNT—(2,740). 15c-35c-40c-55 75c, 7 days, 2nd week. **Gross:** $9,00 (Average. $13,000)

"HAPPY LANDING" (20th-Fox)
"CHARLIE CHAN AT MONTE CARLO
(20th-Fox)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75 7 days, 2nd downtown week. **Goss:** 8,00 (Average, $7,000)

"HURRICANE" (U. A.)
UNITED ARTISTS—(1,200). 15c-35c-40 55c-65c, 2nd week. **Gross:** $8,500. (Averag $7,000)

Week Ending Feb. 10:

"EVERYBODY SING" (M-G-M)
"BULLDOG DRUMMOND'S REVENGE
(Para.)
WARFIELD—(2,680). 15c-35c-40c-55c-75c, **days.** Gross: 10,000. (Average, $13,000)

Week Ending Feb. 11:

"MAYERLING" (Pax)
CLAY—(400). 15c-35c-40c, 7 days, 2n week. **Gross:** $1,500. (Average, $1,300)

More Omaha Shows Set

OMAHA, Feb. 15.—More stag shows during 1938 for the Orpheum have been promised by Evert R. Cummings, Tri-States district manager.

The Orpheum booked nine travelin shows in 1937, about eight durin 1936. This average will be booste to 18 or 20 for the year. Bill Miskel is house manager.

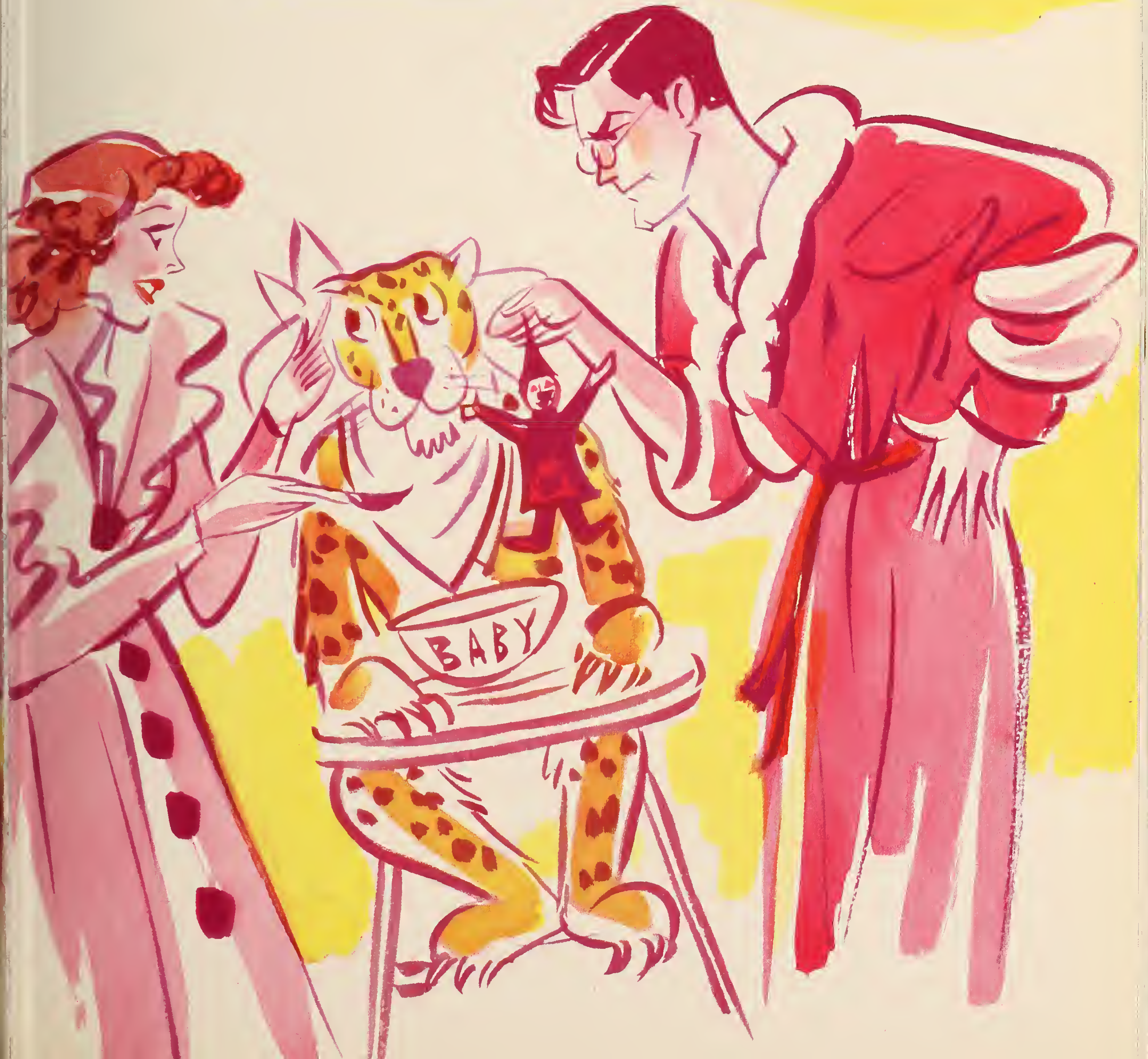
As outlined by Cummings, th Orpheum will play one or two stag shows a month, will include a bi name attraction on the bill and wi show one good feature on the scree for a three-way draw. The Orpheum shows duals the rest of the time.

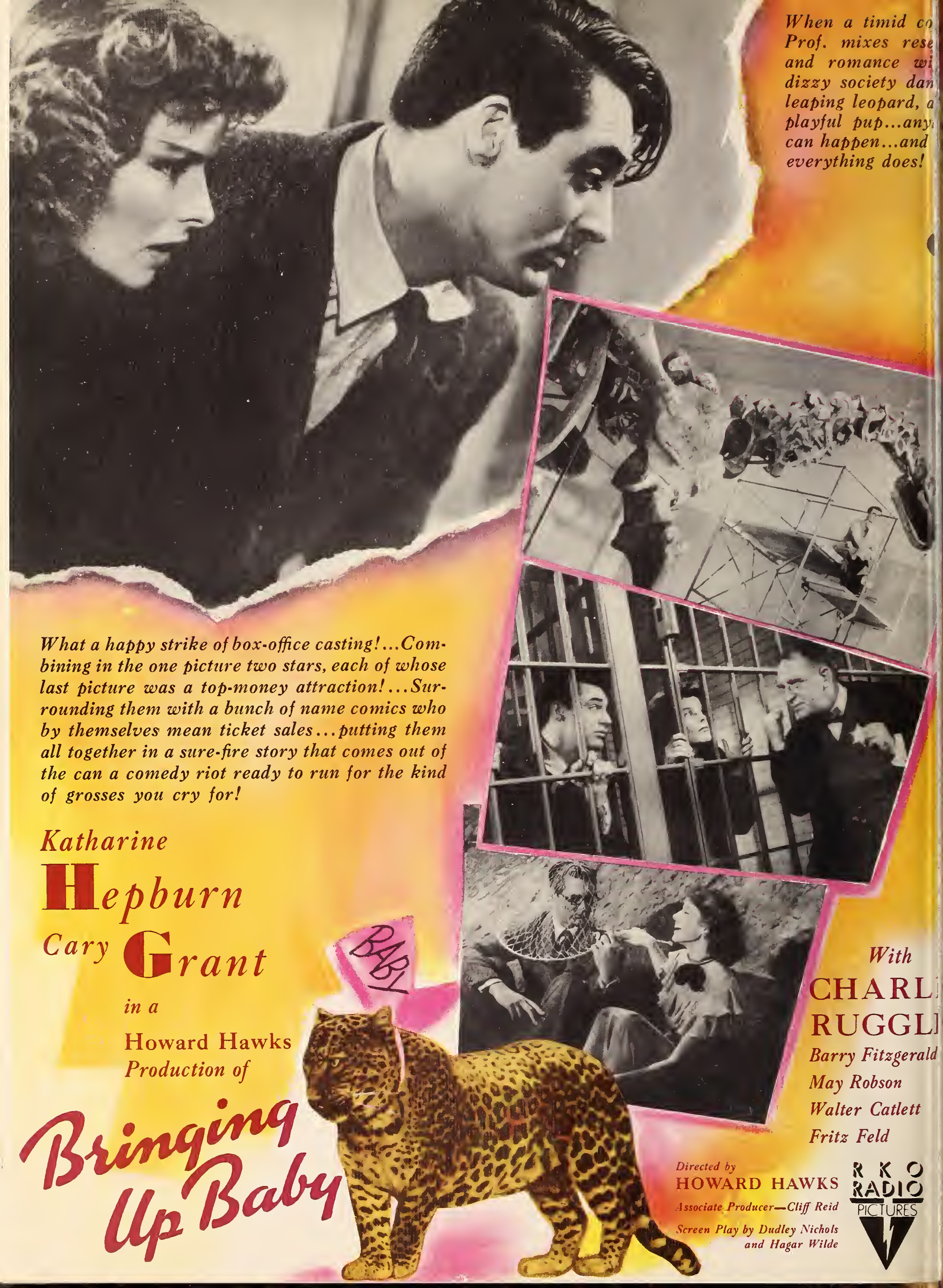
Reduce Canadian Rates

TORONTO, Feb. 15.—A further reduction in railway express charges fo shipments of films and accessories fo film exchanges and exhibitors has bee made by the Canadian Pacific and Canadian National Railways with th publication of a new schedule of rate to meet the growing use of highwa transport services for deliver an pickup of films and supplies. Th rates were materially reduced i September, 1935.

Oh! Baby!

. . . RKO RADIO springs a NEW comedy idea on a startled world . . . and comes across with one of the greatest laugh shows ever put on the screen!





When a timid co
Prof. mixes rese
and romance wi
dizzy society dan
leaping leopard, a
playful pup...any
can happen...and
everything does!

What a happy strike of box-office casting!...Combining in the one picture two stars, each of whose last picture was a top-money attraction!...Surrounding them with a bunch of name comics who by themselves mean ticket sales...putting them all together in a sure-fire story that comes out of the can a comedy riot ready to run for the kind of grosses you cry for!

Katharine
Hepburn
Cary **Grant**
in a
Howard Hawks
Production of

Bringing Up Baby

With
CHARL
RUGGL
Barry Fitzgerald
May Robson
Walter Catlett
Fritz Feld

Directed by
HOWARD HAWKS
Associate Producer—Cliff Reid
Screen Play by Dudley Nichols and Hagar Wilde

R K O RADIO PICTURES

Buccaneer" Denver Lead With $12,000

)ENVER, Feb. 15.—"The Buccaneer" ·ed the Denham several times dur- the week and ran up a gross of ,000. This was $6,500 over normal the picture was held.

Happy Landing" broke an opening record at the Denver and was ved to the Aladdin. The gross for week was $13,500, over par by 000. "The Hurricane" held up to 500 at the Aladdin following a week he Denver.

'otal first run business was $44,500. erage is $33,250.

Estimated takings for the week end- Feb. 10:

"HURRICANE" (U. A.)
LADDIN—(1,400), 25c-40c, 7 days, fol- ng a week at the Denver. **Gross:** $4,500. erage, $3,500)

"DEAD END" (U. A.)
ROADWAY—(1,500), 25c-40c, 7 days, fol- ng a week each at the Denver and ddin. **Gross:** $2,000. (Average, $2,500)

"THE BUCCANEER" (Para.)
ENHAM—(1,725), 25c-35c-40c, 7 days. ss: $12,000. (Average, $5,500)

"HAPPY LANDING" (20th Fox)
ENVER—(2,525), 25c-35c-50c, 7 days. ss: $13,500. (Average, $8,500)

"RADIO CITY REVELS" (RKO)
"YOU'RE ONLY YOUNG ONCE" (M-G-M)
RPHEUM—(2,600), 25c-35c-40c, 7 days. ss: $7,500. (Average, $7,500)

"PENITENTIARY" (Col.)
"SH! THE OCTOPUS" (F. N.)
ARAMOUNT—(2,096), 25c-40c, 7 days. ss: $3,000. (Average, $4,000)

"LOVE AND HISSES" (20th Fox)
"SPY RING" (Univ.)
IALTO—(878), 25c-40c, 7 days. **Gross:** 00. (Average, $1,750)

hnston Buys 11 Stories

HOLLYWOOD, Feb. 15.—W. Ray nston, president of Monogram tures, has purchased 11 more ries for the 1938-39 season. They "Copra," "Gypsy Romance," "The st Legion," "Campus Sweetheart," he Midnight Alarm," "Suicide uad," "Harbor Lights," "The Girl m Rio," "The Star Reporter," ederal Investigator" and "The Man m Headquarters." This brings the al announced pictures for the sea- to 25.

Birnbaum on the Coast

HOLLYWOOD, Feb. 15.—M. M. Birn- um, vice-president of F. A. Brewer Co. in Chicago, one of the invest- nt houses that handled the Mono- m stock issue, is here as a guest W. Ray Johnston and Scott Dun- .

t Poli Claim Hearings

NEW HAVEN, Feb. 15.—Hearings l be held before a Probate Court nmission on Feb. 27 and March 7 claims against the estate of the late vester Z. Poli, theatre operator. ey include that of Robert E. Rus- , for alleged services in connection h forming a trust, and of Matt L. nders, for back salary.

llen Acting K.C. Head

KANSAS CITY, Feb. 15.—C. W. en has been placed in charge of the O exchange here due to the ill- s of T. R. Thompson. Allen was merly manager of the company's ksonville branch

"Happy Landing" Is Indianapolis Smash

INDIANAPOLIS, Feb. 15.—"Happy Landing," with March of Time's "Inside Nazi Germany," was super-smash at $13,000 at the Indiana. This was $7,000 over the line. Attendance and receipts were the highest since the present management took the helm.

All first runs did well. At Loew's "I'll Take Romance" and "Boy of the Streets" was $1,000 over with $8,000, and at the Circle "I Met My Love Again" and "Crashing Hollywood" were takers of $4,700, $200 to the good.

Total first run business was $36,300. Average is $28,500.

Estimated takings for the week ending Feb. 4:

"HOLLYWOOD HOTEL" (F.N.)
"THE JURY'S SECRET" (Univ.)
APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $2,500. (Average, $3,000)

"I MET MY LOVE AGAIN" (U.A.)
"CRASHING HOLLYWOOD" (RKO)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,700. (Average, $4,500)

"HAPPY LANDING" (20th-Fox)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $13,000. (Average, $6,000)

"I'LL TAKE ROMANCE" (Col.)
"BOY OF THE STREETS" (Monogram)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $8,000. (Average, $7,000)

"SWING YOUR LADY" (W.B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Monte Blue and Mary Dees in person, plus vaudeville. **Gross:** $8,100. (Average, $8,000)

"Buccaneer" Dual Big in Milwaukee

MILWAUKEE, Feb. 15.—"The Buccaneer" and "No Time to Marry" were tops in a spotty week with $7,000 at Fox's Palace, this being just $2,000 to the good. The picture played the house for a total of nine days and was shifted to the circuit's Strand for a continued run.

Two other houses cut into the first run business, "Victoria the Great" did $5,000 at the Pabst, while "In Old Chicago," roadshown at Fox's Varsity for four days, collected $3,800. Other business was off.

Total first run business was $35,300. Average is $26,500 for five houses.

Estimated takings:

Week Ending Feb. 9:

"VICTORIA THE GREAT (RKO)
PABST—(1,624), 35c-50c, 7 days. **Gross:** $5,000.

"I MET MY LOVE AGAIN" (U. A.)
"THE GREAT GARRICK" (W. B.)
WARNER—(2,400), 35c-50c, 6 days. **Gross:** $4,000. (Average, $5,000)

Week Ending Feb. 10:

"THE BUCCANEER" (Para.)
"NO TIME TO MARRY" (Col.)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $7,000. (Average, $5,000)

"PAID TO DANCE" (Col.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: Major Bowes' Collegiate Revue. **Gross:** $4,500. (Average, $5,000)

"MAN-PROOF" (M-G-M)
"THANK YOU, MR. MOTO" (20th-Fox)
STRAND—(1,400), 35c-50c, 7 days. **Gross:** $3,500. (Average, $4,500)

"IN OLD CHICAGO" (20th-Fox)
VARSITY—(1,300), 75c-$1-$1.50, 4 days, twice daily. **Gross:** $3,800.

"HAPPY LANDING" (20th-Fox)
"CITY GIRL" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 7 days, 2nd Week. **Gross:** $7,500. (Average, $8,000)

Cuts Price in Spokane

SPOKANE, Feb. 15.—Another theatre has dropped prices here. The Empress has gone down five cents to 10 and 15 cents. Last week the Granada dropped five cents to 15 and 25 cents.

"Buccaneer" Twin Cities' Only Grosser

MINNEAPOLIS, Feb. 15.—"The Buccaneer" was the only first run attraction to get to first base in a week of slippery weather. It took a $10,000 par at the Minnesota here and went $1,000 over the line on a take of $6,500 at the Paramount.

"Wise Girl" had an average $6,000 at the Orpheum. "Victoria the Great" held up to $1,900 in its fifth week at the World here, but all other houses were off.

Total first run business in Minneapolis was $24,400. Average is $27,500. Total first run business in St. Paul was $13,000. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Feb. 10:

"THE BUCCANEER" (Para.)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $10,000. (Average, $10,000)

"WISE GIRL" (RKO)
ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $6,000. (Average, $6,000)

"VICTORIA THE GREAT" (RKO)
WORLD—(400), 25c-35c, 7 days, 5th week. **Gross:** $1,900. (Average, $2,000)

"HAPPY LANDING" (20th-Fox)
STATE—(2,400), 25c-55c, 7 days, 2nd week. **Gross:** $4,000. (Average, $5,500)

"I MET MY LOVE AGAIN" (U. A.)
CENTURY—(1,600), 3 days, 25c-40c. **Gross:** $2,500. (Average, $5,000)

St. Paul:

Week Ending Feb. 10:

"THE BUCCANEER" (Para.)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

EVERY DAY'S A HOLIDAY" (Para.)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $4,000)

"THE BARRIER" (Para.)
"YOU'RE ONLY YOUNG ONCE" M-G-M)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,300)

"UNDER SUSPICION" (Col.)
"SHE LOVED A FIREMAN" (F. N.)
TOWER—(1,000), 25c-35c, 5 days. **Gross:** $1,500. (Average, $2,000)

Alliance to Get Shows

ALLIANCE, O., Feb. 15.—The Columbia, which has been playing a straight film policy for several months, hereafter will play stage shows and pictures on Thursdays and Fridays of each week. The new policy will be permanent, according to Ray C. Wallace, managing director Tri-State Theatres, which controls the house.

Finish Mexican Musical

MEXICO CITY, Feb. 15.—The first Mexican made musical picture, featuring Franz Lehar music, has been produced by Jose Luis Bueno. It is "Noches de Gloria" ("Glorious Nights"). Esperanza Iria, veteran Mexican commedienne, is starred.

Beery Film Is Titled

HOLLYWOOD, Feb. 15.—"Men of the Waterfront" will be the final title of the Wallace Beery starring film for M-G-M adapted from Marcel Pagnol's play, "Fanny."

Open Hollywood House

HOLLYWOOD, Feb. 15.—The Gordon, built at a cost of $125,000 on North La Brea Ave., has been opened by Gorden-Rector Theatres, Inc. The building was designed by C. A. Balch.

"Landing" Up In Detroit on $22,500 Take

DETROIT, Feb. 15.—"Happy Landing" set a fast pace at the Fox, helped by a stage show headed by Loretta Lee and Gillette & Richards. The $22,500 take passed par by $2,500.

"Paradise for Three," also with a stage show, turned in a neat $22,000 at the Michigan. "The Buccaneer" went $1,000 over the line on a gross of $11,000 at the United Artists.

Total first run business was $74,100. Average is $70,000.

Estimated takings for the week ending Feb. 10:

"NO TIME TO MARRY" (Col.)
"THE SPY RING" (Univ.)
ADAMS—(1,770), 15c-50c, 7 days. **Gross:** $3,600. (Average, $5,000)

"HAPPY LANDING" (20th-Fox)
FOX—(5,100), 25c-65c, 7 days. Stage: Loretta Lee, Gillette & Richards; Wolford's Pets, Jimmy & Mildred Mulcay, 6 Viennese singers. **Gross:** $22,500. (Average, $20,000)

"PARADISE FOR THREE" M-G-M)
MICHIGAN—(4,100), 25c-65c, 7 days. Stage: Judy Ganova, Annie & Zeke Canova, 6 Rexolas, Myron Pearl & Co., Ruth Petty. **Gross:** $22,000. (Average, $20,000)

"LOVE IS A HEADACHE" (M-G-M)
"BAD MAN OF BRIMSTONE" (M-G-M)
STATE—(3,000), 15c-50c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000)

"THE BUCCANEER" (Para.)
UNITED ARTISTS—(2,070), 25c-65c, 7 days. **Gross:** $11,000. (Average, $10,000)

"STAGE DOOR" (RKO)
MADISON—(2,000), 25c-65c, 7 days, 2nd week. **Gross:** $10,000. (Average, $10,000)

"Happy Landing" Is $8,500 Houston Hit

HOUSTON, Feb. 15.—"Happy Landing" made everybody happy including the Majestic management where the picture had a take of $8,500, or $1,500 above par.

"Mannequin" at Loew's State boosted the take to $8,000. Average is $7,000. "I'll Take Romance" had hard sledding at the Metropolitan and was pulled after an estimated take of $3,500 in five days. "Radio City Revels" was substituted and pulled $1,200 in the remaining two days of the week. The picture will be held another week.

"The Girl with Ideas," combined with the Braddock-Farr fight pictures, brought grosses up at the Kirby over the weekend and evened off the loss from the midweek feature, "Living on Love." The theatre hit par with $5,000 for the week.

Spring weather prevailed. Peach and plum trees put out blooms.

Total first run business was $26,200. Average is $26,000.

Estimated takings for the week ending Feb. 10:

"THE GIRL WITH IDEAS" (Univ.)
BRADDOCK-FARR FIGHT
KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $3,400. (Average, 7 days, $5,000)

"LIVING ON LOVE" (RKO)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,600. (Average, 7 days, $5,000)

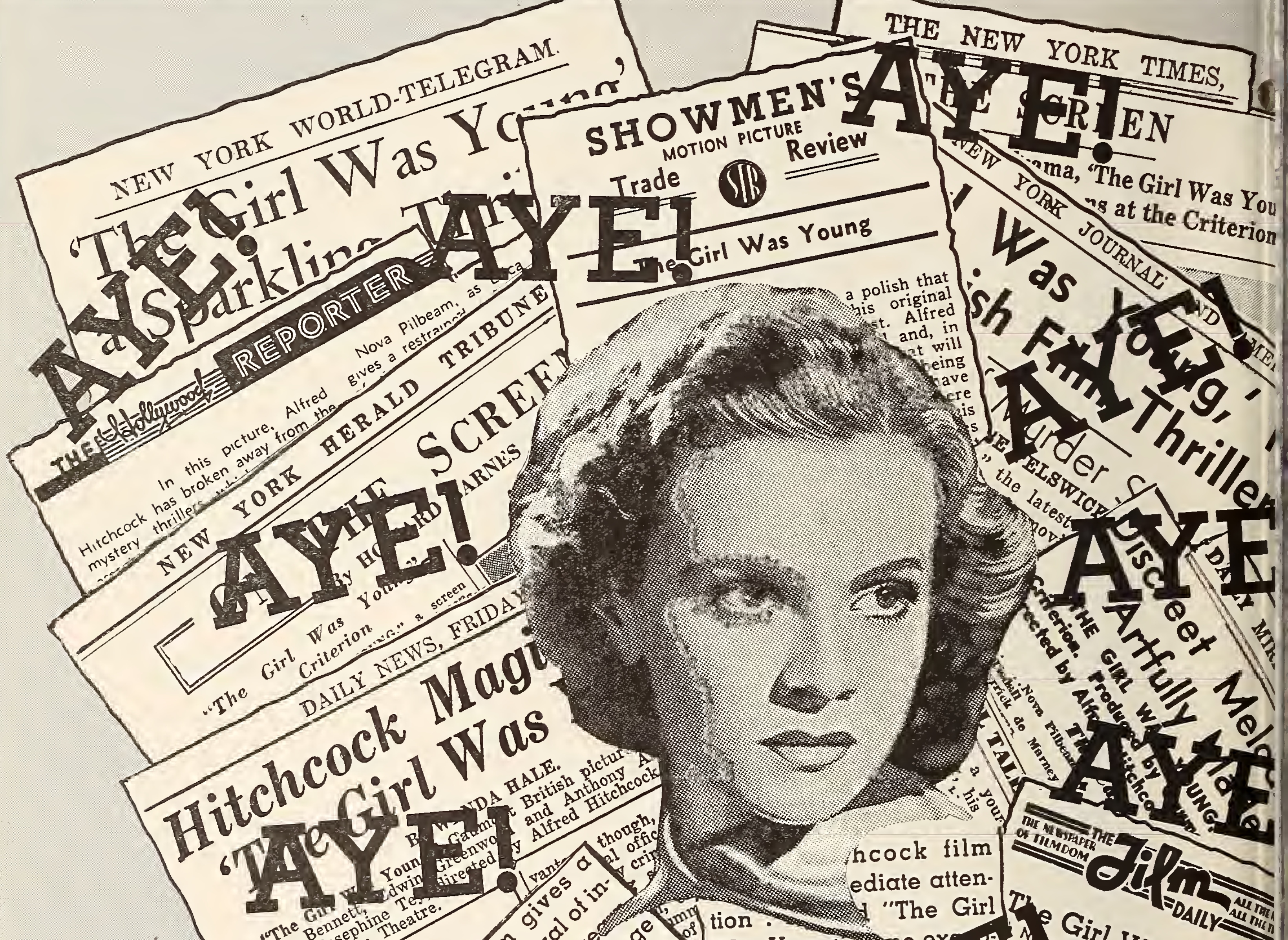
"MANNEQUIN" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $8,000. (Average. $7,000)

"HAPPY LANDING" (20th-Fox)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $8,500. (Average, $7,000)

"I'LL TAKE ROMANCE" (Col.)
METROPOLITAN—(2,600), 25c-50c, 5 days. **Gross:** $3,500. (Average, 7 days, $7,000)

"RADIO CITY REVELS" (RKO)
METROPOLITAN—(2,600), 25c-50c, 2 days. **Gross:** $1,200. (Average 7 days, $7,000)

All in Favor


AYE!
NEW YORK WORLD-TELEGRAM
'The Girl Was Yo
a Sparkling T
THE Hollywood REPORTER
In this picture, Alfred Hitchcock has broken away from the mystery thrillers
Nova Pilbeam, as gives a restrained
NEW YORK HERALD TRIBUNE
THE SCREEN
By HOWARD BARNES
"The Girl Was Young," a screen Criterion
DAILY NEWS, FRIDAY
Hitchcock Magi
'The Girl Was
By WANDA HALE.
"The Girl Was Young," Gaumont British picture Charles Bennett, Edwin Greenwood and Anthony Armstrong story by Josephine Tey, directed by Alfred Hitchcock at the Criterion Theatre.
* * *
Anticipating a reviewer terday can show "The haven't last A
comedy. Quite a story of a
SHOWMEN'S Trade MOTION PICTURE Review
SIB
The Girl Was Young
a polish that this original cast. Alfred and, in that will being have
THE NEW YORK TIMES,
THE SCREEN
drama, 'The Girl Was You
at the Criterion
NEW YORK JOURNAL AND AMERICAN
Was Young,'
Film Thriller
Murder
ELSWICK
the latest
Discreet
Artfully Melo
THE GIRL WAS YOUNG
Produced by
Directed by Alfred Hitchcock
Criterion
Nova Pilbeam
Derrick de Marney
DAILY MIRROR
Nova Pilbeam gives a charming portrayal of innocent girlhood, young strange in gradually growing into love.
VARIETY
Hitchcock film immediate attention . . . "The Girl Was Young" is no exception. . . . "Hitch" has taken his material, persuaded his cast . . . into flesh and blood characters.
MOTION PICTURE HERALD
THE NEWSPAPER OF FILMDOM
THE Film DAILY
ALL THE NEWS ALL THE TIME
The Girl Was Young"
Nova Pilbeam and Derrick De Marney 70 Mins.
REAL HITCHCOCK DIRECTORIAL KEYS BUILD IMPRESSIVE SUSPENSE MURDER DRAMA

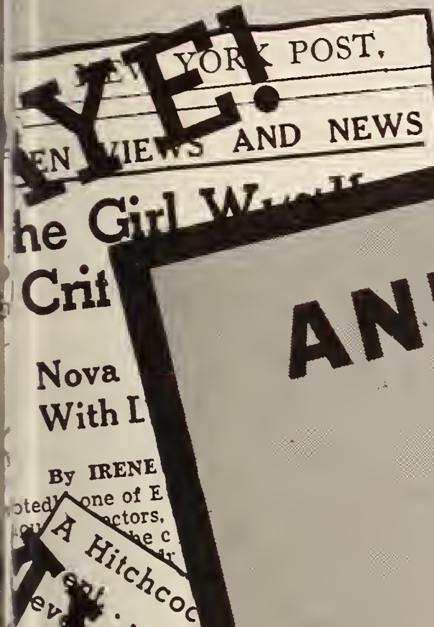
It's the sensational successor to "39 Steps" It's a GB Production

NOVA

THE GIRL

with **DERRICK DE MARNEY**

Say "AYE!"



YORK POST,

AYE!

EN VIEWS AND NEWS

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AYE!

TION PICTURE DAILY

AND THIS MAKES IT UNANIMOUS!

WORLD PREMIERE AT
CRITERION THEATRE
NEW YORK

DOUBLE NORMAL INTAKE!

AND A

HOLDOVER!

PILBEAM *in*

WAS YOUNG

rected by ALFRED HITCHCOCK

Radio Personals

FAY WRAY will be heard in "War Gardens," a playlet, on Rudy Vallee's broadcast tomorrow. . . Tyrone Power will offer a radio version of "Lloyds of London" on the Hollywood Playhouse over NBC on Feb. 20. Virginia Bruce also will be featured. . . Hortense Monath, pianist, will be unable to perform with the Bamberger Little Symphony Friday evening, due to illness. Adele Marcus will fill in for her. . . Senator Robert M. LaFollette, Jr., and Robert H. Jackson, Assistant Attorney-General, will be heard on the WOR-Mutual Forum Hour Feb. 20. . . Earl Harper, WNEW sports commentator, will arrive from Florida today. He will announce a dinner to the manager of the Newark baseball team and then head south again.

+

Reinald Werrenrath, Metropolitan baritone, will be heard on "Hammerstein's Music Hall" Feb. 18. . . Bill Henry of CBS will be on hand to greet Don Budge, Gene Mako and Dorothy Bundy on their arrival Feb. 21 from Australia. The tennis players will be interviewed from Los Angeles harbor. . . Rudy Vallee, Gabriel Heatter, A. L. Alexander, Charles Martin, Arthur Tracy, Uncle Don, Frank Parker, Will Osborne, Eddie Cantor, George Jessel and Helen Kane have been invited to participate in the opening of the new WMCA studios late next month. . . Felix Knight has been engaged for a second guest appearance with Leo Reisman.

Packard Show Closes March 1

The Packard "Mardi Gras" program, heard on NBC for the past year, will leave the air with the broadcast of March 1. Lanny Ross, star of the program, will remain on the coast, where he will embark on a concert tour following the close of the program, and will work subsequently in a picture.

To Observe College Birthday

KANSAS CITY, Feb. 15.—The 75th anniversary of the Kansas State College at Manhattan will be celebrated tomorrow by a program on the NBC-Blue, which will originate in KSAC, Manhattan, 11:30 to 12:30, NBC's Farm and Home Hour. The program will review the college history.

Utah Spots Hire 26 Musicians

SALT LAKE CITY, Feb. 15.—A. L. Glasmann, owner and operator of the Ogden station, KLO, has complied with the Musicians' Union demand by hiring one musician. The CBS station in Salt Lake, KSL has employed a 15-piece band, and KDYL the NBC station a 10-piece band.

Hartman Is Dinner Guest

CINCINNATI, Feb. 15.—A testimonial dinner was given last night at the Netherland Plaza for Harry Hartman, WCPO sports announcer, in honor of his 10th anniversary in airing sports subjects.

McGill Resigns NBC Post

Wallace R. McGill of the NBC music division has resigned to manage Jascha Heifetz.

WMCA, WLW Close Tieup on Programs

WMCA here and WLW, Cincinnati, have completed arrangements for a program tieup involving an interchange of programs by wire. The agreement will become effective this week. Also included in the deal is KQV, Pittsburgh, which is to be available for additional network coverage through WMCA and the Intercity System. WSAI, operated as a local unit by WLW in Cincinnati, will provide an auxiliary link in the line from New York.

Under the setup, WMCA will have a powerful outlet in the midwest, while WLW will be augmented with a New York program source. The programs already set for the new arrangement include "The Life of Mary Sothern," from New York; "The Mad Hatterfields," from WLW; "Five Star Final," from New York; "The Original Good Will Hour," from New York, and the series of "Gangplank" broadcasts, also from New York.

Town Meeting of Air Renewed for 3 Years

"America's Town Meeting of the Air" will continue for three additional years on the NBC network. A contract has been closed by officials of NBC and Town Hall, Inc., with John F. Royal, NBC vice-president in charge of programs, and George V. Denny, Jr., president of Town Hall, Inc., signing the deal.

The new contract provides that each series will last an additional month in each year, running from November to May. It is planned to expand the subject matter of the broadcasts, as well, introducing material of social and cultural significance.

Benefit Show on WMCA Web

The annual all-star show of the Israel Orphan Asylum, to be held at Madison Square Garden on March 19 will be broadcast exclusively by WMCA and the Inter-City System, from about 9 P. M. to closing, approximately 1:30 A. M. Leading stage, screen and radio players will entertain.

Plan Hospitalization Program

A program titled, "The New Road to the Hospital," will be broadcast today by WMCA from 8:45 to 9 P. M. The program will commemorate the first year of the three cents-a-day hospitalization plan. The program will be under the auspices of the Associated Hospital Service.

To Air Irish American Dinner

WMCA will broadcast the annual dinner of the American Irish Historical Society on Feb. 19, from 10 to 10:45 P. M., at the Hotel Astor. The dinner will be a testimonial to James A. Farrell, former president of the United States Steel Corp.

Shift WNEW News Program Time

The noon news broadcasts daily over WNEW, heard for several years at 12:30 P. M., will be changed to 11:45 A. M., beginning Monday. Bill McGrath is the news commentator.

Chrysler in Deal with WHN

Chrysler has closed a two-week contract with WHN for station break announcements on used cars. Ruthrauff & Ryan is the agency.

Asks Data on Canada Radio Deals in U. S.

TORONTO, Feb. 15.—J. Earl Lawson, Member of the Dominion Parliament, Toronto, has presented four questions to the House of Commons relative to the radio broadcasting situation in Canada and the proposed increase in radio set license fees from $2.00 to $2.50 per year. With these questions, Lawson has moved for the production of all contracts for commercial programs and sustaining time entered into with broadcasting networks of the United States and advertising agencies by the Canadian Broadcasting Corp. since Nov. 1, 1937. This means that all details of agreements will become public property and will show whether or not the corporation has sold time to the broadcasting chains in the United States at bargain rates and at the expense of the people of Canada, as has been charged.

Lawson's questions include the amount of the cost of the new 50,000-watt station near Toronto; who acted as purchasing agent of the property, and how much he was paid; who were the valuators, and what commission they received; and who paid for certain Canadian broadcasts by officials of the Government.

N. Y. Libel Measure To Be Introduced

ALBANY, Feb. 15.—Senator J. S. Berg, Manhattan Democrat, today stated that he would proffer a bill on Wednesday intended to make radio stations definitely responsible for libel on the same grounds now defined for newspapers. Berg stated that radio stations are not covered by libel now.

Regulation of radio corporations and stations will follow if legislation introduced today by Senator John T. McCall of New York meets approval. The public service commission of this state would have practically the same power as it has with utilities to adjust rates, fix reasonable charges and deny rebates or preferential treatment. A certificate of public convenience would be necessary before the erection of further stations would be permitted.

Plan Educational Broadcasts

NBC will sponsor three special broadcasts, in connection with the annual convention of the Progressive Education Association, on Feb. 22, 24 and 25, covering various phases of modern education. The first will be on Feb. 22, from 2:15 to 2:30; the second on Feb. 24, from 5:15 to 5:30, and the last on Feb. 25, from 6:45 to 7. The convention will be held at the Pennsylvania Hotel, Feb. 23-26.

Ickes to Repeat for Britain

London, The British Isles, Dominions and Crown colonies on Feb. 22 will hear by Transatlantic telephone transmission a talk by Secretary of the Interior Ickes. The address will be a repitition of his speech broadcast here on Dec. 30 in which he charged that the wealth of the United States is controlled by 60 families.

Transamerican, Gruen in Deal

Transamerican Broadcasting and Television Corp. yesterday closed a deal with the Gruen Watch Co. of Cincinnati for a series of half-hour evening programs over 23 stations affiliated with Transamerican.

Around the Country

Hollywood

Jean Rogers has joined Nan (and Donald Woods in the cast "Those We Love," the Ponds gram . . . Remington Rand, through the Franklin Bruck Adve ing Corp., New York, is sponso three news broadcasts a week, fo weeks, on KFI . . . Another new gram on KFI is "Hollywood F Secrets," 15-minute electrical t scription sponsored by the Amer Stove Co. through Batten, Bar Durstine & Osborn, Inc., New Y

For the discussion of labor probl the Central Labor Council of Angeles (A. F. of L.) has signe contract for 15-minute periods M days, Wednesday and Fridays fro to 8:15 P.M., P.S.T., on KFWB. program started Monday . . . C Inge, producing "Take the Air," w gives on KFWB and the Califo Radio System a weekly discussio other radio programs, is inaugura a system under which he will budding radio talent a chance tc heard . . . Alice Faye, Tony Ma and Joan Davis will appear in "S Irene and Mary" on "Hollyw Hotel" March 4 . . . "Marco Juve Revue" on Saturday nights has l extended for 52 weeks . . . Joe Brown will be interviewed by Schallert Feb. 17 on her NBC gram.

Suit Against Berle Settled

A $50,000 breach of contract brought against Milton Berle by former manager, Charles Morri was settled in the N. Y. Supr Court yesterday during the tria the action before Justice John McGeehan and a jury. Terms of settlement were not revealed.

Morrison alleged that he had tered into a contract with Berl October, 1933 to act as his excl manager until Dec. 31, 1937. In middle of May, Morrison was charged.

Jackie Heller to Marry

PITTSBURGH, Feb. 15.—Jackie ler, radio singer who is featured NBC's "Club Matinee" out of Chi as well as the "Thursday Night boree" there, and Ruth Gre Broadway dancer, will be marrie Chicago on Thursday, according word received here.

Set McIntyre Memorial Prog

Rube Goldberg, Jack Lait, I Sobol, John Chapman, Gene Buck Harry Hershfield will take part memorial broadcast today to the O. O. McIntyre over WMCA 9:30 to 10 P. M. Joey Nash wi heard as soloist.

Broadcast from Hospital

The NBC Minstrels of 1938 broadcast from the Hines Mem Hospital, Chicago, today at 1 P. M. over the NBC-Blue, wounded veterans at the hospita visible audience.

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 39 NEW YORK, THURSDAY, FEBRUARY 17, 1938 TEN CENTS

zor Favors onciliation Board Tryout

s that Philadelphia Wants Experiment

ILADELPHIA, Feb. 16.—Lewen
president of the U.M.P.T.O.
astern Pennsylvania, Southern
Jersey and Delaware, favors
conciliation boards a test in the
lelphia territory. He said so
in a formal statement.

is organization has repeatedly
nded some form of organized
d of adjustment for controversial
rs between exhibitor and dis-
or," he said. "With proper co-
ion and confidence of all in the
ry a closer bond will result,
clarification of the many vexa-
problems confronting all of us."
ommenting on the fact that "we
nce against hearing from repre-
ives of certain distributors and
xhibitor leaders that some form
tlement should be made within
ndustry of our problems" Pizor
his organization had long been

(Continued on page 11)

xican Employes lay Strike Moves

By JAMES LOCKHART

XICO CITY, Feb. 16.—The local
employes' unions here, which
tened to walk out at noon today
s demands for pay increases were
by distributors, did not force the
today, and negotiations are in
ess.

e situation is still uncertain, how-
The workers, who are affiliated
some of the strongest labor or-

(Continued on page 11)

B Directors Name ecutive Committee

ASHINGTON, Feb. 16.—Leaving be-
an executive committee chosen
eir newly-elected board of direc-
to wind up routine affairs of the
ntion and study the matter of
aid" president, members of the
nal Association of Broadcasters
filtering out of the city tonight
having taken definite steps to
gthen their organization.

e board of 23 directors adjourned

(Continued on page 10)

ore Radio—Pp. 10-11

Injunction Asked On No. Dakota Law

FARGO, Feb. 16.—An application for a temporary injunction to restrain North Dakota state officials from enforcing the affiliated theatre "divorce" law pending trial of an action to determine the constitutionality of the statute was filed here today by Paramount. Minnesota Amusement Co. and American Amusement Co.

Judge Gunnar H. Nordbye of the U. S. District Court, Minneapolis, came here to receive the Paramount papers due to the continued illness of Judge Andrew Miller, the only Federal judge in this district. No hearing date on the petition has been set, but it is assumed that a hearing will be held within the next 10 days or two weeks. inasmuch as a decision on the issuance of an injunction must be made prior to March 15 when the state theatre divorcement law goes into effect.

The applications filed today asked for the convening of a special statutory court of three Federal judges to hear the petition for the temporary injunction. The personnel of the three-judge court has not been designated yet. The injunction, if granted, would continue in force pending trial of

(Continued on page 11)

Monogram Forces To Meet on Coast

Monogram Pictures franchise holders will convene in Hollywood during the first week in April to go over the company's plans for producing 42 features for the 1938-'39 season, W. Ray Johnston, Monogram president, stated yesterday on his return from the coast.

A national sales convention is planned for the last week in April and will be held in some centrally located city, probably Cincinnati, Johnston said.

The Monogram head indicated that E. B. Derr, who reportedly has been seeking a major company releasing arrangement, may continue with the

(Continued on page 11)

Talley-Corbar-FWC Litigation Is Ended

LOS ANGELES, Feb. 16.—Litigation arising from the bankruptcy proceedings of Fox West Coast brought by T. L. Talley and the Corbar Corp ended today after years of court battles which carried to the U. S. Supreme Court the suit to reopen the bankruptcy case. William G. Neblett, attorney for Talley and Corbar, today filed a stipulation of dismissal in Superior Court where the suit, which charged illegal invalidation of leases

(Continued on page 9)

RKO Figures $5,000,000 "Snow" Gross

Music Hall's Total for Five Weeks $531,000

A minimum world gross in rentals of $5,000,000 is anticipated by the RKO sales department for "Snow White and the Seven Dwarfs," which is being released to RKO theatres in the metropolitan area following the conclusion last night of the five-week run at the Music Hall, during which the take was $531,000.

The anticipated figure is based on an expected rental in the United States of $3,000,000 and a foreign rental gross of $2,000,000. It was said, however, that a total gross of $7,000,000 or more is possible, considering that exhibitors are according the picture extended playing time and longer than usual holdovers.

If the gross should reach $5,000,000, with an average distribution cost of 35 per cent, or $1,750,000, which is

(Continued on page 11)

Hays Cracks Down On Air Gossiper

HOLLYWOOD, Feb. 16.—The first specific action by the Hays Office here to halt unrestricted film gossip on the radio was disclosed today when the studio credentials of Bob Garrett, who conducts the program, "Pick of the Pictures," on KEHE, were revoked over the airing of a story that M-G-M had propped up an actor after he had died to make a final shot.

Jack Gross, manager of KEHE, immediately dismissed Garrett, upon notification by the Hays Office of the action of Tom S. Pettey, public relations director for the producers. Garrett had been on KEHE, conducting

(Continued on page 11)

Theatres Escape New Taxation in Georgia

ATLANTA, Feb. 16.—Georgia's General Assembly came to the close of a hectic revenue-raising special session this week after defeating a luxury tax measure that would have levied on theatre and amusement tickets.

A few hours before adjournment the legislators also killed a new chain store tax act that would have raised the taxation rate on nationally operated chains, including theatres. The present Georgia chain store tax exempts theatres.

Neely Attacks "Monopoly" in Film Industry

Calls for Regulation in Report to Senate

By BERTRAM F. LINZ

WASHINGTON, Feb. 16.—"Present monopolistic control of motion pictures calls for regulation in the public interest," it was declared today by Senator Neely of West Virginia in a formal report on his anti-block booking bill, filed with the Senate.

As anticipated, the report submitted was a copy of that sent to the Senate at the last Congress, fortified only by a new paragraph discussing the relationship of pictures to education and calling for regulation.

"Nothing," it was declared, "is more repugnant to the American public than centralized control of education. A unique characteristic of the American educational system is that the public schools are indigenous to the local communities which they serve. Motion pictures are recognized as an important and increasingly powerful medium of education. For this reason, as well as many others herein enumerated, present monopolistic control of motion pictures calls for regulation in the public interest."

The primary purpose of the bill is

(Continued on page 9)

Grant Injunction Against Ohio Law

COLUMBUS, Feb. 16.—Following the ruling of a Federal three-judge statutory court here yesterday invalidating the Ohio law against designated playdates, the court today granted to the RKO Distributing Corp. an injunction preventing state officials from enforcing the law.

The court yesterday had declared the law, which was sponsored originally by Allied States, was a violation of the 14th Amendment of the

(Continued on page 11)

Chain Tax Argument Starts in Harrisburg

HARRISBURG, PA., Feb. 16. — A vigorous attack on the constitutionality of the Pennsylvania Chain Store and Theatre Circuit Law today was made in the Dauphin County Court when argument opened in the legal battle aimed to prevent the State Dept. of Revenue from collecting the

(Continued on page 9)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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SHANGHAI: Rooms 38-41; Capital Theatre Building, I42 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Elect Captains for Local Rogers Drive

Captains for local territories were elected yesterday at a meeting for preliminary discussions of the Will Rogers Memorial Fund Drive held at the 20th Century - Fox exchange.

The following men were elected captains of the various districts: Manhattan and Staten Island, Harry Buxbaum of 20th Century - Fox and Moe Streimer of U.A.; Bronx, Charles Rich, Warners, and Robert Wolf, RKO; Brooklyn, Henry Randall, Paramount, and Harry Decker, Warners; Long Island and New York State, Leo Abramson, Universal; New Jersey, Harry Hummell, Warners. The officers will be assisted in their work by the salesmen from the exchanges of the major companies. A special reel will be available April 29.

AVAILABLE

Executive sound engineer available to theatre chain. Since 1928 formulating and directing installation, service and parts activity for major electric. Reply Box 970, MOTION PICTURE DAILY.

Purely Personal

EMANUEL and Mrs. Cohen are due in New York today from the coast. After a week here they will leave on a Mediterranean cruise, and return by way of Paris and London in about six weeks.

◆

Dick Walsh, vice-president of the I.A.T.S.E., went to Miami from the union's meeting in San Antonio and is expected back here in a week with Mrs. Walsh.

◆

Roger Albright of the M. P. P. D. A. was a speaker at a luncheon meeting of the film committee of the D. A. R. at the Town Hall yesterday.

◆

John J. O'Connor, RKO Theatres executive, is expected back Saturday from Chicago and Kansas City, where he went for a theatre checkup.

◆

Herman G. Weinberg has been signed for exploitation work on "Life Dances On," French film which will open at the Belmont March 11.

◆

Joseph Green, president of Sphinx Films Corp., will leave for Poland next month to prepare for the production of two new pictures.

◆

Miriam Jordan will arrive today on the *Manhattan*. She is scheduled to make a stage appearance here.

◆

Ray Gallo, *Better Theatres* advertising manager, has returned from a two-week vacation in Florida.

◆

Barney Balaban, Paramount president, is due back from a Florida vacation in about a week.

◆

Ralph Ravenscroft has returned to Hollywood after a two-week stay in New York.

◆

Rudolph Eisenberg, Reliable Pictures sales chief, is vacationing in Miami.

ZORINA, Helen Jepson, Charles Kullmann and Bobby Clark, all featured in "The Goldwyn Follies," will attend the popular-priced opening at the Rivoli Saturday morning.

◆

Tommy Kelly and Ann Gillis, stars of "The Adventures of Tom Sawyer," today will participate in the stage show at the Music Hall where the film opens this morning.

◆

Arthur A. Lee, G. B. vice-president and general manager, is in Kansas City for a regional sales conference. He will leave tomorrow for the coast.

◆

Derrick de Marney, male lead in "The Girl Was Young," will leave next week for a visit to the coast studios.

◆

. . . New Haven

John P. Byrne, M-G-M exchange manager, is the father of a nine-pound baby girl, whose birthday is the same as Lincoln's.

Harry F. Shaw and his family plan a trip to Mexico, sailing March 11 on the *Siboney* and returning on the *Yucatan*.

Harry Fishman and family, of the Community, have left for Florida by boat. The Adolph Johnsons and Al Robbins of the Strand are also Florida-bound.

◆

. . . Pittsburgh

Harry Seed, Warner exchange manager, has gone to Miami for a month's vacation.

Harry and Mrs. Kalmine will return from the coast by boat March 1.

George Lefko has returned to his desk at RKO after three weeks in Palm Springs.

Howard Schaffer, pianist with Dave Broudy's Stanley orchestra, and Ida Bacher were married here.

Harry Feinstein has returned from New York after booking conferences at the Warner home office.

Livingston Lanning, once manager of the Penn, was a visitor.

Expect Films Bill Changes in Commons

London, Feb. 16.—It is indicated that amendments will be made to the Films Bill when it comes up for third reading in the House of Commons next week. The amendments will be designed to increase the British labor cost minimum for quota eligibility to 85 per cent.

They also are expected to provide that no film may be registered for the quota unless all costs and salaries have been paid. The amendments are being sponsored by labor interests. The producers may attempt to bring about increased quota amendments during the Commons discussion.

Adjourn M. & R. Hearing

The taking of depositions here in the Morse & Rothenberg anti-trust suit against major distributors, the Maine & New Hampshire and M. A. Shea circuits was adjourned without date yesterday after J. J. Unger, Paramount eastern division manager, was queried by attorneys for the Boston plaintiff. The sessions here are expected to be resumed in two or three weeks.

English Exhibitors Ask Tax Reduction

By AUBREY FLANAGAN

London, Feb. 16.—Exhibitors have written to Sir John Simon, Chancellor of the Exchequer, asking a reduction in the entertainment tax on seats between six pence, which are tax free, and nine pence, which are now taxed three and one-half pence.

The exhibitors claim that the uneconomic tax virtually eliminates the nine pence admission price, and that the elimination of that tax on admission would assist exhibitors and swell the national revenue.

Pratt Joins Republic

Des Moines, Feb. 16.—Clyde Pratt has joined the sales staff of Republic Pictures Midwest, taking the place of Everett Rushing, who resigned recently to join Monogram.

"U" Takes Congo Film

Universal yesterday closed a deal with Armand Denis for the distribution of his as yet untitled adventure film made in the Belgian Congo.

U. S. Film Exported To England Goes U

Washington, Feb. 16. — Combi exports of motion picture films, posed and not exposed, to the Un Kingdom last year showed an incre in footage but a reduction in value compared with 1936, totaling 63,942, feet valued at $1,361,000, against 247,000 feet valued at $1,496,000 was disclosed today by Secretar Commerce Daniel C. Roper.

The figures were made public i detailed analysis of our trade with United Kingdom, issued as rep reached Washington that the dele tion which is to negotiate for t country had sailed for Washingt Consummation of a reciprocal tr agreement between the two count by late spring was forecast by Secretary.

The report also showed that exp to the United Kingdom of sound tion picture equipment totaled o $563,000 last year, compared w $720,000 in 1936.

Ampa to Vote on Danc

Whether Ampa's annual affair be held, and whether it shall be banquet or a Naked Truth Dinner be placed before the membership a closed business meeting at the ternational Casino today. The qu tion has been raised as to the adv ability of dropping the affair for t season and the directors have deci to leave the matter to the members for a decision. Also, to be decided whether Ampa will have advertis awards this year and, if so, wheth to adopt a new procedure.

Name Horse for Coope

Miami, Feb. 16.—The horse wh has been established as the favor in the sixth race at Hialeah Park morrow afternoon has been nam Gary Cooper and the race itself be billed as the "Marco Polo Han cap." The recognition resulted fr the fact that Samuel Goldwyn's fil "The Adventures of Marco Polo," w have its premiere tomorrow at t Lincoln here.

Gets Blank Souvenir

Lincoln, Feb. 16.—General Ma ager Ralph Branton, of Tri-Stat Theatres, Inc., came here from D Moines, this week to present Go R. L. Cochran with a wrist watch e graved with a notation of the 25 A. H. Blank anniversary in D Moines. A similar souvenir was giv Governor Kraschel of Iowa.

Drive Accessories Free

Free accessories will be a feature the Paramount international sales dri which will get under way on Feb. It is to be known as "Paramount Parade Around the World." Theat managers participating for the $5,0 in cash prizes will have a spec trailer and other aids.

De Sylva's Father Dead

Hollywood, Feb. 16.—B. G. Sylva, Universal producer, left t night by plane for New York whe he will attend the funeral of h father, A. J. De Sylva, veteran act and stage director known as Hal D Forest. The producer's father di today of a heart attack.

ELLA! BELLA! WUNDERBAR!

OW GRAND
THEY ARE–
These gay new
romancers in
THE
EI MIR BIST DU SCHÖN'
PICTURE!

OVE, HONOR and BEHAVE

with
WAYNE
ORRIS
PRISCILLA
LANE
HN LITEL · THOMAS
TCHELL · DICK FORAN
irected by STANLEY LOGAN
n Play by Clements Ripley & Michel
by, Robert Buckner, Lawrence
le · Based on a Saturday Evening
Story by Stephen Vincent Benet

BEI MIR BIST DU SCHÖN
(MEANS THAT YOU'RE GRAND)
"LOVE · HONOR
BEHAVE"
PRISCILLA LANE
WAYNE MORRIS
DICK FORAN
HARMS

The song of the nation
—a sensation in this show!

WARNER BROS.
Made It for the Sears Drive!

Short Subjects

"March of Time, No. 7"

(RKO)

It has come to be a foregone conclusion that the successive issues of the March of Time will be strong in general interest, as well as expert in technical production. The subject matter is invariably of considerable significance and often entertaining.

This reel is no exception. The three episodes consider the plight of the so-called White Russians in various parts of the world, still steeped in the tradition of the Czarist regime; picture in interesting fashion the work of the New York Police Department's Bureau of Missing Persons, as well as the activity of private agencies, and describe the southern rennaissance which has come about with the development of slash pine for paper making.

With flashes of the late Czar of Russia, the first subject tells of the exodus of Russians when the revolution struck, pictures them in France and the United States, and notes their fear that the Nansen Committee of the League of Nations, which has done much for them, may be abolished, at the request of the Soviet Government, which contends that the organization, in effect, is aiding the enemies of today's Russia.

An interesting human story of an elderly chemist with an idea, Dr. Charles Homes Herty, former president of the American Chemical Society, is the keynote of the story of the south's renewal of industrial activity. Herty made the discovery that slash pine, which grows rapidly, is excellent for wood pulp and paper, and his fight to interest southern men and the financiers of the north is reenacted cleverly. From that beginning has grown an industry.

The missing persons episode is clearly indicative of the amazing number of non-criminals who disappear daily, and shows the exacting, careful work of the police in tracking them. More detailed is the recounting of the manner in which Daniel Eisenberg, heading a private agency, works with every available clue, his success indicated by the fact that he has found 150,000 persons in 14 years.

Running time, 20 mins. "G."

"You Took the Words Right Out of My Mouth"

(Fleischer-Paramount)

Past performances of the bouncing ball type of screen song in which the audience takes part should be the exhibitor's guide in playing this one. It has the usual assortment of cartoon gags, not very humorous, and a good band, in this case it's Jerry Blaine and his tunemakers. Phyllis Kenny, an attractive brunette, aids with the vocals. Running time, 7 mins. "G."

"The Miss They Missed"

(Educational)

Here is more mirth-provoking comedy featuring Willie Howard. This time he is a detective and, in addition to his French dialect, he hilariously proves his versatility with Chinese, Scotch and English tongue-twisters. He eventually detects what he started out to find and gets the reward but loses his girl. It is a rip-snorting comedy, packed with laughs of the abdominal kind.

Running time, 18 mins. "G."

Hollywood Preview

"Wide Open Faces"

(Loew-Columbia)

HOLLYWOOD, Feb. 16.—Exhibitors and film audiences have come to expect that a Joe E. Brown picture be crowded with action of a comic character, and not a few hilarious episodes. Also they have come to expect that his comedies will be good clean fun which the entire family may see. "Wide Open Faces" fills that bill.

It is what might be called a gangster yarn *"reductio ad absurdum,"* which, without the Latin, means that Joe E., mouth and all, gets himself involved with the object of the attentions of the G-Men, then with a horde of crooks who come in search of loot, all set to a comedy tune.

Supporting Joe E. are Jane Wyman, Alison Skipworth, Lyda Roberti, Lucien Littlefield, Sidney Toler and Berton Churchill, among others. It is a fast-moving yarn which should please the youngsters and the adults who enjoy unpretentious comedy not of the "smart" type so common on the screen today.

Joe, soda jerker in a small town, accidentally "assists" in the capture of a bank robber, and meets Miss Wyman and her aunt, Miss Skipworth, who have inherited an old abandoned inn and are trying to reopen it. The newspaper publicity achieved by Joe in the capture brings every gangster in town after the loot which the robber was supposed to have left. They fill the hotel, then wreck it in the search. There follows a wild and laughable chase, including gangsters, sheriff, Joe and his girl, to the ultimate capture, romance and success.

Running time, 66 minutes. "G."

Sirovich Talks to President on Bill

WASHINGTON, Feb. 16.—President Roosevelt is "very much interested" in the proposed new Department of Science, Art and Literature, it was declared today by Representative Sirovich of New York, author of the plan, following a visit to the White House.

The President, however, he admitted, favors creation of the department only if it can be made self-supporting.

The bill, on which hearings were concluded last week, is now in the hands of a sub-committee of the House Patents Committee for revision, but the Congressman did not say how he would make the department self-supporting, as demanded by the President.

He did say, however, that the WPA theatre project should be cut to $5,000,000 a year and should produce experimental plays only instead of competing with the commercial theatre.

"Holiday" Grosses $28,000 3rd Week

The Paramount finished with $28,000 for the third and final week of "Every Day's A Holiday" with Benny Goodman and his band on the stage. "The Buccaneer" opened strongly yesterday.

"Double Danger" grossed $5,100 in six and a half days at the Rialto.

Switch Mae West Film

ATLANTA, Feb. 16.—Declining to comment on the reason, Lucas & Jenkins, Inc., this week switched the booking on Mae West's "Every Day Is A Holiday" from the 5,000-seat Fox to the smaller Paramount. The film will open Friday.

Apparently the recent storm of opposition to the West-McCarthy broadcast was responsible, as Atlanta is a strong town for preachers. "I'm No Angel" was banned in Atlanta, but ran for seven weeks at the suburban Buckhead.

Local 306 to Mark 25th Anniversary

A banquet in the ballroom of the Hotel Astor on May 8 will climax the 25th anniversary celebration of Local 306, I.A.T.S.E., said to be the oldest operators' union. George E. Browne, international president, and other officials will attend, as well as representatives from locals in other cities.

As a prelude, 200 members who have served as operators 30 years will hold their annual reunion at the Martinique Hotel on March 8. Joseph D. Basson, president of the local, will be the principal speaker. An exhibit of old-time projection equipment will be held.

New Booth Contract Signed by Weinstock

Dave Weinstock, operator of the Republic on West 42nd St., yesterday signed an agreement with Local 306 providing for an increase in booth costs from $275 to $330 weekly, a boost of 20 per cent, and the employment of six operators instead of five. The terms are the same as those recently granted by the Eltinge. The agreement runs to Aug. 31, 1939.

The negotiations reached a deadlock Monday night and the union called the operators out of the booth when Weinstock threatened to replace them. An agreement was reached and the men returned after being out an hour.

Ohio Makes Only 2 Cuts

COLUMBUS, Feb. 16.—Another new low record by the state censors was established for the week ending Feb. 11, when only two eliminations were ordered out of a total of 175 reels reviewed.

Rome Adds a Theatre

BALTIMORE, Feb. 16.—The Rome interests have acquired the Leader from Moe Kohn, who has taken his wife to Florida due to her ill health.

Variety Club

Dallas

DALLAS, Feb. 16.—Tent No. 17 hold its spring golf tournament M 7 at the Brook Hollow Country C There will be prizes and all the t mings.

HOMER FRITTS, manager of the c rooms, is in Methodist Hospital a broken leg.

New members for January WALTER HENSHEL, Palace; E. J. LIVAN, Majestic; E. J. SOLON, In state Circuit; RAYMOND WILLIE, terstate Circuit; E. B. COLEM M-G-M; JACK PICKENS, H. HA WINEBURGH and G. A. LUCHESE.

Detroit

DETROIT, Feb. 16.—Plans for Va Club's annual ball, which will be in the Book-Cadillac March 5, progressing rapidly under the gen chairmanship of WILLIAM CARL chief barker.

CARLSON is assisted by the foll ing committee chairmen: Prog WILLIAM FLEMION; entertainn FRED SCHADER; tickets, CARL B MELE; publicity, SCHADER; d rations, WILLIAM G. BISHOP; li ing and settings, HOBART J. M finance, FRANK J. DOWNEY; recep L. H. GARDNER; transportation, OLD C. ROBINSON; hostess, MRS. KAPLAN.

Dedicate Twain Plaq

A plaque dedicated to the memo Mark Twain was placed on the brick building at 14 West 10th St. terday in a ceremony arrange David O. Selznick. Twain live the house in 1900. The tablet b the following inscription: "Dedic by David O. Selznick to the mem of Mark Twain, author of the imr tal classic, 'The Adventures of Sawyer.' He once lived here."

Change "Herds" Titl

HOLLYWOOD, Feb. 16. — "The I Star Rises" has been selected Paramount as the final title for film formerly called "Marc Herds."

Wall Street

Small Board Changes

	Open	High	Low	Close	Ch
E. K.	165½	165½	165½	165½	+
Loew	47¼	47¾	47	47¾	−
Para.	9⅞	9⅞	9⅝	9⅞	.
Para. 2	9⅞	9⅞	9⅞	9⅞	−
Pathe	5¾	5¾	5⅝	5⅝	−
RKO	3⅝	3⅝	3¼	3½	−
20th Fox	21¼	21½	21¼	21½	+
20th pfd.	29½	29½	29½	29½	.
W. B.	5⅞	5⅞	5⅞	5⅞	−

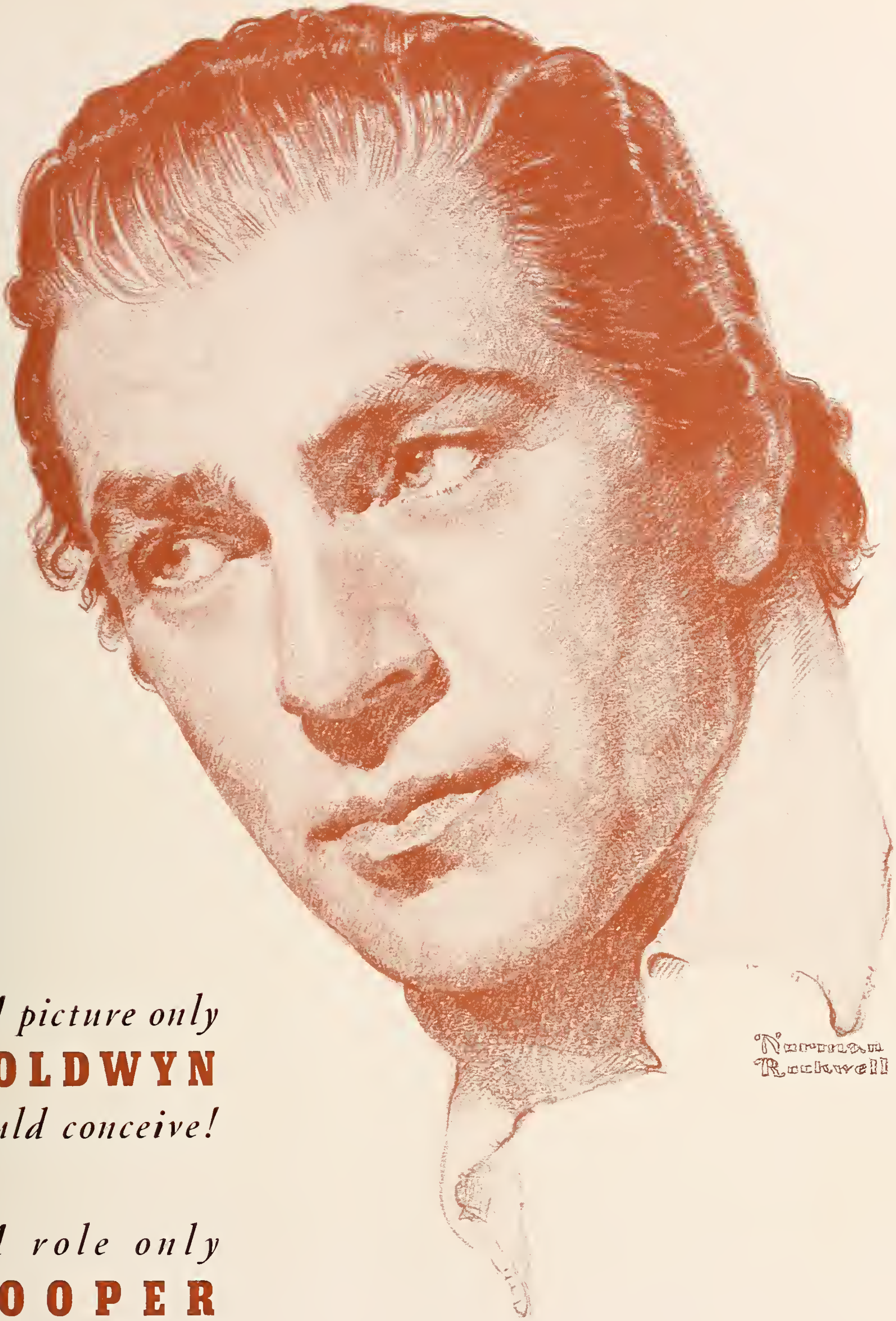
Curb Declines Fractionally

	Open	High	Low	Close	Ch
G. N.	9/16	9/16	9/16	9/16	..
Monogram	2¼	2¼	2¼	2¼	−
Sonotone	1⅝	1¾	1⅝	1¾	−
Tech.	18⅛	18⅛	18	18	.

RKO Bonds Drop 3 Points

	High	Low	Close	Ch
Loew 3½s '46	98½	98¼	98¼	−
Para. B'way 3s '55	59	59	59	−
Para. Pict. 6s '55	91¾	91¾	91¾	..
RKO 6s '41	67	66	67	−
W. B. 6s '39	71½	71	71	−

(Quotations at close of Feb. 16)


Norman
Rockwell

A picture only
GOLDWYN
could conceive!

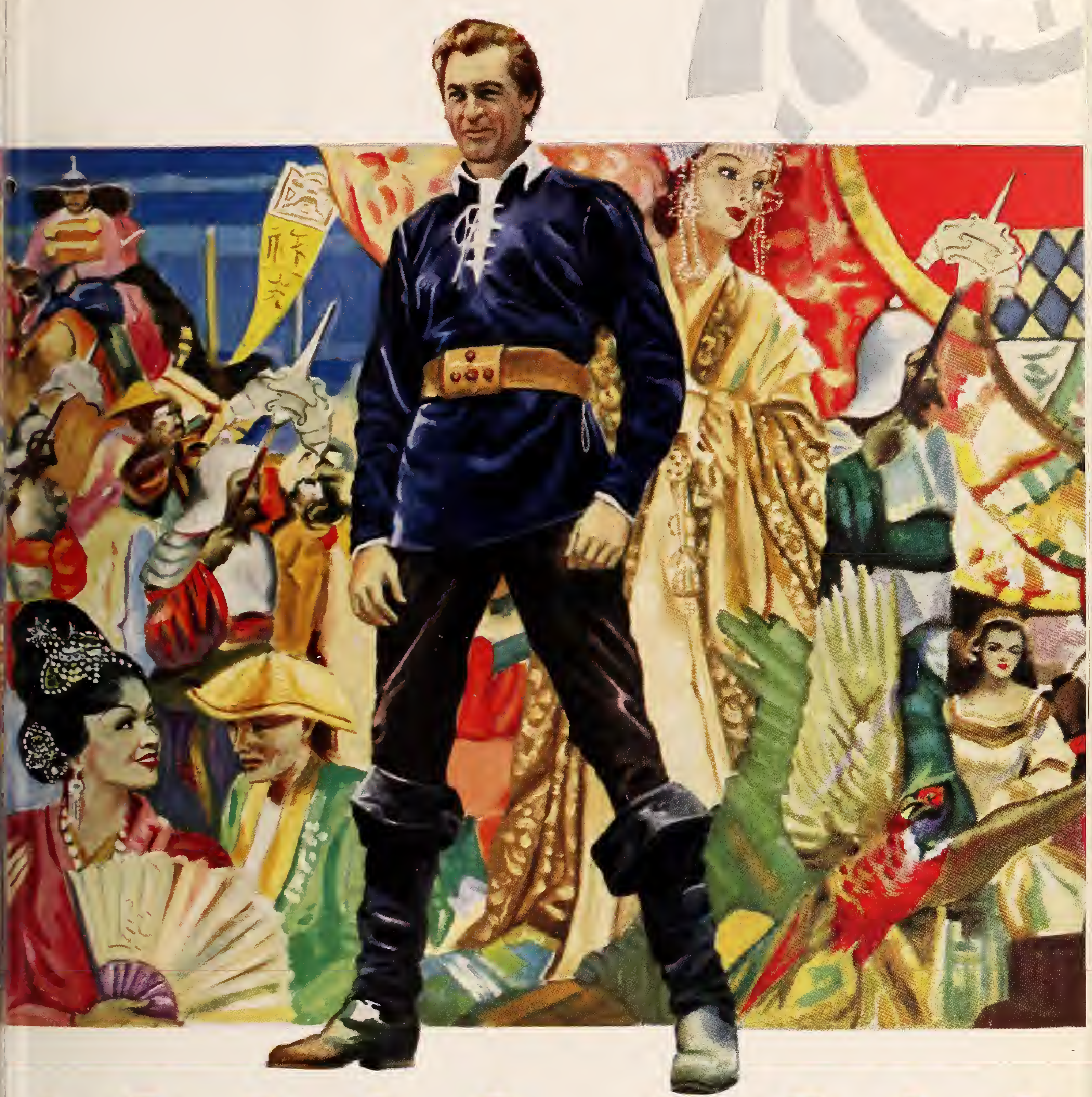
A role only
COOPER
could enact!

SAMUEL GOLDWYN discoverer of GARY COOPER
now presents him in his greatest triumph!

GARY COOPE

in

The Adventures o



MARCO POLO

It's
GOLDWYN'S
Greatest!

SAMUEL GOLDWYN

presents

GARY COOPER

in

The Adventures of
MARCO POLO

with

BASIL RATHBONE

ERNEST TRUEX • GEORGE BARBIER
ALAN HALE • BINNIE BARNES

Introducing

SIGRID GURIE

And a cast of Five Thousand
Screen play by ROBERT E. SHERWOOD
Directed by ARCHIE MAYO
Released thru UNITED ARTISTS

He came!
He saw!
He conquered!

ıeely Attacks Monopoly" in ilm Industry

(*Continued from page* 1)

establish "community freedom in ≥selection of films" with relief of pendent exhibitors from an "un-r and burdensome trade practice" as secondary objective, it was stated.

"Not only are the practices of comlsory block booking and blind sell; injurious to the public in forcing : showing of obscene or vicious pices and in preventing the showing many that are desirable, but they fairly burden and oppress the indeıdent exhibitors," the revived report ;erted.

With the reporting of the bill, the asure goes on one of the Senate endars, to be called up for considıtion when reached.

Buccaneer" Gets $5,900, Oklahoma

OKLAHOMA CITY, Feb. 16.—"The ıccaneer" was the only attraction to ıke a dent in the current slump here. ıe $5,900 gross at the Criterion was)0 over par.

'Happy Landing" took $3,200, up by)0, in its second week at the Tower. 'he Hurricane" grossed a par $4,000 its second week at the State.

Total first run business was $20,000. ·erage is $18,700.

Estimated takings for the week end; Feb. 12:

"BUCCANEER" (Para.)
RITERION—(1,500), 10c-35c-40c, 7 days. oss: $5,900. (Average, $5,000)
"ADVENTURE'S END" (Univ.)
"CHECKERS" (20th-Fox)
IBERTY—(1,200), 10c-20c-25c, 4 days. oss: 2,400. (Average, 7 days, $2,700)
"BIG TOWN GIRL" (20th-Fox)
"EXPENSIVE HUSBANDS" (W. B.)
IBERTY—(1,200), 10c-20c-25c, 3 days. oss: $400. (Average, 7 days, $2,700)
"MANNEQUIN" (M-G-M)
IIDWEST—(1,500), 10c-35c-40c, 7 days. oss: $4,100. (Average, $4,500)
"HURRICANE" (U. A.)
TATE—(1,100), 10c-25c-40c, 7 days. 2nd ek. **Gross:** $4,000. (Average, $4,000)
"HAPPY LANDINGS" (20th-Fox)
OWER—(1,000), 10c-20c-35c, 7 days, 2nd ek. **Gross:** $3,200. (Average, $2,500)

alley-Corbar-FWC Litigation Is Ended

(*Continued from page* 1)

d other allegedly improper acts, was ken after the Supreme Court refused writ of review. The action had preusly exhausted all means of Fedıl court action.

The stipulation today came after a murrer filed by the defendant corration had been sustained.

Fox Managers Shifted

MILWAUKEE, Feb. 16.—James C. efe has resigned as manager of x's Wisconsin here. Jack Richards, nager of Fox's Palace, has been nsferred to manage the circuit's orewood, succeeding Harold Weis-, resigned. Carl Reich, former nager of the circuit's Strand, sucds Richards at the Palace, while L. y Pierce will supervise both the isconsin and Palace.

Chain Tax Argument Starts in Harrisburg

(*Continued from page* 1)

tax and from enforcing penalties established for violations.

Morris Wolfe of Philadelphia, counsel for Warner Bros. Theatres, Inc., operating 50 houses in Pennsylvania; Stanley Co. of America, 100 theatres, and Warner Bros. Pictures, Inc., 150 theatres, all with headquarters in Philadelphia, joined with George Ross Hull, Harrisburg attorney representing the American Stores Co., Philadelphia, which is leading the fight, in arguing to make permanent the temporary injunction granted by the court last summer, which has had the effect of holding up the collection of the tax. The revenue estimated to accrue in the two-year period beginning June 1, last, is $3,000,000. About 40 companies, including chain stores, theatre circuits, drug stores, 5 and 10-cent stores and gasoline stations are parties to the suit filed as a test case last spring by the American Stores, the testimony in which was heard last summer.

Warner Attorney Heard

In arguing for the theatres, Wolfe raised the point that the law lacks clarity as to who would be taxed. He said that under the setup it is not clear whether the tax burden would fall upon a realty company that might own a theatre building, upon the operator or even upon the stockholders of a theatre company.

Late in the day John Y. Scott, former deputy attorney general, took up the argument in behalf of the state. He contended that the theatres, as interveners, have no place in the present proceedings which deal primarily with chain stores, and that therefore arguments advanced by the theatres should not be applicable in the present case. He will continue his argument when the hearing is continued tomorrow.

After the final argument the court will determine whether to make the preliminary injunction permanent or dismiss it. Both sides are reported to have agreed that, regardless of the decision of the county court, the case will be appealed to the State Supreme Court.

Rigaud to Get Start

HOLLYWOOD, Feb. 16.—Georges Rigaud, Argentine born actor who has appeared in French films, will make his American film debut in "Cafe Society" at Paramount, to which he is under term contract. Other players include Frances Dee, Ray Milland and Shirley Ross.

Show Simplex Equipment

Projection department heads of various major circuits last night attended a dinner at the Hotel Pennsylvania, at which International Projector Corp. officials demonstrated the company's new Simplex E-7 projector mechanism.

Bill Cody, Jr., Signed

HOLLYWOOD, Feb. 16.—Bill Cody, Jr., 12-year-old son of Bill Cody, former western star, has been signed by M-G-M to portray Nelson Eddy as a boy in the prologue of "Girl of the Golden West."

"Snow White" Good in 8th L. A. Week

LOS ANGELES, Feb. 16.—"Snow White and the Seven Dwarfs" demonstrated continued strength at the Carthay Circle in its eighth week by grossing $12,678. The showing was especially noteworthy because only one other first run got into the profit column.

"Everybody Sing," on a dual with "Arsene Lupin Returns," pulled $12,697, up by $197, at the Chinese, but didn't do well at Loew's State where the $11,650 take was considerably below par. "Mayerling" at the 900-seat Esquire was strong with $3,100, but elsewhere business was pretty dull.

Total first run business was $101,507. Average is $115,200.

Estimated takings for the week ending Feb. 16:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 8th week. **Gross:** $12,678. (Average, $10,500.
"EVERYBODY SING" (M-G-M)
"ARSENE LUPIN RETURNS" (M-G-M)
CHINESE — (2,500), 30c-75c, 7 days. **Gross:** $12,697. (Average, $12,500)
"MAYERLING" (Pax)
ESQUIRE—(900), 55c-$1.10, 7 days, 5th week. **Gross:** $3,100. (Average, $2,500)
"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900). 50c-$1.50, 7 days, 5th week. **Gross:** $6,932. (Average, $8,000)
"GREEN FIELDS" (New Star)
GRAND—(750), 35c-40c, 7 days. **Gross:** $2,200. (Average, $1,200)
"RADIO CITY REVELS" (RKO)
"THE JURY'S SECRET" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)
"EVERYBODY SING" (M-G-M)
"ARSENE LUPIN RETURNS" (M-G-M)
LOEW'S STATE — (2,500), 30c-75c, 7 days. **Gross:** $11,650. (Average, $14,000)
"RADIO CITY REVELS" (RKO)
"THE JURY'S SECRET (Univ.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $7,000. (Average, $8,000)
"BUCCANEER" (Para.)
PARAMOUNT—(3,595), 30c-65c. 7 days, 2nd week. Stage: F. & M. revue, Pat Henning & Betty Raye, Larry Kent and his orchestra. **Gross:** $16,300. (Average, $18,000)
"SWING YOUR LADY" (W.B.)
"THE INVISIBLE MENACE" (W.B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $11,200. (Average, $14,000)
"SWING YOUR LADY" (W.B.)
"THE INVISIBLE MENACE" (W.B.)
WARNER BROS. (DOWNTOWN) —(3,400), 30c-65c, 7 days. **Gross:** $11,250. (Average, $12,000)

Plan Short on "Follies"

HOLLYWOOD, Feb. 16.—A tabloid version of the musical highlights from "The Goldwyn Follies" is being planned by the producer. Helen Jepson and Charles Kullmann will render six selections, three from the pen of George Gershwin and three from Verdi's opera, "La Traviata."

Hartford House to Open

HARTFORD, Feb. 16.—Proven Pictures Theatre, directed by F. E. Liberman of Boston, will open here Friday, following an invitation showing to civic leaders Thursday night. The house, formerly the Cameo, has been rebuilt. Allen Stone will be manager.

Freedman Writes Story

HOLLYWOOD, Feb. 16.—Zac Freedman of the Eddie Small agency has completed an original story, "The Artichoke King," based on the recent expose of a New York racket.

"Buccaneer" Washington's Top, $16,500

WASHINGTON, Feb. 16.—"The Buccaneer," doing $16,500 at the Palace, went over the top by $600. It was the bright spot of an unimpressive week.

"Penitentiary" garnered $4,500 at the Metropolitan, or $200 better than the first run average. The other downtown houses fared badly, including the Capitol and Earle, both supported by stage shows. The former took $18,000, $2,900 below deck; the latter, $16,000, a $2,400 slide.

Total first run business was $64,000. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Feb. 10:

"EVERYBODY SING" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Collins and Peterson, Hyde and Burrill, 24 Chester Hale Dancers. **Gross:** $18,000. Average, $20,900)
"THE BUCCANEER" (Para.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $16,500. (Average, $15,900)
"YOU'RE ONLY YOUNG ONCE" (M-G-M)
EARLE—(2,218), 25c-66c, 7 days. Stage: Ted Weems' Orchestra. **Gross:** $16,000. **(Average,** $18,400)
"PENITENTIARY" (Col.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,300)
"RADIO CITY REVELS" (RKO)
R-K-O KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $6,000. (Average, $10,600)
"LOVE AND HISSES" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $3,000. (Average, first run, $3,600)

"Buccaneer" Hits $14,700 at Cincy

CINCINNATI, Feb. 16.—"The Buccaneer" pulled a smashing $14,700 at the RKO Palace, passing par by $4,700, and the film was moved to the RKO Capitol.

"The Hurricane" continued to draw well in its fourth downtown week by getting $3,600 at the RKO Grand. Average for the house is $2,450. There was little to get excited about in other houses.

Total first run business was $59,050. Average is $58,700.

Estimated takings for the week ending Feb. 10:

"RADIO CITY REVELS" (RKO)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $12,000. (Average, $12,000)
"THE BUCCANEER" (Para.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $14,700. (Average, $10,000.) Moved to RKO Capitol.
"PRESCRIPTION FOR ROMANCE" (Univ.)
RKO SCHUBERT—(2,150), 40c-60c, 7 days. Stage: Mischa Auer and vaudeville. **Gross:** $10,000. (Average, $12,000)
"HAPPY LANDING" (20th-Fox)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $6,000. (Average, $6,500)
"MANNEQUIN" (M-G-M)
RKO LYRIC—(1,400), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,400. (Average, $6,500)
"HURRICANE" (U. A.)
RKO GRAND—(1,200), 25c-40c, 7 days, 4th downtown week. **Gross:** $3,600. (Average, $2,450)
"BIG TOWN GIRL" (20th-Fox) (2 days)
"LAW FOR TOMBSTONE" (Univ.) (2 days)
"BLOSSOMS ON BROADWAY" (Para.) (3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,450. (Average, $2,450)
"I MET MY LOVE AGAIN" (U. A.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $4,900. (Average, $6,500)

Crosley Air Drive To Assist Business

CINCINNATI, Feb. 16.—In an effort to stimulate business in general, Powel Crosley, Jr., president of the Crosley Radio Corp., has inaugurated a "Buy Now" campaign in the form of spot announcements and dramatic interludes, aired during sustaining programs and between station announcements over WLW and WSAI. Typical purchases of both necessities and luxuries are translated into terms of how much work they make for the industries and outlets involved. Suggestions are made that concerted buying will help pull the country out of the recession. Crosley hopes other stations, as well as the networks will adopt a similar idea.

"There is excellent buying power in the country," Crosley said at a press conference, "but it is being repressed and purchases are being deferred. If we can stir that power by this campaign, we may be able to stop the decline."

Radio Libel Bill Is Introduced in N. Y.

ALBANY, Feb. 16.—Senator Julius S. Berg today introduced a bill into the State Senate amending the libel law to bring radio broadcasts under the same provisions as pertain to newspapers.

Berg said, in explanation of his measure, that in view of the fact that the radio has an audience as great, or greater, than the newspapers, the air should be subject to the same law. Under the present law, an act of defamation of character or the like is libel when appearing in newspapers, but slander when spoken over the air, with different penalties for each offense. It is Berg's contention that the same rules should apply in both cases.

WHN Still Is Basic Outlet of WLW Line

Officials of WHN declared yesterday that the station will continue to be the basic New York outlet for the WLW line, despite the agreement between WMCA and the Cincinnati station for an exchange of programs.

It was stated that the reason WLW added an auxiliary New York station was that WHN had rejected a proposal by Transamerican that it pay the line charges for the service to Cincinnati which formerly were paid by Powel Crosley, Jr., and WLW. WHN will continue to offer its facilities to advertisers wishing to avail themselves of the high-powered Ohio outlet, it was said.

WMCA Adds Two Programs

WMCA has added two more programs to its schedule. They are sponsored by Lehn & Fink Products Co. and Nestle's Milk Products, Inc. Both originate in WLW, Cincinnati. The features are "The Life of Mary Sothern" and "The Mad Hatterfields," respectively. The former is for 33 weeks and the latter for 36 weeks.

NBC Makes New Disc Series

NBC will make transcriptions of "The Mystery Chef" to be used twice a week in Hawaii for six months. KARK, Little Rock, has also ordered similar recording for a year. The series is sponsored by Suburban Gas Companies, Inc.

Court Broadcasts

Washington, Feb. 16.—WOL finally has won permission to broadcast daily from traffic court as a means of promoting motoring safety. Congressman William T. Schulte, chairman of the traffic safety subcommittee, endorsed the plan and obtained the permission of the presiding judges.

Travis Application Argument Up April 7

WASHINGTON, Feb. 16.—The Federal Communications Commission will hear oral arguments April 7 on the applications of Gerald A. Travis for a 1,420-kilocycle, 250-watt daytime station at La Porte, Ind.; Burl Vance Hedrick for a 1,340-kilocycle, 1,000-watt station at Salisbury, N. C.; KVEC, San Luis Obispo, Cal., for change of time from day to unlimited with 100 watts power night, 250 watts day; KGAR, Tucson, Ariz., for change of frequency from 1,370 to 1,340 kilocycles and increase of night power from 100 to 250 watts.

It will also hear contesting applications of L. L. Coryell & Son for a 1,450-kilocycle station at Lincoln, Nebr., with 250 watts night, 1,000 watts day; KFOR, Lincoln, Nebr., for change of frequency from 1,210 to 1,450 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 5,000 watts day, and KCMO, Kansas City, for change of frequency from 1,370 to 1,450 kilocycles and increase of power from 100 to 1,000 watts.

WMCA to Air Surrealist Play

WMCA will offer an experimental surrealist drama condensed from the stage version of "The Man Who Ate the Popomack" on Saturday from 2 to 2:15 P. M. The play is currently at the Felix St. Playhouse in Brooklyn.

WATR to Start Sunday

PITTSFIELD, Feb. 16. — Harold Thomas, WATR, Waterbury operator, will introduce his new station, WBRK, here next Sunday, with full time operation on the 1,310-kilocycle band. The new station is a CBS outlet.

Whipple Show Schedule Set

The Harvey Whipple program, which will begin Feb. 22, will be carried by WBZ, Boston and WBZA, Springfield, on Fridays, and WGY, Schenectady, on Sundays.

Lum and Abner Show Starts Feb. 28

The Lum and Abner show which will start over CBS Feb. 28 will go out over the coast-to-coast network of 48 stations. General Foods is sponsoring for Postum.

Kaltenborn on "Headlines"

H. B. Kaltenborn, commentator, on Feb. 27 will join Bob Trout and Erwin Canham on the "Headlines and Bylines" program which is heard from 10:30 to 11:00 P. M. over WABC.

Swarthout, Boles on "Hotel"

Gladys Swarthout and John Boles will do scenes from "Romance in the Dark" on the "Hollywood Hotel" program over CBS on Feb. 25.

NAB Directors Name Executive Committee

(*Continued from page 1*)

this evening after having appointed Mark Ethredge, Louisville, as temporary chairman pending the selection of a president, and Edwin W. Craig, of WSM, Nashville; Walter J. Damm, of WTMJ, Milwaukee; John Elmer, of WCBM, Baltimore; Herb Hollister, of KANS, Wichita; Frank M. Russell, Washington vice-president of the National Broadcasting Co., and Ethredge as members of the executive committee.

March 21 was fixed as the date of the board's next meeting to be held here for the purpose of considering the formal choice of a head for the N. A. B. Chairman Frank R. McNinch of the Federal Communications Commission has been invited to a luncheon on that date.

The executive committee scheduled a meeting for tomorrow morning at the office of Philip G. Loucks, who was continued as special counsel until the March date. All members of the committee, with the exception of Craig, were still in the city tonight. Russell declared that tomorrow's sessions would be occupied only with minor affairs carried over from the former executive group.

The only other announced action of the board was a commendation of the work of the sales managers' committee and a vote to continue that body under the chairmanship of Lew S. Avery, of WGR, Buffalo.

Massachusetts Goes on Air

BOSTON, Feb. 16.—The state this week inaugurated a series over WEEI of CBS. Different phases of the state's industrial, recreational and agricultural life will be featured each week at 7:30 P. M. The start of the program comes at an auspicious moment. A bill is before the Legislature for radio censorship in the state.

NBC to Air Three Races

NBC will cover three outstanding racing events on the coast, the San Antonio Handicap, the Santa Anita Derby and the Santa Anita Handicap, over the NBC-Red, with Clem McCarthy at the microphone. Buddy Twiss, coast announcer, will assist. The three events will be aired on Feb. 22, Feb. 26 and March 5.

To Broadcast from Plane

SAN FRANCISCO, Feb. 16. — Joe Sanders' orchestra and local radio talent will broadcast coast-to-coast, over CBS, from a United Air Lines plane Friday, as part of the buildup for the 1939 exposition. The program will be heard on the entire CBS chain at 7:30 P. M., E.S.T.

McQuarrie Resumes from Coast

Haven McQuarrie will resume his weekly broadcasts from the NBC Hollywood studios, beginning on Sunday. The show, "Do You Want to be an Actor?" will continue to be aired from 10:30 to 11 P. M. on the coast-to-coast NBC-Red.

Defense Program Set on Mutual

A symposium on national defense will be broadcast Feb. 22 on Mutual from 9:30 to 10 P. M. The speakers will be U. S. Senator Richard Russell, Secretary of War Woodring and Gov. Harry Moore of New Jersey.

CBS Makes Change In Florida Station

Effective today, CBS has institut several changes in its Florida Grou according to William C. Gitting CBS sales manager. WJNO, W Palm Beach, which has been availal at the base rate of $125 per eveni hour, as a member of the Columl Southeastern Group, will become bonus station for all Columbia a vertisers using the CBS Fl Group, including WMBR, Jack ville; WQAM, Miami; WDBO, C lando, and WDAE, Tampa.

The new ranking of WJNO as bonus station adds new coverage the listening areas of the Flori Group, according to Gittinger. N rates for WQAM and WDAE, f merly $125 per evening hour, will $150 per evening hour, $90 per ha hour and $60 per quarter-hour, wh the day rates will be $75, $45 and $ for daytime hour, half-hour and qu ter-hour, respectively.

Seeks Radio Board To Review Scrip

WASHINGTON, Feb. 16.—Creation a three-man board of review to wh broadcasters may submit progr scripts for approval prior to presen tion will be sought by Senator Cl L. Herring (Dem., Iowa).

Senator Herring at this time working on the draft of an amendm to the Federal Communications A which will be introduced in Congr in the near future.

The proposed board would be est lished in the Federal Communicati Commission. It would be with power to censor scripts, but could dicate changes which would av criticism. It would have no author to demand that broadcasters sub programs for consideration, but wo pass upon those sent in voluntarily

Rule Chinese Envoy Off NBC

Dr. Chengting T. Wang, Chin Ambassador to this country, was permitted to speak on Lowell Thom broadcast Tuesday evening. NBC ficials who ordered the cancellat stated that it was in line with the n work's policy against broadcast controversial subjects on commer programs.

Latin American Broadcasts Se

LONDON, Feb. 16.—"Objecti broadcasts from the British Bro casting Co. in Spanish and Portugu to South and Central America will gin on March 15. Concern o Italian propaganda broadcast to Latin American countries is said be the reason for setting an early st ing date.

Start KDKA Music Series

PITTSBURGH, Feb. 16.—KDKA day started a new series of spe broadcasts by the Federal Symph Orchestra, under the direction Harry Hoehle and Joseph A. Rau kus at 10:15 tonight. For four we the programs will be heard at 9 and after that at 9 P. M.

Two Goats for Hawley

Mark Hawley, narrator on "Fam Fortunes" over WOR-Mutual, sho will receive two goats from a list who heard his talk about his Je farm.

Radio
'ersonals ◀

ITZI GREEN will do a guest
spot on Leo Reisman's NBC
gram tonight. . . . Gilbert Braun
been signed by Sound Reproduc-
s, Inc. . . . Penny Singleton will
r on the "Hollywood Hotel" pro-
tomorrow. She will sing "A
Billy from 10th Ave." . . . El
ndel has been added to George
el's talent lineup for the "30
utes in Hollywood" broadcast,
20. . . . Ralph Bellamy will be in-
iewed today by Radie Harris on
)R. . . . Ireene Wicker will receive
ward from *Parents Magazine* to-
The proceedings will be heard
NBC at 5:30 P. M. . . . Merle
es, general manager of KMOX, is
own from St. Louis. . . . Kirsten
gstad will be guest soloist on the
d Hour Feb. 27. . . . Hazel Scott
New Orleans has been added to
n Kent's WNEW program. . . .
Pickens' chauffeur has auditioned
old-fashioned quartet for Frank
ak.

+

ivian Brown, who is Al Simon's
etary at WHN, will be a year old
y. . . . Gertrude Neissen will do a
t appearance on "Your Hit Pa-
," Feb. 26, over CBS. . . . Jack
oed had a book published yester-
"Brandy for Heroes.". . . Jean-
MacDonald will take part in the
dcast of the 200th anniversary of
Methodist Church on March 2 over
ual. . . . Nadine Connor will have
est spot on the CBS "Showshop"
gram, Feb. 25. Viola Philo will
e a guest appearance on "Ham-
stein's Music Hall" Feb. 25.

orld Discs Used by 211 Small Stations

ere are 211 radio stations in 84
he 93 cities of the United States
populations exceeding 100,000
h are equipped to broadcast ver-
-cut wide range electrical tran-
tions of World Broadcasting Sys-
according to the company's vice-
ident, Norton Cotterill.
mong 41 cities with more than
000 population, 40 have a total of
stations broadcasting World's ver-
-cut recordings.

A Grants Equipment License

CA has granted a non-exclusive
se to Heinz & Kaufman, Ltd., San
cisco. The license extends to vari-
commercial radio aparatus for use
hips and aircraft and follows the
ination of patent litigation be-
n the two companies.

ay Hamilton on New Program

ay Hamilton, singing organist, will
eard in a new series over WNEW,
nning next Monday, and continu-
daily thereafter except Sunday,
11:30 to 11:45 A. M. His
ing broadcasts will be continued.

o Summarize A. A. U. Meet

summary of the National A. A.
rack meet will be broadcast from
ison Square Garden over the
-Red on Feb. 26, from 11:45 to
midnight, by Bill Stern, NBC
ts commentator.

Pizor Favors Conciliation Board Tryout

(*Continued from page 1*)

striving to bring back the old system with whatever changes might be necessary to eliminate the old objections.

"It makes no difference whether you call it arbitration or conciliation," he asserted, "for, after all, the thing needed is the creation of boards to hear disputes between distributor and exhibitor, without resorting to technical legal phases of the contract.

"It seems to me," he continued, "that the difficulties and defects of both arbitration and conciliation could easily be overcome, and out of a combination should come boards which could satisfactorily solve many of the industry's ills. These boards, whether called conciliation or arbitration boards, would perform an invaluable service by conciliating the parties in interest to an amicable adjustment and understanding of complaints, as well as other local grievances, without paying lawyers big fees by resorting to litigation.

"Arbitration has been tried and has proven itself. Conciliation has never been tried. It is submitted that Philadelphia has always been a pioneer in every salutary action leading to the goal of sane, constructive and sensible progress in this business of ours.

"Philadelphia therefore would be the first logical point for experimentation in the establishment of this new system of arbitration. Let's give it a try."

Monogram Forces To Meet on Coast

(*Continued from page 1*)

company under a deal calling for production of eight features on next season's schedule in place of the four which he made this year. Johnston also reported that he had renewed Monogram's lease on the Talisman studios for another year while on the coast.

Of the 42 pictures planned for next season, 26 will be features and 16 will be westerns, thus matching the company's schedule for the current year. Six features and five westerns remain to be completed on this year's program.

Discussing new season production plans, Johnston said that Jackie Cooper will make two pictures for Monogram next year and Movita, four. John Carroll, a newcomer, has been set for "Gypsy Romance" and "The Lost Legion," both for next season. He stated that no definite budgets have been set for the features and that name stars may be added to several where warranted and when available. The policy was determined by the success of the Cooper picture, "Boy of the Streets," he said.

RKO Changes Two Titles

Hollywood, Feb. 16.—The title of two films now in production at the RKO studios have been changed. They are: "The Joy of Loving" to "The Joy of Living" and "It Couldn't Happen Again" to "This Marriage Business."

Grant Injunction Against Ohio Law

(*Continued from page 1*)

U. S. Constitution, on the ground that it deprived the plaintiff of its property without due process of law.

In April, 1936, when the General Assembly had passed the law, John W. Bricker, then state's attorney general, had declared the measure unconstitutional. Governor Davey had refused to sign the bill, and it became a law without his signature 90 days from the date of passage.

Paxton & Seasongood of Cincinnati represented RKO and Ben H. Schwartz of Cleveland acted for the state in the test action before the court, which included Circuit Judge Florence E. Allen and District Judges Mell G. Underwood and Robert E. Nevin. Pending the outcome of the test action, both parties had agreed to suspend enforcement.

The court declared: "The statute does not prohibit exhibition of any film, no matter how improper, at any particular time or place, and no matter how unsuitable. In fact the law does not prevent the showing of an entirely immoral picture. The Ohio censor board is already clothed with ample authority to reject films affecting public morals, but this statute in no way extends or touches on that power of rejection. We cannot assume any local exhibitor would put aside pecuniary consideration in the interest of public morals to a greater extent than the wholesale distributor."

Hays Cracks Down On Air Gossiper

(*Continued from page 1*)

a film gossip and guest appearance program, for several months.

The broadcast complained of occurred on Jan. 23, when Garrett said Robert McWade, having died before his final scene in "Of Human Hearts," was propped up for the final take. Garrett added: "When you see the picture, you'll see the back of a dead man's head."

Garrett explained to Pettey that the information came from a tipster on the M-G-M lot and was considered by him to be authentic. Gross said that the dismissal of Garrett was motivated by a desire to cooperate with the Hays office.

Injunction Asked On No. Dakota Law

(*Continued from page 1*)

Paramount's basic action which contends that the state theatre divorcement law is unconstitutional. Trial of that suit may get under way within the next six weeks, but probably will not be decided before next summer.

Joseph W. Finley, Minneapolis counsel for Paramount, Minnesota and American Amusements, represented those companies here today.

George Husson to Build

Boston, Feb. 16.—George Husson plans to build in Weymouth. Husson already operates theatres in Whitman, Wilmington and Lowell. The new theatre is to seat about 850.

RKO Figures $5,000,000 "Snow" Gross

(*Continued from page 1*)

estimated on varying charges in different countries, and deducting the cost of negative, Technicolor prints, advertising, censorship fees and miscellaneous expenses, all of which will amount to approximately $1,700,000, then the net to Walt Disney would be $1,550,000.

The above reasoning would follow in computing the possible profits on a normal picture, but with playing time being given the film three or four times over the regular playing time at theatres, conventional computations are thrown out of line. Furthermore, at the completion of all runs, it is possible that the picture will be reissued, which will mean additional revenue to the distributor and Disney of inestimable proportions.

Ned E. Depinet, distribution head, says the picture has been booked for extended playing time in all contracts approved so far. He predicted that the film would earn extended playing time whether the contracts stipulate it or not, exhibitors in most instances demanding it.

The Music Hall's fifth week gross was $100,000. More than 800,000 persons saw the picture during the run.

"White" Sets Hub Mark

Boston, Feb. 16.—"Snow White and the Seven Dwarfs" is going on to new records at the RKO Memorial. It has already broken the Saturday and Sunday records for any RKO theatre in town. No less than 17,540 paid on Saturday. There were 12,600 more on Sunday. Cash figures were not given out, but cash records also were made on both days. It is estimated that $8,770 was taken in Saturday and $6,500 Sunday.

The one-week record is toppling. It was made by Eddie Cantor at the RKO Boston in six days. Cantor did not play Sunday, but still logged about $50,000. The show is good for one more week, perhaps two, before moving to the RKO Boston on a double feature policy. It is combined with stage talent at present.

Mexican Employes Delay Strike Moves

(*Continued from page 1*)

ganizations in the country, have demanded wage increases averaging from 35 per cent to 200 per cent, in some instances. Some employers are disturbed, but it is generally believed a settlement will be reached without a strike. No definite settlement is expected for several days.

To Test Kentucky Games

Bowling Green, Ky., Feb. 16. Hopkinsville took the spotlight in the move to determine the legality of theatre Bank Night as Commonwealth's Attorney John T. King, suing in the name of the state of Kentucky, filed petitions in Christian Circuit Court asking penal judgments of $5,000 each against two theatres operated by the Crescent Amusement Co.

Women IN WHITE
MEN IN STRIPES

PRISON
NURS

Starring
Henry WILCOXO
MARIAN MARS
with
BEN WELDEN
and a stellar dramatic ca
Directed by JAMES CRUZ
From an original novel by Louis Berg, M.
Associate Producer HERMAN SCHLO

A *Republic* PICTURE

DO NOT REMOVE

lert.
ntelligent
nd
ndispensable
o the Motion
icture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 40 NEW YORK, FRIDAY, FEBRUARY 18, 1938 TEN CENTS

rading Stamp tunt Spreads n St. Louis

veaways Also Extended To Meet Competition

T. Louis, Feb. 17.—Trading stamps
oox-office stimulants are spreading.
ichon & Marco started the practice,
now it is going into neighborhood
ises.

. & M. has an arrangement with
ll store owners, gasoline filling sta-
s, automobile repair shops, dyeing
cleaning concerns and a soft drink
ufacturer so that "Movie Trading
mps" can be used to obtain admis-
s in the four F. & M. houses—
Fox, Ambassador, Missouri and
Louis—or any of the neighborhood
suburban spots operated by
& M. and the St. Louis Amuse-
nt Co.

ow it is understood that the
iman Circuit in the north and
thwest sections of the city will
e stamps through a local trading
np company. These are to be
ed "Cardinal Trading Stamps."

stamp is issued with each 10-cent
chase. When 100 stamps have been
umulated, they can be used for a
cent admission ticket or applied to

(Continued on page 4)

cNinch to Confer Vith the NAB Board

ASHINGTON, Feb. 17.—Chairman
nk R. McNinch of the Federal
nmunications Commission will con-
with the new board of the Na-

Additional developments in Radio yesterday on page 10

al Association of Broadcasters
rch 21.

he appointment of a paid president
come up at the meeting. Philip
Loucks was named yesterday as
ial counsel until March 21.

Quota Vote Nears

London, Feb. 17.—The Films Bill will come up on third reading next Tuesday and Wednesday, the Prime Minister told Parliament today.

Proposed amendments on reciprocity giving the council power to vary quota percentages have been tabled.

No Immediate Moves Foreseen On Chase FWC Stock Holdings

Dismissal of the litigation by T. L. Talley and the Corbar Corp. against Fox West Coast in Los Angeles on Wednesday will not immediately result in the purchase by 20th Century-Fox of the 58 per cent of the stock in National Theatres held by the Chase National Bank, it was said yesterday.

Sidney Towell, treasurer of the film company, said yesterday that there have been no recent discussions for the acquisition of the holdings. The film company owns 42 per cent of the stock. Joseph M. Schenck, chairman, said recently that the west coast litigation barred acquiring the balance, but it is understood that the slump in the stock market is a factor which will delay a possible purchase.

Argument Ends on Penn's. Chain Tax

Harrisburg, Feb. 17.—Argument ended today in the Dauphin County Court in the fight of about 40 chain store and theatre companies who have declared unconstitutional the recently enacted Pennsylvania law imposing a tax ranging from $1 to $500 each annually on chain enterprises, according to the number of individual units in a chain.

The contending interests now are awaiting the court's decision, pending which the court's injunction preventing the State Department of Revenue from enforcing penalties against companies not paying the tax, will continue. It is certain that whatever way the County Court rules the case will be appealed to the State Supreme

(Continued on page 4)

Suggests Canadians Tax U.S. Programs

Montreal, Feb. 17.—The suggestion that Canada's unpopular radio license fee be replaced by a tax on American programs coming into the Dominion and on American-made transcriptions today came from Christopher Ellis, leading air commentator.

He pointed out that there is a tax on advertisements in American magazines which are imported, and suggested the same should be done with radio programs. He declared that he

(Continued on page 4)

Grand National Home Offices Are Closed

Grand National closed its home offices in the RKO Building yesterday and established departments at the exchange in the Film Center Building. William J. Neary, controller, will leave today for the coast from where he and Alperson will supervise activities.

W. Ray Johnston, Monogram presi-

(Continued on page 4)

Montgomery Seeks Talent Union Pact

Robert Montgomery, president of the Screen Actors' Guild, will come to New York in the near future to assist in working out a "united front" of entertainers' unions comprising the Associated Actors & Artistes of America, according to Burgess Meredith, acting president of Actors' Equity Ass'n, writing in the current issue of *Equity Magazine*.

The Four A's narrowly averted a split within the ranks last month when Kenneth Thomson, executive secretary of the Screen Actors' Guild, confronted elements within the parent organization which have repeatedly charged that the guild, by means of its larger membership and voting power, was attempting to dominate other

(Continued on page 4)

IATSE to Require 2 Men on Mobile Units

A crew of two men will be required by the I. A. T. S. E. for mobile projection equipment used for showings of industrial and commercial films, it was said yesterday by James Brennan, vice-president of the union, who returned from San Antonio where he attended the union's executive board meeting.

The regulation will immediately affect Jam Handy Picture Service of Detroit. The union will set up a department in that city to supervise the

(Continued on page 4)

Film Stock Changes Made Known by SEC

Washington, Feb. 17.—Disposition in December by Stanton Griffis, New York, of 1,000 shares of Paramount pictures common stock through gift and of 1,000 shares of second preferred stock by sale was reported tonight by the Securities and Exchange Commission in its second semi-monthly summary of transactions of officers and

(Continued on page 4)

Tax Problems Delaying New Moves on U.A.

Partners Ready to Talk, Says Mary Pickford

Chicago, Feb. 17.—Tax problems involved in a sale of the controlling stock interests in United Artists of Mary Pickford, Douglas Fairbanks and Charles Chaplin stand as the "most important" barrier to consummation of a deal with David O. Selznick and Samuel Goldwyn, Miss Pickford stated on her arrival here today from Hollywood.

Emphasizing that she, Fairbanks and Chaplin stood ready to sell their stock holdings in the company at any time "to the right party," Miss Pickford said that a Selznick-Goldwyn offer, which might also include Alexander Korda on either the buying or the selling end, is under consideration. She added, however, that the importance of tax considerations in such a deal impelled lengthy study and probably was sufficient to delay consummation of a deal for some time.

Later in the interview, Miss Pickford declared that a deal might be consummated "any day" providing the offer came from "the right party accompanied by a pledge that the terms of sale would be fully met." Although she declined to amplify this statement,

(Continued on page 4)

Pay Boosts Avert Walkout in Mexico

Mexico City, Feb. 17.—The threatened strike of office workers which would have affected the entire industry here including the local establishments of eight American major companies was averted this afternoon when the employers drew up new contracts which, in some cases, provide for as much as 50 per cent increases in salary. Settlement of the situation is virtually complete except for such incidental questions as seniority, permanence of positions, etc. Danger of

(Continued on page 4)

Takes to Boat

Coluso, Cal., Feb. 17.—Ed Coffey, manager of the Coluso, used a rowboat to distribute his window cards. After 18 consecutive days of rain the entire section is under water.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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J. M. JERAULD, *Managing Editor*
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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Pick Ampa Group on Advertising Awards

A committee of five was named by Ralph Rolan, Ampa president, at a meeting yesterday to consider plans for Ampa's 1938 advertising awards. A reclassification is to be considered. The committee includes Vincent Trotta, chairman; Hap Hadley, James Cunningham, Rutgers Neilson and Martin Starr.

The committee will report at the next business meeting, March 3, at which there will be further discussion of plans for Ampa's annual affair. Present plans are to present the awards at the party, the proceeds of which will be given to the *Film Daily* Relief Fund.

Ray Gallagher and Charles Alicoate were appointed to obtain the cooperation of the companies for Ampa's unemployment relief. The meeting was at the International Casino. Next Thursday's meeting will have an entertainment program.

Warner Dance March 12

The Warner Club will hold its ninth annual banquet and ball on March 12 at the Waldorf Astoria. Benny Goodman and Bob Crosby have been engaged to supply the music.

Purely Personal

Al Christie yesterday completed shooting a two-reel comedy featuring Herman Timberg, Jr., and Pat Rooney, Jr., "Love and Onions," at the Astoria studios.

•

Rosita Moreno, wife of Melville Shauer, Paramount producer, is en route to New York from Hollywood to sail Saturday on the *Southern Prince* for Buenos Aires.

•

Rene Huisman, president of Best Film Co., who is vacationing at Chamonix, Mt. Blanc, France, will return to New York early next month.

•

Bill Scholl, exploitation man for RKO and United Artists, has joined Atlantic Theatres, Inc., as member of the Stanley, Bridgeton, N. J.

•

S. R. Kunkis, attorney, made a social visit with Justice Owen Roberts of the U. S. Supreme Court in Washington yesterday.

•

Rufus Blair, of the Paramount studio publicity department, is in town conferring with Al Wilkie.

•

Milton Berle will leave for the coast today for his next picture assignment from RKO.

•

Y. Frank Freeman and Austin C. Keough of Paramount have returned from Florida.

•

Dr. Herbert T. Kalmus, president of Technicolor, plans to leave for the coast Monday.

•

B. S. Moss is expected back from Florida on Tuesday. He has been gone a month.

•

. . . Omaha

Mike Roth of Kansas City, former Columbia district exploiteer, is now a salesman out of the Omaha branch. He replaced Jack Armm, who went to the Albany exchange.

Fred Armington, M-G-M booker, has been moved to Des Moines as supervisor of checkers. He is succeeded here by Bill Ruthart.

Earle D. Perkins, new Warner boss, was feted at a party given by Warner Club members in the club's recreation rooms.

Eddie Rostermundt, U. A. salesman, is recovering from an operation made necessary by a tooth infection.

Earle Perkins, Warner manager, is back at his desk after a business trip to Des Moines.

Sol Francis has recovered from his recent illness.

Al Aronson of Artcinema Associates, New York, was here on business.

Mae Carney Dies

Boston, Feb. 17. — Mae Carney, vaudeville favorite of former years died today in Boston City Hospital following a lingering illness. She is survived by her father, three brothers and three sisters. She was visited a few months ago by Sophie Tucker.

Executives To Talk

Hollywood, Feb. 17.—Louis B. Mayer, Dr. A. H. Giannini, Al Lichtman, A. N. Bowles, Morgan Walsh, George M. Cohan and Loyd Wright are among lecturers who will address the first class in the new course in "Motion Picture Distribution" inaugurated at the University of Southern California.

Delaware Ruling on Consolidated Upheld

Wilmington, Feb. 17.—The State Supreme Court today handed down a written opinion upholding Chancellor Josiah Wolcott's perpetual injunction enjoining Consolidated Film Industries from filing an amendment to its certificate of incorporation.

The court's decision, on which a written opinion was handed down today, was announced last December.

Adjourn Time Reel Case

A motion for a temporary injunction to restrain exhibition of The March of Time reel which deals with union activities of seamen was adjourned to Feb. 25 upon consent of both sides in the N. Y. Supreme Court yesterday.

The National Maritime Union, C.I.O., and several union members are suing Time, Inc., producers of March of Time, for libel as a result of alleged misrepresentation in the film.

To Start Open-Air Spots

Boston, Feb. 17.—Work will begin within the next three weeks on open air theatres in Detroit, Cleveland, Philadelphia and Buffalo, says Philip Smith. W. W. Smith of Park-In Theatres, Inc., New Jersey, closed the deal for granting patent licenses.

Other open air construction is in Miami. E. M. Loew intends to open a park-in theatre there. Loew has tried them before. He opened such sites last year at Lynn and Providence. The Providence theatre had mosquitoes. The Lynn theatre had non-paying spectators in boats.

Plan Oklahoma Houses

El Reno, Okla, Feb. 17.—Elmer Slocum, formerly of the expansion department of the Griffith Amusement Co., has obtained a lease on a building here and will erect a new theatre. Pat McGee, recently resigned as general manager of Standard Theatres, has leased the old Jewel theatre building here and will reopen the house in September.

F. & M. Drops Leases

St. Louis, Feb. 17.—Following the closing of the Orpheum by Fanchon & Marco, it has been learned that the company has dropped negotiations for a new lease on the Shubert-Rialto. Both houses are owned by Charles J. Cella.

Stars for Frisco Party

San Francisco, Feb. 17.—Louis B. Mayer will bring 17 stars here for the annual St. Patrick's Day luncheon of Islam Temple, he has written Potentate Al J. Gock. Robert Taylor and Barbara Stanwyck will head the delegation.

Warners Open The
Studio Laborato

Hollywood, Feb. 17. — Wa
Brothers' new $500,000 laborator
the Burbank studio was opened
week to some 200 journalists and
cational and civic leaders invited
a tour of inspection conducted by
Gage, head of Warner laborat
activities, and luncheon in the st
cafe.

The new laboratory, which w
place in function the Sunset Boul
unit used by the company for sev
years, is equipped to handle all st
and west coast prints up to any
dictable increase in company out
other exhibition prints continuing
be printed in the east as formerly.

The building, designed for utilita
purposes, is strictly modern, consis
of two stories and basement with
projection rooms on the upper fl
It covers 19,000 square feet of gro
is of fireproof construction, and t
perature is controlled within one-te
of a degree. The capacity is given
1,000,000 feet of film per 24 ho
A 24-unit film storage vault is hou
in a separate building.

Photo Men Get Big Li

The program of the Press Phot
raphers' Association annual ball at
Hotel Commodore tonight is so la
that seven masters of ceremony h
been named. More than 70 ent
tainers of the films, radio and st
are scheduled to appear. Mayor F.
LaGuardia will attend. On the c
mittee are Joseph Heppner and Mo
Leftoff of Metropolitan Photo Serv
and Jimmy Sileo. Masters of cerem
include James J. Walker, He
Youngman, Jay C. Flippen, Ed
Garr, Harry Hershfield, Jack W
and Dan Walker.

To Exhibit Posters

An exhibition of one, two and thr
sheet posters, the first of its kind
is claimed, will be held on the w
concourse of the RCA Buildi
Rockefeller Center, from March 30
April 12. It will be sponsored
Transit Advertisers, Inc. Awa
will be given. The judges include
G. Van Schmus, Norman Bel Ged
and Denys Wortman.

Weill for "River" Mus

Hollywood, Feb. 17.—Walter W
ger has signed Kurt Weill, compos
to orchestrate the score for "T
River Is Blue." Weill did the sc
for Max Rheinhardt's "The Eter
Road."

Buys Plympton Story

Hollywood, Feb. 17.—Jed Bu
has purchased, for Stan Laurel P
tures, Inc., an original story
George Plympton, to be released un
the title of "Songs and Bullets," w
Fred Scott in the leading role.

"Last Melody" to Star

Hollywood, Feb. 17.—Eddie LeBar
Productions will start shooting Mar
10 on "Last Melody," musical feat
ing Christina Tellez. Four additio
productions in Spanish will follow.

Irish Film Opens Tod

"Dawn Over Ireland," all-Irish T
Cooper production will open today
the Belmont. William Alexander
handling American distribution.

oducer Laboratory Case Is Reinstated

heriff's execution against property Producers' Laboratories, Inc., on e judgments totaling $11,248 was stated by Justice Bernard L. entag in the N. Y. Supreme Court erday. The judgments arose from it brought by Amusement Securi- Corp., the judgment creditor, t Producers' Laboratories, Inc., my Pictures Distributing Corp., ard J. Halperin, Victor Halperin, town Theatre Corp., operators of Rialto, Melbert Pictures, Inc., Amerangelo Corp.

he action charged unfair competi- with the plaintiff's "White nbie" by "Revolt of the Zombies." ides the judgment, Producers' oratories and several other de- lants were ordered to account for ged profits. Producers contended payment of $1,650, received from ltown Theatre, and $710, received n Melbert Pictures, discharged the gment, but Justice Shientag over- d the argument. However, he or- ed the $2,360 paid into court pend- the hearing on the accounting be- Referee Joseph I. Green.

irl Young" Good Draw at Criterion

gross of $13,000 was chalked by the Criterion the first week h "The Girl Was Young," plus upporting bill of the first episode "The Lone Ranger" serial and ne River," Government documen- y film. The bill is being held.

he fourth week of "Happy Land- " at the Roxy garnered $33,000. e second week of "The Bad Man Brimstone" at the Capitol did about ,000.

The Paramount's first day take on he Buccaneer" was reported as 500, slightly under "The Plains- n" opening day.

pectrum Finishes First

Spectrum Pictures' first of the series six musical westerns starring Fred ott has been completed.

Wall Street

W. B. Leads Board Gains

	Open	High	Low	Close	Net Change
. ...	13½	13½	13½	13½	.....
. pfd. ...	32	32	32	32	+ ⅝
ıs.	1¼	1¼	1¼	1¼	.....
K.	154	154¼	154	154¼	+ ¾
K. pfd...	165	165	165	165	— ½
T. E....	12	12½	11¾	11¾	— ⅛
w	47¾	49⅛	47⅝	49	+1⅝
a.	9⅞	10⅜	9⅞	10⅛	+ ¼
a. 2.....	10¼	10⅜	10¼	10⅜	+ ½
he	6	6	6	6	+ ⅜
O	3½	3⅞	3½	3⅞	+ ⅜
Fox ...	22¾	22¼	21½	21½	.....
pfd. ..	29⅝	30	29⅝	30	+ ½
B.	6	6⅛	6	6	+ ⅛
B. pfd.	38	38	38	38	+3

Curb in Light Rise

	Open	High	Low	Close	Net Change
N.	9/16	9/16	9/16	9/16	.....
nogram	2½	2½	2¼	2¼	.....
ch.	18⅜	18⅞	18⅜	18⅞	+ ⅝
ıns-Lux	2⅞	2⅞	2⅞	2⅞	+ ⅛
iv. Corp.	3	3	3	3	.....

Paramount Bonds Increase

	High	Low	Close	Net Change
ra. B'way s '55	60	60	60	+1
. B. 6s '39......	71	71	71	.....

(Quotations at close of Feb. 17)

The Newsreel Parade

Movietone News
Vol. 20, No. 46
(20th Century-Fox)

Although the subject matter is not particularly outstanding in this number of the reel, the treatment, photographically and in production, makes it an interesting and entertaining issue. The camera work appears to good advantage in the shots of the giant English plane in a test flight with a smaller, four-motored ship on its back, and reaches a spine-chilling high in the shots of workmen putting the finishing touches to the Port Arthur Bridge in Texas, moving quickly on narrow girders high above the river.

French Alpine troops on skiis are seen in a speed contest in the mountains, fully armed, and a new method of building wrecking in St. Louis employs a three-ton iron ball on a tall crane crashing through the brick walls. Names in the news include Admiral Horthy of Hungary visiting Poland, Mrs. William Harkness arriving with her new baby panda, William Allen White on his 70th birthday and the Duke and Duchess of Kent on a ski vacation in Austria.

Miami University girls stage their own screen testing, and Chicago girls bake a cake showing each state of the United States. Joe Di Maggio, Lou Gehrig, Helen Wills Moody, Max Schmeling and Helen Hicks are shown in their non-sports pursuits, and the reel ends with an entertaining Lew Lehr "newsette," showing direct feeding of milk from cow to cats. Running time, 10 mins. A.

Paramount News
No. 57
(Paramount)

The material in this issue is pretty light. Three of the seven subjects are from abroad and lead in interest. The balloting in Moscow during Russia's first general election, with Stalin and Lenin's widow at the polls; shots of King Zog of Albania and his betrothed, with Parliament approving the forthcoming marriage; the Tibetan hordes praying in the temples for a new Lama. The Moscow clip, obtained from the Soviet's official newsreel, has inferior photography.

Three-year-old Jean Demers is a cute and amazing prodigy as she answers questions on topics of the day. There is also the leaving of six large Army planes on a 6,000-mile flight to the Argentine and the building of 72-passenger planes that will span the ocean; a kitchen band which uses cooking utensils as musical instruments, and a display of a new Swiss cotton fabric. Running time, 9 mins. F.

News of the Day
Vol. 9, No. 244
(M-G-M)

Routine news coverage and one feature type clip which is well executed, serve to make this issue of the reel about average. It opens with shots of the Austrian Chancellor reviewing troops, then attending an extremely formal ball in Vienna, which is well photographed. Mrs. William Harkness is seen arriving with her new baby panda, while the first one is shown having a good time in an Illinois zoo.

Miami youngsters are enjoying their lessons, at an aviation class, which includes lectures in a big passenger plane flying over the city. The citizens of Russia are shown dutifully going to the polls to cast their ballot in the general election, which is quite simple, since they have only one party to vote for. Even Stalin votes, and the widow of Lenin. Spring feminine styles feature dresses of Swiss fabrics, and we are informed the keynote is simplicity this year.

An interesting clip shows a Georgia Negro chain gang at work, and returning to the barred wagons in which they sleep when doing road work, with the indication that the chains will be dropped and the cages changed. There is speed and skill in the shots of a championship ping pong match in London, and an outboard motor race for girls on the coast. Running time, 10 mins. A.

RKO Pathe News
Vol. 9, No. 61.
(RKO)

For the most part this assemblage of pictorial news is average and in another category the material is dated. A bit on the current Austro-German affair, culled from stock shots, is given commentary in keeping with new developments. Scenes of the recent Russian elections are given too much footage in view of the dated nature of the subject.

However, there are good shots of the new Boeing flying boat nearing completion in Seattle, floods in Michigan, a fur auction in Wisconsin, a big tennis match in Australia, the trial flight of an English "two-in-one" airplane, Murray Korman, Broadway photographer, selecting the 12 most beautiful girls in the country, and some thrilling shots of an outboard motorboat regatta at Long Beach, Cal. Running time, 8 mins. P.

Universal Newsreel
Vol. 10, No. 642
(Universal)

A good collection of novelties and feature news events contributes entertainment and interest to this release, but spot news of consequence is lacking. As a result, there is little of a provocative or exciting nature included.

The subjects in the order of their appearance in the reel are: Observance of the anniversary of the sinking of the Maine in Havana harbor; shots of the "world's largest plane" just completed at Seattle; a Washington, D. C., housewives' band which plays instruments fashioned from kitchen utensils; new adagio routines tried out in Florida; the Minneapolis surface car and bus strike; air delivery of a baby panda at the Chicago zoo; tractor-drawn artillery for Britain's army; making of the "world's largest cake" for a bakers' convention in Chicago; Oregon lumberjacks at work; the inevitable Miami leg scenery; Oregon ski jumping championships, and outboard motorboat races at Long Beach, Cal. Running time, 9 mins. K.

Australia Law Would Restrict New Houses

By CLIFF HOLT

SYDNEY, Feb. 1 (*By Air Mail via London*).—The premier of New South Wales has pointed out, with respect to the new legislation on the quota and theatre building passed by both houses of the legislature, that no additional building would be authorized during 1938 without the permission of a committee which will be named for that purpose.

The premier indicated that behind the legislation lies the understanding that the existing laws, lacking restriction on building, have been used unfairly by large companies or major distributors, through the threat that unless rental demands were met, opposition theatres would be built, resulting in the curtailment of product for the exhibitor concerned.

It was emphasized that there is no intention of making the new regulations permanent, and that the committee would be charged with the responsibility of studying other factors related to exhibition, and to make reports on them with a view to the enactment of additional industrial legislation.

Canadian Building Gained During 1937

TORONTO, Feb. 17.—Based on contractors' figures and building permit statistics, theatre construction and the alteration of old theatres across Canada during 1937 brought a total expenditure of $1,943,000 by circuit and individual owners. This was a substantial gain over the previous year.

The largest investment in new theatres and the modernizing of old ones was in the Province of Ontario where total was $929,000, or a gain of 176 per cent over 1936. Second on the list was the Province of Quebec where the building outlay was $410,000, or a gain of 116 per cent. The sum of $327,000 was expended in British Columbia where the gain over the previous year was 407 per cent. The Province of Saskatchewan registered a gain of 520 per cent, but the amount involved was only $31,000 as building operations in that area had been practically at a standstill because of drought conditions.

In the Maritime Provinces on the Atlantic Coast the cost of theatre construction was $56,000. Only $8,000 was spent on theatre rebuilding in Alberta, the gains being 53 and 33 per cent, respectively.

With numerous projects now in hand, the prospect is that Canada will see much construction in the theatre field during 1938.

Montreal Theatres To Raise Admission

MONTREAL, Feb. 17.—Effective immediately after Easter, Montreal theatrees will raise their admission prices back to pre-depression levels.

First run houses now charging 50 cents will increase the price to 60 cents, while second run and neighborhood houses will change the 25 and 34-cent price to 30 and 40 cents.

This move will be made by the majority of Montreal's 63 theatres. About 30 per cent of the second run shows and the entire first run group will make the change. Independents are expected to follow the lead of the first runs.

Tax Problems Delaying New Moves on U.A.

(*Continued from page* 1)

it is believed that she had reference to the recent failure of the Goldwyn-Korda option deal, which was subjected to considerable bargaining even after what was regarded as a final agreement had been reached.

Emphasizing the willingness of herself, Fairbanks and Chaplin to sell their United Artists stock holdings to active producers, Miss Pickford said that the three were "deeply considerate of the fact that United Artists should continue to provide a production opportunity for the Selznicks and Zanucks of the industry."

She intimated that the partners' primary consideration was that the company should be maintained on the principles of its founders and that, in the event producers willing to perpetuate those principles were properly interested, a deal for purchase of the three-fifths stock interest might be had at any time.

Film Stock Changes Make Known to SEC

(*Continued from page* 1)

directors in the equity securities of their corporations.

The commission also announced the receipt of 1938 reports from Sol Edwards and William J. Neary, New York directors in Grand National Films, showing that neither held any equity securities, and similar reports of no holdings from Nathan J. Blumberg, William A. Scully and Joseph H. Seidelman, officers, and Ottavio Prochet, director, in Universal Pictures.

Grand National Home Offices Are Closed

(*Continued from page* 1)

dent, inspected Grand National's offices yesterday with a view to taking them over, but he said nothing will be decided for a few days. Monogram needs larger space.

Grand National is seeking product and is attempting to arrange deals with producers who have finished pictures, it was said.

Harry Brandt to Confer

Harry Brandt, president of the Independent Theatre Owners' Association, plans to confer in Washington next week with officials of the Department of Commerce. He will discuss means of assistance to small exhibitors, including the extension of credit. Instead of meeting Wednesday, the I. T. O. A. will meet on Friday to hear Brandt's report on his Washington conferences.

To Do "Mountie" Series

Vancouver, Feb. 17.—A series of six films depicting the work of the Royal Canadian Mounted Police is to be filmed here by Central Films, Ltd., Victoria, Kenneth J. Bishop, president, says.

Production will commence May 1. Central Films produces quota pictures for Columbia.

Out Hollywood Way

Hollywood, Feb. 17.—M. H. Hoffman will supervise Monogram's "Circus Lady" . . . David O. Selznick has signed Douglas Fairbanks, Jr., to co-star with Janet Gaynor in "The Young in Heart," screen adaptation of "The Gay Banditti," I. A. R. Wylie novel. In addition, Selznick signed Stephen Morehouse Avery to do the screenplay and Richard Wallace to direct.

John Joseph, new head of Universal's advertising and publicity, is at the studio for business conferences . . .

◆

Casting—Charles Judels in "Reckless Living," Universal . . . Gloria Dickson in "Lovely Lady," Warners . . . Victor Kilian "Gold Diggers in Paris," Warners . . . Warren Hymer in "You and Me," Paramount . . . Dennie Moore and Herbert Rawlinson in "All Rights Reserved," Warners.

◆

Writers and Story Buys—Monogram has purchased "Borrowed Trouble," original by Harrison Jacobs for next season's schedule . . . Warners' writing assignments: Rowland Leigh to do additional work on the script of "Lovely Lady," now shooting; John Wexley to work on the script of "Angels with Dirty Faces," and Casey Robinson to write the screenplay of "Yes, My Darling Daughter."

◆

Directors—Due to the illness of Lew Seiler, William Clemens pinch hit for him on Warners' "Crime School" for a few days . . . John Farrow will guide Warners' "Three Broadway Girls."

◆

Music—Irving Berlin has written three new songs for "Alexander's Ragtime Band," 20th Century-Fox.

◆

Title Changes—Universal has changed the titles of "The Winner's Circle" to "Reckless Living," and of "The Eye of the Needle" to "Halfway to Shanghai."

Argument Ends on Penn's. Chain Tax

(*Continued from page* 1)

Court. In the meantime payment of the tax, which became effective June 1, has been suspended.

The theatre interests and counsel representing the American Stores Co. of Philadelphia, which initiated the suit as a test case in behalf of chain stores generally, completed their arguments yesterday, and today's proceedings were devoted entirely to argument by John Y. Scott, special counsel for the state, which is defending the constitutionality of the law. Scott cited a number of decisions by the U. S. Supreme Court which he held sustained chain store taxes in other states, notably Indiana, Florida, Louisiana and West Virginia. Morris Wolfe of Philadelphia represents the Warner and Stanley theatre interests in the controversy.

Return to Dual Policy

Des Moines, Feb. 17.—G. Ralph Branton and A. H. Blank have decided to make double features a permanent policy for Tri-States' Des Moines, after a trial of single features there since the first of September. They found "B" pictures in the double feature houses were constantly outdrawing the "A" pictures at the Des Moines and decided most of the public prefers double features.

Theatre Co. Formed

Albany, Feb. 17.—Lindy Amusement Corp., Brooklyn, has been licensed to conduct amusement and theatrical enterprises. Capital stock is 100 shares, with no par value, and directors are Jacob Liff, Nathan Fisk and Lawrence Levin.

Add Sunday Vaudeville

Meriden, Conn., Feb. 17.—Loew's Poli, reopened last month for week-end operation, with Saturday vaudeville, has added Sunday vaudeville. There will be two complete changes of both pictures and acts.

Montgomery Seeks Talent Union Pact

(*Continued from page* 1)

Four A's unions. Rivarly between the east and west coast entertainers' unions has been marked on several other occasions during the past six months. In attempting to resolve the internal differences the guild has proposed either a "united front" of entertainers along the lines of one big actors' union, instead of many, or amendments to the Four A's bylaws governing voting rights. It is assumed that Montgomery's efforts to secure improved cooperation among the unions would be centered on those proposals or similar ones.

Meredith reiterates the recent Four A's declaration of intention to resist I. A. T. S. E. efforts to dominate the actors' unions "when and if such efforts become official," while declaring that he does not believe that the I. A.'s jurisdictional claims have "the unanimous backing of its members."

The *Equity Magazine* reports that George Arliss resigned recently from the council of Actors' Equity Ass'n after continuous service on the body since 1917.

Dickinson Sons Active

Kansas City, Feb. 17.—The two sons of Glen W. Dickinson, circuit operator, have again become active in management of Dickinson theatres. Glen W. Dickinson, Jr., is managing the Dickinson at Lawrence, Kan., part time. He will graduate from the University of Kansas law school in June. Carlton Dickinson is managing the Dickinson, the circuit's "B" house in Lawrence, part time. He will graduate a year from June.

Time Reel 3 Years Old

March of Time is celebrating the third anniversary of its reel this month. Its producers claim that it is now seen monthly by 18,000,000 persons in 11,074 theatres in English, French and Spanish.

Trading Stam Stunt Spread In St. Loui

(*Continued from page* 1)

the purchase by the holder of a high priced ticket.

One of the results of this new has been an increase in giveaways independent theatres. These incl chinaware, icebox receptacles, dis glassware and other merchandise. T houses give away dinner sets, start off with one plate and following w an additional dish for each 25-c ticket purchased.

Trailers are being used to stimul interest in the trading stamps.

Suggests Canadians Tax U.S. Progran

(*Continued from page* 1)

objected to incoming transcriptions cause they took work from Canadi At present there is a small cust duty on the transcriptions, but E asks that a tax be added.

Meanwhile, in Ottawa, the House Commons, by a vote of 140 to tossed out the motion of J. E. Law of Toronto that documents show contracts between the Canadian Bro casting Corp. and American netwo be shown in Parliament. The G ernment contention was that the C is an autonomous body and that s information can be requested through a special committee.

IATSE to Require 2 Men on Mobile Uni

(*Continued from page* 1)

new activity. One man will be quired to handle the setting up of truck and another to operate the jection equipment, Brennan s Thirty-seven such crews will be on, giving employment to 74 men, said.

Browne Due on Coast

Hollywood, Feb. 17. — George Browne, president of the I.A.T.S is due here next week from Chi where he will attend the annual of the stagehands' local Monday ni Browne has been attending meeti in San Antonio.

Increases in Salary Avert Mexico Stri

(*Continued from page* 1)

a general strike, however, has b practically eliminated.

Today's settlement will cost Am can companies here some $30,000 nually in wage increases. The ye cost to the industry as a whole pr ably will be $45,000.

Siegel, Ford Delay Tr

M. J. Siegel, head of Republic p duction, and Charles E. Ford, joined the company this week a producer, have deferred their parture for the coast until Tues Ford, who formerly was head Universal Newsreel, will make public's serials, releasing Sol C. Si for feature production.

To the

PORTFOLIO

of

David O. Selznick

SUCCESSES

UNITED ARTISTS
now proudly adds . . .

Another Sensationa

PORTFOLIO
of
David O. Selznick
SUCCESSES
VIVA VILLA
ANNA KARENINA
A TALE OF TWO CITIES
DINNER AT EIGHT
A BILL OF DIVORCEMENT
LITTLE LORD FAUNTL
DAVID COPPERFIELD
FREDDIE BARTHOLOMEW and
A STAR IS BORN
"YOU'VE GOT SOMETHING THERE, HONEY!"
JANET GAY
FREDRIC MA
A STAR IS
IN TECHNICOLOR
The PRISONER O
The PRISON
MADELEI
DOUGLAS
NOTHIN
Carole LOMBARD a
Nothing
CHARLES WINNINGER
DAVID O. SELZNICK
Screen play by BEN HECHT
A DAVID O. SELZNICK PRODUCT

Even Mark Twain would say "Perfect" if only he could see this picture. All his beloved characters – Tom, Aunt Polly, Huck Finn, and the others . . . all the never-to-be-forgotten moments of the book eloquently, delightfully brought to the screen by a cast inspired with the heart-felt human drama and greatness of the story.

Classic of the Screen!

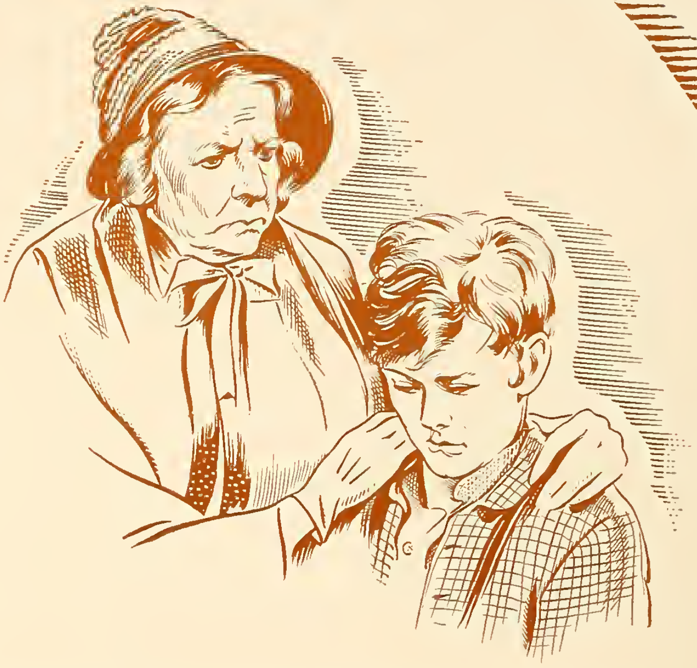
ED

"Because I loved you so–"

"I STOLE BACK AT NIGHT AND KISSED YOU . . . because I loved you and I was so sorry."

The most human, truly American story ever written now comes to the screen in beautiful Technicolor.

"The ADVENTURES OF TOM SAWYER"



Selznick International presents
Mark Twain's beloved classic

The Adventures of Tom Sawyer

In Technicolor

with TOMMY KELLY · JACKIE MORAN · MAY ROBSON
WALTER BRENNAN · VICTOR JORY · ANN GILLIS
MARCIA MAE JONES · *Directed by* NORMAN TAUROG

Produced by
DAVID O. SELZNICK

Released thru United Artists

Short Subjects

intupland"

(O-Pathe Special)

evelopment of the Dionne quin-ts, now three and a half, is ted in a continuously interesting dule of outdoor and indoor activ- Highlights portray the children ng in the snow at 20 degrees w and gleefully viewing a special ey Mouse screening. Also shown Dafoe broadcasting and answer-nail having to do with the quins. beginning of the subject describes growing fame of Callender in the easing number of souvenir shops tourist accommodations.

alse Roomers"

O)

nce again Edgar Kennedy is the et for every "throwable" or mov- object within the range of the edy writer's mind. In this in-ce, a case of mistaken identity in-es his wife's newly arrived uncle, eccentric man to whom his wife s a room and himself, and in the ing melee, Kennedy, of course, is ady, if unwilling, target. The re- is the usual Kennedy comedy, for t that may be worth in any situa- . Running time, 17 mins. "G."

iding the Rails"

eischer-Paramount)

udgy, Betty Boop's pup, provides entertaining few minutes in this oon. He follows his mistress into ubway, loses sight of her and gets self into a whirlwind of thrilling ations and narrow escapes from ring trains. He learns his lesson, not until he is almost made into burger. The action is cyclonic yet as many laughs. Running time, 7 s. "G."

iddling Around"

olumbia)

om Kennedy and Monty Collins, air of crack-brained "detectives," assigned to guard a valuable vio- the owner of which has been eatened. The result, with the usual ta of slapstick chases, explosions, iture entanglements and the like, outine comedy. Running time, 18 s. "G."

ood Looking Winners"

ice-Paramount)

ere is a short that is going to give sfaction. It is a Grantland Rice rtlight with narration by Ted Hus- . The material concerns women in rt and Husing enthusiastically re-s their prowess as the assorted uties do their stuff. They are all tty and were photographed advan-eously. The camera work, particu-y in a hurdle scene and a trap-oting clip introduces compelling ef-ts. Running time, 10 mins. "G."

Doggone Mixup"

olumbia)

arry Langdon is featured in a nedy which has scattered laughs. gdon, who falls for bargains, buys og collar, then a huge St. Bernard fit it. The dog virtually wrecks ir home, and Langdon and his wife e to a trailer, with almost equally astrous results. Running time, 19 s. "G."

"Landing" Is Pittsburgh's Pace-Setter

PITTSBURGH, Feb. 17. — "Happy Landing" nearly tripled the normal take of the Fulton with a gross of $11,250. This was $6,750 over normal.

Business was generally good. "Man-Proof," with a stage show headed by Pinky Tomlin at the Stanley rolled up $26,500, topping normal by $8,500, and "The Buccaneer" at the Penn was $7,000 to the good on a gross of $18,000.

Total first run business was $69,550. Average is $45,000.

Estimated takings for the week ending Feb. 10:

"PENITENTIARY" (Col.)
ALVIN—(2,000), 25c-50c, 8 days. **Gross:** $8,100. (Average, 7 days, $6,500)

"HAPPY LANDING" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $11,250. (Average, $4,500)

"THE BUCCANEER" (Para.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $18,000. (Average, $11,000)

"MAN-PROOF" (M-G-M)
STANLEY — (3,600), 25c-60c, 7 days. Stage: Pinky Tomlin, California Collegians, Michon Bros., Sybil Bowan and the Lathrops and Virginia Lee. **Gross:** $26,500. (Average, $18,000)

"THE HURRICANE" (U. A.)
WARNER—(2,000), 25c-50c, 6 days, 3d week. **Gross:** $5,700. (Average, 7 days, $5,000)

"Boy of Streets" $13,200, Buffalo

BUFFALO, Feb. 17.—"Boy of the Streets" turned out to be the big draw in a spotty week. Dualed with "Mr. Boggs Steps Out" at the Lafayette, it drew $13,200, and broke par by $6,700. It was held for another week.

"The Buccaneer" at the Great Lakes took a big $13,600, over average by $5,600, as all other houses dropped below normal figures. The weather throughout was wet and warm.

Total first run business was $48,900. Average is $42,300.

Estimated takings for the week ending Feb. 11:

"EVERYBODY SING" (M-G-M)
BUFFALO—(3,000), 35c-60c, 7 days **Gross:** $12,100. (Average, $14,000)

"THE BUCCANEER" (Para.)
GREAT LAKES—(3,000), 30c-50c, 7 days. **Gross:** $13,600. (Average, $8,000)

"I MET MY LOVE AGAIN" (U. A.)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $5,100. (Average, $7,500)

"SWING YOUR LADY" (W. B.)
"EXPENSIVE HUSBANDS" (W. B.)
CENTURY—(3,000), 25c-35c, 7 days **Gross:** $4,900. (Average, $6,300)

"BOY OF THE STREETS" (Monogram)
"MR. BOGGS STEPS OUT" (G. N.)
LAFAYETTE—(3,300), 25c-35c, 7 days **Gross:** $13,200. (Average, $6,500)

Shift Standard Managers

OKLAHOMA CITY, Feb. 17.—Francis Busch, assistant manager of the Midwest, has been transferred to the Liberty in the same position. Melvin Camp, assistant at the Plaza, has succeeded Busch at the Midwest. Howard Troup, assistant at the Liberty, has gone to the Ritz as assistant and Gus Zaffos, doorman at the Ritz, has been promoted to assistant manager at the Plaza. The changes were made by Walter B. Shuttee, general manager of Standard Theatres.

"Buccaneer" Out Front in Seattle Week

SEATTLE, Feb. 17.—"The Buccaneer" skimmed the cream off the first run business here by taking $8,900 at the Fifth Avenue. This topped normal by $1,900. The run was continued.

"Happy Landing" and "Bulldog Drummond's Revenge" at the Paramount took $6,300 for the second week. This was over par by $300. The combination was moved to the Music Box for a continued run.

Total first run business was $36,600. Average is $36,500.

Estimated taking for the week ending Feb. 11:

"DR. SYN" (G. B.)
"SOME BLONDES ARE DANGEROUS'
BLUE MOUSE—(950), 25c, 8 days. **Gross:** $4,100. (Average, $4,000)

"THE BUCCANEER" (Para.)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $8,900. (Average, $7,000)

"I'LL TAKE ROMANCE" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 7 days. **Gross:** $4,600. (Average, $5,000)

"MANNEQUIN" (M-G-M)
"SHE'S GOT EVERYTHING" (RKO)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,200. (Average, $4,000)

"SWING YOUR LADY" (W. B.)
"ADVENTUROUS BLONDE" (F. N.)
ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $5,100. (Average, $6,000)

"BLOSSOMS ON BROADWAY" (Para.)
"EXPENSIVE HUSBANDS" (W. B.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Large & Morgner. **Gross:** $4,400. (Average, $4,500)

"HAPPY LANDING" (20th-Fox)
"BULLDOG DRUMMOND'S REVENGE" (Para.)
PARAMOUNT—(3,050), 30c-40c, 7 days, 2nd week. **Gross:** $6,300. (Average, $6,000)

"Brimstone" Takes Indianapolis Lead

INDIANAPOLIS, Feb. 17.—"Bad Man of Brimstone," on a dual with "No Time to Marry" at Loew's, led the first run parade in a week that was slightly above normal. The take was $8,500. Average is $7,000.

At the Indiana "The Buccaneer" went $500 over the line with $6,500 and at the Lyric "Change of Heart" with a stage show made $8,800, which was $800 to the good.

Total first run business was $29,600. Average is $28,500.

Estimated takings for the week ending Feb. 11:

"SH! THE OCTOPUS" (F.N.)
"TARZAN'S REVENGE" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,000. (Average, $3,000)

"HAPPY LANDING" (20th-Fox)
CIRCLE—(2,800), 25c-40c, 7 days. 2nd week. **Gross:** $3,800. (Average, $4,500)

"THE BUCCANEER" (Para.)
INDIANA — (3,200), 25c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)

"BAD MAN OF BRIMSTONE" (M-G-M)
"NO TIME TO MARRY" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $8,500. (Average, $7,000)

"CHANGE OF HEART" (20th-Fox)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Three Stooges plus vaudeville acts. **Gross:** $8,800. (Average, $8,000)

Retitle McHugh Film

HOLLYWOOD, Feb. 17.—Warners have changed the title of "Larger Than Life," featuring Frank McHugh and Jane Wyman, to "He Couldn't Say No."

Variety Club

Buffalo

BUFFALO, Feb. 17.—Police Commissioner GLENN MCCLELLAN, recently appointed, took time off from his official duties to attend the Variety Club's semi-monthly luncheon. He thanked the members for aiding the city's traffic squad through a program of safety shorts to be shown in 60 local houses.

Hosts MIKE SIMON and MATTHEW M. KONCZAKOWSHI also introduced LEONARD R. LIPOWICZ, assistant district attorney. He recalled his days as a theatre manager when he was showing silent films for a living and studying law on the side.

The club has resumed its King-For-A-Day luncheon series.

Cincinnati

CINCINNATI, Feb. 17. — Approximately 200 attended the annual installation of officers and dinner at the Netherland Plaza.

The new officers are: JOSEPH J. OULAHAN, chief barker; ARTHUR M. FRUDENFELD, first assistant, and JAMES J. GRADY, second assistant; RALPH KINSLER, dough guy, and JOE KOLLING, property master.

A stage show, recruited from the current bill at the RKO Shubert, was put on by FRUDENFELD. There also was talent from local night spots.

H. J. WESSEL, retiring chief barker, was presented a traveling bag. ALLAN S. MORITZ, national convention chairman, made a plea for unified support of the local tent in connection with the national convention to be held here in April.

M. R. CLARK, chief barker Tent No. 2, Columbus, and GEORGE JEFFREY of the same tent were here for the installation affair.

Pittsburgh

PITTSBURGH, Feb. 17.—CARL, the popular steward, is back on the job again after a five-week illness.

The birthdays of BILL BENSWANGER, president of the Pirate baseball club, and GEORGE COLLINS will be celebrated at HERB DIMLING'S dinner next Monday.

JIM ALEXANDER is chairman of the committee rounding up delegates to the national convention in Cincinnati April 23. There will be a special train from here.

LARRY KATZ has returned from Miami and GEORGE LEFKO is back from Palm Springs.

MIKE ROSENBERG, president of the M.-P. T. O. here, is the newest resident member.

JIMMY BALMER'S daughter, MARY, graduated from Peabody High School with highest honors.

Para. Plans Musical

HOLLYWOOD, Feb. 17.—Paramount has placed another musical on its schedule, "St. Louis Blues," with a Broadway and showboat setting. George Raft, Shirley Ross, Tito Guizar, John Halliday, Elizabeth Patterson, Mary Carlisle, Betty Grable, Ben Blue, Charles Butterworth and Robert Cummings will comprise the cast. Jeff Lazarus is executive producer and Alex Aarons, associate producer. Robert Flore will direct the Frederick Hazlitt Brennan adaptation of the original by Eleanor Griffin-William Rankin.

Radio Personals

JOAN and Gloria Blondell will appear as guests on Feg Murray's "Seein' Stars in Hollywood" on Sunday. . . . Tim and Irene, who will headline the "Royal Crown Revue" on the NBC-Blue, March 11, are filling vaudeville dates in Pittsburgh and Cleveland and are expected to return Feb. 26.

+

Mark Hawley, narrator on Mutual's "Famous Fortunes," is planning a lecture tour of the east on radio and modern news dissemination. . . . Les White, script writer, left yesterday for a 10-day vacation in Havana. . . . Ralph Edwards, on CBS only a year, is announcing for nine programs. . . . Morton Downey has started his second year of broadcasts for Drene Shampoo. He is making a new series of discs at WOR. . . . Santa Barbara's masculine choir will be heard in a special NBC-Blue program tomorrow night. . . . Joy Hodges, featured in "I'd Rather Be Right," will be the guest on the "Hammerstein Music Hall" program over WABC tonight.

+

Dave Driscoll and Jerry Danzig have received 3,000 requests, more than the total circulation of *The Lookout*, Seamen's Institute magazine, as a result of a recent Mutual broadcast. . . . There is an Oliver Wendell Holmes in the WMCA dramatic company.

NBC to Start New Play Series

NBC on Saturday, Feb. 26, will inaugurate a new series, "Great Plays," from 5 to 6 P.M. over the Red network. The first will be "The Birds," satiric comedy by Aristophanes. The presentations are the work of Belvins Davis and will be directed by Albert Williams. The great plays of the world will be offered each Saturday at the same time.

Don Searle Completes Changes

OMAHA, Feb. 17.—Don Searle, Central States general manager, has placed Don Kelley, KOIL, Omaha, and Jack Hanssen, KFAB and KFOR, Lincoln, in charge of special events in their respective cities. Lyle DeMoss will continue as program director of KFAB and John Schafer will hold the same post at KFOR, to complete a new setup started Jan. 1.

Kelly, Benchley Are Guests

Tommy Kelly, Bronx boy who has the title role in the film, "The Adventures of Tom Sawyer," and Robert Benchley, screen writer and comedian, will be guests on Kate Smith's program, Feb. 24 over WABC.

Mary Boland Whiteman Guest

Mary Boland will make a special trip from Hollywood for a guest appearance on Paul Whiteman's program Friday, Feb. 25, over WABC from 8:30 to 9:00 P. M.

Longines-Wittnauer Renews

Longines-Wittnauer Watch Co. has renewed its announcements of time signals on WOR for another year. The Arthur Rosenberg Co. is the agency in charge.

British Television In Color Is Blurred

By AUBREY FLANAGAN

LONDON, Feb. 17.—Color television was previewed in a theatre today by Baird. The old 120-line definition was used.

The pictures were sent from the Crystal Palace, seven miles distant.

The subjects were the Union Jack, millinery, mannequins and a portrait of the King. The colors were not vivid. They seemed to interfere with definition and were distracting.

Stokes To Succeed Garrett with KEHE

LOS ANGELES, Feb. 17. — Warren Stokes was signed today by KEHE to replace Bob Garrett, film gossiper, who was ousted from the "Pick of the Pictures" program as a result of the cancellation of his Hays office studio credentials.

Garrett had succeeded Stokes on the "Pick of the Pictures" program several months ago when Stokes had a disagreement with Bob LeMond, producer of the show. Jack Gross, station manager, signed Stokes. He will start Feb. 27.

WLW Has McIntyre Tribute

CINCINNATI, Feb. 17.—WLW carried a tribute to the late O. O. McIntyre on its "Press Review" program, a daily feature conducted by Peter Grant, chief announcer.

H. Lee MacEwen, editor of the WLW newsroom, recalled his early newspaper work when he was given his first assignments as a cub reporter by McIntyre, then city editor of the *Cincinnati Post*. Grant also read messages from Robert C. Harris, city editor of the *Cincinnati Times-Star* and Al Segal, *Cincinnati Post* columnist, both of whom worked with McIntyre here.

"Follies" Music on "Key" Show

A tabloid version of the film "The Goldwyn Follies," containing the musical highlights from the production sung by Helen Jepson and Charles Kullmann, will be presented on the Magic Key program over WJZ and the Blue network Sunday at 2:00 P. M. The program will consist of six selections, three from the pen of the late George Gershwin and three from Verdi's opera, "La Traviata."

Boake Carter To Vacation

Boake Carter, who will finish his Philco series today, will leave on a vacation to an unannounced destination prior to the starting of his new General Foods assignment on Monday, Feb. 28, over WABC from 6:30 to 6:45. Carter will broadcast the General Foods program from a special studio which he has built as a wing to his home in a Philadelphia suburb.

Raoul Marlo in New Series

Raoul Marlo will begin a new series on WMCA on Feb. 22 called "Ports of Romance." It will be heard on Tuesdays only from 7:45 to 8 P. M.

Schulman House on WMCA

The Schulman House, Lakewood, N. J., has been signed for one-half minute spot announcements on Fridays at 8 P. M. over WMCA.

New Station Sought For Florence, S. C.

WASHINGTON, Feb. 17.—Application for authority to construct a new station at Florence, S. C., to operate on 1,200 kilocycles with 100 watts power night, 250 watts day, has been filed with the Federal Communications Commission by the Pee Dee Broadcasting Co.

Other applications are from Larry Rhine, San Francisco, to amend a request for an 1,150-kilocycle station to provide for day operation only with 250 watts, and a request from the Sentinel Broadcasting Corp., Salina, N. Y., to amend its application for a construction permit for a 620-kilocycle station to use 1,000 instead of 500 watts power.

The commission has approved issuance of a license to KVSO, Ardmore, Okla., to increase day power from 100 to 250 watts.

Examiners' hearings will be held March 18 on the applications of Orrin A. Senzel for a 1,500-kilocycle station at Rochester, N. Y., with 100 watts night, 250 watts day; Edward J. Doyle for a 1,500-kilocycle station at Rochester, with 100 watts night, 250 watts day; WIP, Philadelphia, for increase of day power from 1,000 to 5,000 watts, and WBAA, Lafayette, Ind., for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

WNEW Signs Philip Morris

The Philip Morris Co. has signed with WNEW for six quarter-hours a week for Paul Jones Cigarettes beginning with the Feb. 21 broadcast of John Jaeger's INS news comment. "The Make Believe Ballroom" will include the Hampden Sales Association starting Feb. 22 for six weeks. The Biow Co. placed the contract. Nu-Life Hair Restorer Co. has contracted for three spot announcements weekly on the station for 26 weeks starting Feb. 22.

Santa Fe on Air Feb. 22

WOR-Mutual will offer a one-shot program on Feb. 22 sponsored by the Sante Fe Railroad originating at KHJ, Los Angeles. Walter Huston will act as narrator in a number of short dramatic sketches depicting the history of the railroad. The period will be heard from 6 to 6:30 P. M. Uncle Don's broadcast which is scheduled for that time will be cancelled.

Camay to Start New Series

Camay soap will start a twice weekly quarter-hour series on the coast-to-coast networks of Mutual and the Canadian Broadcasting Corp. next Monday. The programs will go on Mondays and Fridays, with WOR as the local outlet and with Joe Nash the singer.

WMCA Gets "Elmer and Axel"

A new series titled "Elmer and Axel" will begin on WMCA on Feb. 20. It is a script show written by Allen Lampe and will be heard from 1:30 to 1:45 P. M.

Frank Graham to Start Series

Frank Graham, sporting columnist of *The Sun*, will begin a new sustainer on WHN Feb. 21 called "Setting the Pace." The series will be heard from 6:45 to 7 P. M.

Omaha Church Pays For an Hour on WOW

OMAHA, Feb. 17.—WOW is no airing what is believed to be the fir commercial program sponsored ofi cially by a church group.

The program, a 30-minute sho aired Sunday afternoons, consists recorded choir music and features 12-minute talk by Dr. G. Broml Oxnam, resident bishop of the O area of the Methodist Epis Church.

"It's strictly a commercial prop sition," Bishop Oxnam told a MOTIO PICTURE DAILY representative. "I a using radio to reach the 323,000 mer bers of 1,500 M.E. churches Nebraska and Iowa. For that reas we are paying for time on the ai The contract for 26 weeks was plac direct.

Bock Heads NBC's Western Divisio

HOLLYWOOD, Feb. 17.—Harold Bock, for three years manager of t NBC Hollywood press departme today was appointed press manager f the NBC western division by Don Gilman, vice-president in charge of t division. Bock will continue to ma his headquarters in Hollywood a will replace Loyd E. Yoder, who r cently became manager of KOP-KG NBC outlets in San Francisco.

Bock, who joined NBC in 1933 head of the San Francisco news b reau, is not yet 30. He is the n work's youngest division executive

Omaha Stations-Union Sign

OMAHA, Feb. 17.—D. J. Dunlop Chicago, Association of Broadcast Technicians, business agent, s agreements have been reached betw technicians and owners of KMA a KFNF, both in Shenandoah, Ia. Du lop and Ray McGrath, Omaha torney, have been handling negot tions for A.B.T. members at vari stations in the Omaha area.

The agreements call for starting of $25 per week for technicians, creasing yearly to a top of $35 a w for five-year men. Supervisors be guaranteed starting pay of $47 a week to a top of $60 for a five-y man.

The agreements also include hour, six-day week; paid vacati and dismissal notices. When for contracts are signed they will be fective as of Feb. 1, Dunlop said.

Close Deal for Omaha Music

OMAHA, Feb. 17.—Central St Broadcasting System has selected studio orchestras under a cont which will total $13,000 a year w the Omaha musicians' union.

Madge West will head a four-p studio group for KOIL, Omaha, Irma Perry Cartright and Milan L bert will direct an eight-piece orc tra for KFAB and KFOR, Lincol

New Sponsors for "Grandstan

New "Grandstand and Bandsta sponsors on WMCA are New Skin Act Four and Man O'War Publis Co. for Act Nine. The former is three and the latter for four week

"Hatterfields" Goes to WMC

"Mad Hatterfields," script sh will change time and station begin next Monday, when it will be h over WMCA, from 3:15 to 3:30

This is "Herald Day"

Agitating for Law

Broadcasters are warned that monopoly would bring Government action

Public opposes political censorship of radio, poll shows

Chicago civic groups say petition to bar double features represents 50,000 homes

Labor Reaches Out

IATSE battles Guild for control of talent

Unions seek 100,000 new members among performers

Musicians carry fight for jobs to Hollywood

Around the World

London—Films Bill goes to floor of Commons

Buenos Aires—Tax exemption proposed for theatres playing domestic product

Mexico City—Extension of federal film control is asked by legislators

Sydney—Bill calls for 15 per cent film cancellation privilege and restrictions to prevent overseating

Amsterdam—Six out of ten best liked pictures are from America

Copenhagen—Minister of Justice demands curtailment of film imports

Jerusalem—Increased customs fees are blamed as factor in retarded recovery

All covered in

MOTION PICTURE HERALD

Rockefeller Center, New York City

Net paid circulation this issue 16,547

A TIP-OFF ABOUT TICKET-SELLING!

Word of mouth is the greatest factor in the success of many great motion pictures. We urge showmen to exploit "OF HUMAN HEARTS" by holding local previews and publishing *advance* comments. Below is one of the ads of the Capitol, N.Y., in a campaign of publicity and advertising which made the film the talk of the town before it even opened!

A Tip-off about "OF HUMAN HEARTS"

M-G-M's Prize Radio Title for 'Benefits Forgot'

WINCHELL
—Mirror

"'OF HUMAN HEARTS' destined for listing among the finer films!"

SOBOL
—Journal-American

"Enthusiastic reports reach here that Metro's 'OF HUMAN HEARTS,' will be one of the outstanding classics of the season!"

SKOLSKY
—Mirror
(From Hollywood)

"'OF HUMAN HEARTS' is a triumph."

ROSS
—World-Telegram

"By Way of Compliments: Walter Huston's performance in 'OF HUMAN HEARTS'!"

FIDLER
—Radio

"By all means see this melodrama!"

Every once in a while a picture plays on Broadway and leaves before the general public learns of its greatness.

•

It is gratifying that already, before it has even opened, "OF HUMAN HEARTS" has won the widest advance word-of-mouth praise of any picture within recent years. And justly so! Not since "Captains Courageous" has there been such a drama of love, laughter, humanity!

You'll thank us for this tip-off!

Starts TODAY

DOORS OPEN 9:45 A. M. (Except Sunday)

CAPITOL

Broadway & 51st St. • *Major Edward Bowes, Managing Director*

CLARENCE BROWN'S Production with

WALTER HUSTON • JAMES STEWART • BEULAH BONDI • GUY KIBBEE • CHAS. COBURN • JOHN CARRADINE • ANN RUTHERFORD

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. 43. NO. 41 NEW YORK, SATURDAY, FEBRUARY 19, 1938 TEN CENTS

rade Roused y Stanley's uota Plans

chibitors Disturbed by Triple Quota Scheme

By AUBREY FLANAGAN

ondon, Feb. 18.—Widespread trade ussion has been aroused here by amendments to the Films Bill ch Oliver Stanley, president of the rd of Trade, plans to introduce n the bill reaches its third read- in the House of Commons on sday.

ne amendment would reduce to 000 the minimum cost of those s which may be counted as eligible er the proposed reciprocity clause, the other would permit films cost- £30,000 to be counted as triple in ation for the distributor quota.

nofficially, exhibitors are considbly disturbed over the triple quota , which will tend to reduce the ber of films available under the ta, and thus lead to a possible tage of product for exhibitors.

rave concern was expressed in a

(Continued on page 3)

on Lee Bid on NBC Studio Is Still Open

ouis Allen Weiss, manager of the Lee network in California, now on business following attendance he N.A.B. convention in Washing- yesterday informed Motion Pic- e Daily that his offer to purchase NBC studios in Hollywood, made it eight months ago, is still open, subject to revision.

The NBC studios are now almost ar nearer obsolescence than when ade the original offer," he said, therefore my bid will be lower. vever, Don Lee still desires the ios and, if NBC wants to sell, we purchase."

Additional developments in radio yesterday on page 4.

Team Split Up

Stoopnagle and Budd, after long and successful partership in vaudeville and radio, have decided to break up he team, and henceforth will vork individually. Hess & McCaffery will continue to handle hem.

RKO Creditor Groups Again To Ask Delay

Agreement Upon Changes In Plan Is Sought

An application for another postponement of Federal court hearings on the RKO reorganization plan is expected when company creditors go before Judge William Bondy for the scheduled hearing on Feb. 28, it was learned yesterday.

The new postponement, however, probably will be sought for a brief period only, instead of the four to six-weeks adjournments which have been obtained heretofore. Because the new delay will be sought to permit the creditors only enough additional time to determine whether agreements on amendments to the plan calculated to speed reorganization of the company are possible, the further postponement probably will not be refused.

RKO's principal creditor groups have been conferring for several weeks on various proposals for amending the company's reorganiza-

(Continued on page 2)

Cohen Has No Film Problems, He Says

No new production problems will be talked or even thought about during Emanuel Cohen's projected two-month vacation if his present plans are not disrupted, the producer said yesterday.

Asked what he would do on his return, Cohen said: "That's a long way off. I think I've earned a vacation and that's all I'm considering."

He will leave with Mrs. Cohen at the end of next week for the Mediterranean, Paris and London.

Penn Newsreel Sets First Circuit House

The fourth newsreel theatre operating company in New York will make its bow with the Penn Newsreel Theatre at 219 W. 34th St., opposite the Penn Station. Construction is scheduled to start next week and opening is set for early in May. The house will seat 500 and cost an estimated $150,000 to complete.

The principals interested in this house are negotiating for two other locations in the city and are planning five newsreel houses in other cities. The principals are William Klein, attorney; Stanley Heller, broker, and Joseph Steiner, former distribution

(Continued on page 3)

Censor Rebuked

London, Feb. 18.—The British censor board today received a sharp rebuke when the County Councils of London, Essex, Middlesex and Surrey accorded "Snow White and the Seven Dwarfs" a "universal" rating, thus permitting children to see it without restriction of any kind.

The censor board had placed the film in the "A" classification, permitting children to see the Disney cartoon feature only when accompanied by adults.

Hearing Upon North Dakota Stay March 1

Minneapolis, Feb. 18.—A hearing on Paramount's petitions for temporary injunctions to restrain North Dakota officials from enforcing the state affiliated theatre "divorce" law after March 15, will be held in Fargo March 1.

The hearing date was set here today with the designation of the personnel of the three-judge Federal statutory court which will decide both the injunction petitions and the Paramount action to have the state theatre divorcement law declared unconstitutional.

The personnel of the statutory court consists of U. S. Circuit Judges Arthur B. Sanborn and Seth Thomas, and U. S. District Judge George F. Sulivan. The court's decision on the granting of a temporary injunction against enforcement of the law after

(Continued on page 3)

"Hurricane" Takes $238,500 on B'way

With $130,500 marked up by "The Hurricane" during its five-week run at the Rivoli, which ended last night, and including $108,000 garnered in its eight weeks at the Astor, a total gross of $238,500 was done by the picture during its 13 weeks on Broadway.

The Rivoli had one of its most profitable engagements with "The Hurricane," despite the long Astor roadshow which drew 200,000 patrons. The takes for the five weeks at the Rivoli, consecutively, were $35,000, $28,000, $26,000, $21,500 and $20,000.

"Gold Is Where You Find It" did $28,000 in its first stanza at the Strand.

Financing for GN Hinges on Goldstone Aid

Bernstein Brothers Also Factors in Deal

Financing will be forthcoming for Grand National if a deal now in negotiation is consummated, it was said yesterday by Ira Greene, head of Continental Film Industries, a financing company.

Completion of the deal hinges on the participation of Phil Goldstone to the extent of $250,000 and an investment of $500,000 by Arnold and Robert M. Bernstein, sons of David Bernstein, vice-president and treasurer of Loew's, Greene said.

The negotiations are being carried on by Edward L. Alperson, G. N. president, in Hollywood. Greene said his company, indirectly, is ready to make an investment on his behalf provided the balance of the aggregate $1,000,000 is forthcoming from the other sources.

Those making the investment will become directors of the company, and the deal, as far as the head of Continental is concerned, is contingent on Goldstone becoming production head, with Alperson remaining east to take charge of distribution, Greene said. Under that setup, Edward Peskay, vice-president in charge of distribution, would work with Alperson.

Greene said that once the current deal goes through, and the company is rehabilitated, additional financing

(Continued on page 3)

Footage Tax Bill Backers Are Busy

Albany, Feb. 18.—With Governor Lehman's budget approved, taxation measures to raise $385,000,000 will probably be rushed to order of passage within a few days. It is understood a move to substitute the Moran five mills per foot on original or copies of film to be licensed will be made when the four-cent gas tax bill comes on the floor of the Assembly, but its defeat is confidently expected.

Opponents claim taxation bills will

(Continued on page 2)

No Paper Tuesday

***Motion Picture Daily* will not be published Tuesday, Washington's Birthday.**

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Kennedy Quits Post

WASHINGTON, Feb. 18.—President Roosevelt today accepted "with regret" the resignation of Joseph P. Kennedy as chairman of the Maritime Commission, but expressed gratification that Kennedy is continuing in the Government service as Ambassador to England.

To Honor L. B. Mayer

HOLLYWOOD, Feb. 18.—Louis B. Mayer, retiring president of the Producers' Association, will be honored by members at a testimonial dinner at the Hotel Biltmore next Thursday night. The affair will be broadcast over an NBC network.

Nate Blumberg on Coast

HOLLYWOOD, Feb. 18.—Nate Blumberg arrived here today on Universal business. It is his first visit since his election to the presidency of the company. He is staying at the home of J. Cheever Cowdin.

Bergen Opens Tuesday

Maurice Fleischman's Bergen Theatre at Bergen & Glenwood Aves., Jersey City, is scheduled for opening on Tuesday.

RKO Creditor Groups Again To Ask Delay

(Continued from page 1)

tion plan with a view to making reorganization feasible within the next three to six months, but have reached no conclusive decisions yet. Moreover, from present indications, the probability is that the creditor groups will not have fully explored either all of the desired amendments or the possibility of reaching an agreement among themselves on the essential ones by Feb. 28.

Deliberations on possible management changes within RKO which have been continuing without interruption for the past three weeks were still in an indecisive status yesterday. While it was reasonable to believe that the deliberations might have been concluded at any time within the past 10 days, and continues so, such proposals as are being made from day to day remain of a tentative nature and are revised repeatedly. Final decisions, therefore, have been held in abeyance, due largely to the aim of Irving Trust Co., RKO trustee, to effect whatever changes it believes to be essential without disrupting company administration in any vital respect, particularly in view of the fact that the trustee's responsibility may be terminated within a comparatively short time in the event RKO creditors succeed in arriving at an agreement on plan amendments which would hasten the company's reorganization.

Footage Tax Bill Backers Are Busy

(Continued from page 1)

be passed in accordance with recommendations of Governor Lehman and point to the fact that annual revenue from the impost on film already amounts to more than $300,000.

Senator George Rogers, Monroe County, has a bill allowing children over eight and under 16 admission into theatres where matrons are employed. If his bill is reported out of the Codes Committee in preference to the Ehrlich bill which met success in the lower chamber, Rogers is prepared to substitute the Assembly bill to facilitate passage there.

Boston 'Met' Tries Duals

BOSTON, Feb. 18.—Stage shows left the Metropolitan Wednesday. Double features went in Thursday. Prices dropped to 25 cents until 1 P.M., 35 cents until 5 P.M., and 55 cents until closing. They were formerly 35 cents, 50 cents and 65 cents. "The Big Broadcast of 1938" and "Scandal Street" were picked to start the new policy.

Big Booking for Serial

A record booking for a serial in the metropolitan area was given by Loew's yesterday to "The Lone Ranger," which will play in 60 of the circuit's houses. The serial will play with the regular shows in all situations. The first episode is holding a second week at the Criterion, along with the rest of the bill.

Say Fleischer Plans Feature Production

MIAMI, Feb. 18.—Fleischer Studios, Inc., are reported planning to double the size of the studios to be erected here. Local attorneys for Fleischer interests said they had received a telegram from the cartoon producer saying that his company had completed arrangements with Paramount Pictures, Inc., to make a feature-length color cartoon here which would necessitate alteration of buildings so that a staff twice as large as originally contemplated could be cared for. Start of Fleischer production here has been set for September.

Hoblitzelle Takes San Antonio House

DALLAS, Feb. 18.—Karl Hoblitzelle, circuit head, said today that he had taken title to the 14-story Majestic Theatre Building at San Antonio in the name of the Hoblitzelle Corp., Dallas. The consideration named was $792,000. The deal was described as a reorganization of the finances of the building company.

In addition to housing the Majestic Theatre there are a number of offices in the structure and penthouses. The building was erected in 1929.

Chicago Starts Work On Double Bill Ban

CHICAGO, Feb. 18.—Drafting of an ordinance to bar dual bills here has been started and it will be ready for introduction March 2.

The decision to go ahead followed a ruling by Corporation Counsel Barnet Hodes that the city had the power to regulate dual exhibition as a health problem.

Study No. Carolina Film

Educational is investigating the possibility of making a short dealing with the history, resources and attractions of the State of North Carolina, it was said yesterday by E. W. Hammons, president. The suggestion originated with state officials. T. R. Williams, treasurer of the company, has been conferring with state officials on the matter. He will stop off at Washington on his way back.

Novarro Resumes Tour

Ramon Novarro will resume a personal appearance tour on Feb. 22, when he will open for three days at the Paramount in Nashville. He will return to the coast March 20 to start work in Republic's "As You Are," on a star-producer basis.

Open Hub Para. Branch

BOSTON, Feb. 18.—The new Paramount exchange was opened today on the site of the former building on Berkeley street. Open house was held all afternoon. Buffet luncheon and screenings enlivened the proceedings.

"Polo" Opens at Miami

MIAMI BEACH, Feb. 18.—This town had one of its biggest openings last night, when Sonny Shepherd, Wometco Circuit manager, opened "The Adventures of Marco Polo" at the Lincoln, with a number of important personalities present.

◂ *Purely Personal*

HENRY DANZIGER of the Fi Board is in Lakewood, N. J., w MRS. DANZIGER where they are ce brating their 18th wedding anniv sary. They will return Wednesd

•

ARTHUR W. KELLY, vice-presid in charge of foreign distribution United Artists, arrived yesterday fr a two-week vacation at Nassau.

•

E. W. HAMMONS, president of E cational, left yesterday for Ashevi N. C., for a few days of golf. will return late next week.

•

EDWARD KAUFMAN is due in N York Monday to look over the n crop of plays and confer with RI executives.

•

L. STANLEY KAHN of *Screen Gu* and *Radio Guide* left for the coast night on an American Airlines pl

•

GRACE MOORE will leave tomorr on a concert tour. Work on her n film will not start until June.

•

STANLEY RAU's original, "Sr Gets In Your Eyes," has been quired by M-G-M.

•

JACK WHITE of Skouras Thea has returned to his desk after an ness of two weeks.

•

LELAND HAYWARD will leave to by TWA plane for the coast.

Murray Roth Dead

HOLLYWOOD, Feb. 18.—Murray Roth, writer and director who ret in 1936 due to ill health, died Thursday. He was 44 years old. is survived by his widow, Ruth, a son, Paul. Roth started as a c poser of popular songs and at var times worked at the old Fox stu here and the Vitaphone studios in York. He was the author of scenario of "The Lights of York," the first all-talking film.

Film Men on Queen Ma

Arriving on the *Queen Mary* Monday will be Soltan and La Vidor, Viennese film producers; Earl of Warwick, who is known Michael Brook in films and who i route to Hollywood; Betty Balf actress and wife of Jimmy Camp British music publisher, and M E. C. S. Black, managing directo London's Grosvenor House.

See No Monogram Sh

Directors of Monogram Pictures scheduled to be reelected at the c pany's annual meeting of stockhol to be held at the home office March 2. The annual election of ficers, to be held subsequently, wise is expected to bring about changes.

A.F.A. to Supply Sho

The American Federation of Ac has been designated to supply the tertainment at the American Fed tion of Labor Union Label and dustrial Exhibition at the Music in Cincinnati, May 16-21.

rade Roused y Stanley's)uota Plans

(*Continued from page* 1)

orandum signed by Charles P. .lfe, who will retire as president ıe Cinematograph Exhibitors' As- tion next month, and Ken Nyman, will succeed him as president. pointed out the privileges ex- ed to the distributors exclusively, foresaw the advantages accruing American companies. They ex- sed belief that small producers d be eliminated, that there would sharp reduction in the total num- of British films, and that whole- exhibitor defaults would result. ıe Films Bill, as it now stands, characterized as an unworkable , and members of Parliament asked to vote against the Stan- amendment.

N. Finance Hinges On Goldstone Aid

(*Continued from page* 1)

ld be forthcoming from New k sources, should the company it.

eanwhile, it was learned yesterday Alperson, and G. N. executives his behalf, are attempting to line majority of the creditors in favor Alperson as trustee in event the eral court in Los Angeles on ıday decides to place the com- in 77B reorganization.

o Houses Transferred

wo theatres in the metropolitan here changed hands within the week. The Broadway, Wood- e, N. J., has been taken over by the Theatre Corp. The principals, n and Albert Margulies, operate Jayem Circuit. Ajax Theatres, Joseph Carbone, principal, has ıired the Navarre, Coney Island, ı Frank Worth. The new owners reopened both theatres.

Mercy Buys Theatre

EATTLE, Feb. 18.—Fred Mercy, Sr., purchased the Granada in Camas, shington, to be added to his circuit ıe smaller cities of the state. Ed- Mercy will manage the house n it reopens after renovation.

aster Renames Firm

OSTON, Feb. 18.—Morris Master renamed the Master Motion Pic- Bureau the Master Motion Pic- Co. He explains that the word reau" caused many to think the non-theatrical.

Lloyd Turel a Father

ETROIT, Feb. 18.—It's an eight ıd, ten ounce baby boy at the Lloyd els. He is general manager for I. J. London theatres. The new- er is his second son.

ay Moon in Hospital

ETROIT, Feb. 18.—Ray Moon gen- manager of Cooperative Theatres Michigan, is in Grace Hospital er observation, presumably suffer- from arthritis.

Hollywood Preview

"Love, Honor and Behave"

(*Warners*)

HOLLYWOOD, Feb. 18.—The first half of this film devoted to showing that Barbara O'Neill wants to be a good loser, that she is training her son to follow in the same ideal and that her husband, Thomas Mitchell, is a hard fighter determined never to lose at anything, all of which culminates in a pair of prohibition divorces, is neither very interesting nor entertaining. But when Wayne Morris grows up, still able to lose gracefully, and Priscilla Lane comes into the show, things pick up and the picture develops into a laughable story of domestic discord.

The modern-minded girl, first giving the Yale tennis player, Morris, a lesson in "pitching the woo" (collegiate for necking), marries him and sets about making a man of him. Not the least of the obstacles the girl has to overcome is the maternal interference. Yet when the partially disillusioned Morris learns from Mitchell that he's got to be a real man and do a little wife beating if necessary, Morris, who gets a pick and shovel job, beats up and tosses rival Dick Foran out of the house and then, as Mothers O'Neill and Mona Barrie, and Mitchell and Minor Watson look on, he gives Miss Lane a dose of caveman tactics in which she revels.

The screen play by Clements Ripley, Lou Edelman, Michel Jacoby and Lawrence Kimble, based on a story by Stephen Benet, is half inconsequentials and half breezy entertainment. Miss Lane, in addition to singing "Bei Mir Bist Du Schoen," has been given some clever dialogue and good characters have been created for Morris and, in the later reels, for Barbara O'Neill, Mona Barrie, Watson and Mitchell. When Stanley Logan takes the wraps off, his direction is shrewdly pointed. The growing popularity of Morris and Miss Lane should be influential in attracting attention to "Love, Honor and Behave."

Running time, 70 minutes. "A."

New York Preview

"Dawn Over Ireland"

(*William Alexander*)

This is said to be the first entirely native made production to come from Ireland. The story is an incident in the Rebellion of 1919. The material has been used before and has proven a box-office draw. The film needs plenty of selling to put it over due to the amateurish quality of the photography, the development of the story and more specifically the acting. The action drags.

Brian Malone at the time of the Rebellion bears the stigma of his grandfather, who had been framed in the uprising of 1866 and had never been cleared. Malone is ousted from the secret Republican Army and in disgust joins the Royal Irish Constabulary against the Republicans. This is hard to bear, and ultimately he sets himself right with the rebels when he attempts to warn them of an impending attack. He proves to be something in the nature of a hero by this act and is taken into the hearts of the other men. His brother, who is secretly the brigade intelligence officer responsible for the successful forays against the Black and Tans, is killed in an ambush shortly after the battle which concludes the film. Malone is reconciled with his fiancee, Eileen O'Donovan.

The picture was produced by Hibernia Film Studios and was directed by Tom Cooper, who also wrote the story and screenplay. An audience at the Belmont found it engrossing.

Running time, 90 minutes. "G."

Decker Back in Detroit

DETROIT, Feb. 18.—S. K. Decker, president of Monogram Pictures of Michigan, who has been in Hollywood for the last six weeks on a combined pleasure and business trip, has returned to Detroit.

With the return of William A. London from Florida, Alex Schreiber, his partner in the Associated Theatres circuit, has gone to Miami to remain the rest of the month. Mac Krim, of the Krim Circuit, who has been in Miami for several weeks, is expected to return next week.

Skirball Goes to Florida

CLEVELAND, Feb. 18.—WILLIAM N. SKIRBALL, convalescing from pneumonia, left today for Hollywood, Fla., accompanied by his brother, H. R. Skirball, and three sisters. Joe Lissauer, Skirball's assistant, will carry on during his absence.

Jessel Named Chairman

HOLLYWOOD, Feb. 18.—George Jessel has been named general chairman for the screen and radio stars' spring festival Feb. 28 to raise funds for the Mount Sinai Hospital.

Hearing Upon North Dakota Stay March 1

(*Continued from page* 1)

March 15, when it is slated to be placed in effect, is expected within a few days following the March 1 hearing. Trial of the action to prove the state law unconstitutional may get under way a few weeks later. The injunction, if granted, would prevent enforcement of the law against Paramount's subsidiaries, Minnesota and American Amusements companies, pending trial of the action.

Minnesota and American are the only companies operating affiliated theatres in North Dakota and, consequently, the only ones affected by the state law.

Penn Newsreel Sets First Circuit House

(*Continued from page* 1)

executive. A lease on the premises has been negotiated for 10 years by Penn Newsreel Theatre, Inc., from the Tishman Realty & Construction Co., which owns the site and will erect the structure.

There will be entrances on 34th and 35th Sts., with the main portion of the house on the 35th St. side. Roche & Roche are the architects. Steiner, who will supervise the operation, said yesterday that contracts have been signed for all newsreels, in addition to M-G-M, 20th Century-Fox and Universal shorts, and a deal for United Artists' Disney cartoons is in progress.

The other companies operating similar theatres here are Newsreel Theatres, Inc., Trans-Lux and the Grand Central Newsreel Theatre Corp.

Whitney Flies East

HOLLYWOOD, Feb. 18.—John Hay Whitney left here tonight by plane for New York.

Wall Street

Scattered Board Gains

	Open	High	Low	Close	Net Change
Col.	13¾	13¾	13¾	13¾	+ ¼
Cons.	1⅜	1⅜	1⅜	1⅜	+ ⅛
Cons. pfd...	6⅛	6⅛	5¼	5¼	— ¼
E. K.	156	156	156	156	+1¾
Loew	49⅜	49½	48½	48½	— ½
Para.	10¼	10¼	9⅞	9⅞	— ¼
Para. 1.....	89¼	89¼	89¼	89¼	+ ¼
Para. 2.....	10⅜	10⅜	10⅛	10⅛	— ¼
Pathe	6	6	6	6	.....
RKO	3¾	3¾	3¾	3¾	— ⅛
20th Fox ..	22	22	21¼	21½	.....
20th pfd. ..	30½	30½	30½	30½	+ ½
Univ. pfd.	45	45	45	45	+2
W. B	6⅛	6⅛	6	6	.....
W. B. pfd..	38	38¼	38	38¼	+ ¼

Little Curb Activity

	Open	High	Low	Close	Net Change
G. N.	⅝	⅝	⅝	⅝	.....
Sonotone ..	1⅞	1⅞	1⅞	1⅞	+ ⅛
Tech.	19½	19½	18	18½	— ⅝
Univ. Corp.	3	3	3	3	.....

Bonds Move Fractionally

	High	Low	Close	Net Change
Loew 3½s '46....	98¾	98¾	98¾	+ ½
Para. Pict. 6s '55	91⅝	91½	91½	— ¼
Para. Pict. '47....	74⅛	74⅛	74⅛	+ ⅛
W. B. 6s '39.....	71	70½	70½	— ½

(Quotations at close of Feb. 18)

▸ Radio Personals ◂

WILLIAM PAISLEY has been promoted from electrical transcription to music library supervisor at NBC, replacing Wallace Magill, recently resigned to manage Jascha Heifetz. Frank Heffer has taken over Paisley's duties. . . . Pat Kelly's new secretary at NBC is Ruth Smith. He is chief announcer. . . . Louis Allen Weiss and John Shepard III, of the Don Lee and Yankee networks, respectively, are visiting in New York, having come up from the N.A.B. convention in Washington. . . . William and Mrs. Paley left last night via T.W.A. for the coast.

+

Phil Lord has returned from a two-week stay in Miami . . . "Both Sides of the Microphone," a new book about radio, will be out March 3 . . . Benay Venuta will open at the Glass Hat tonight, and will be heard from there via WOR several times weekly . . . Ding, Dong and Dell, vocal trio, will do a guest shot with Will McCune's orchestra over CBS today . . . Warren William and Lotte Lehman will appear as guests with Crosby in the Kraft "Music Hall" Thursday . . . Graziella Parraga, now in Cuba, will return here March 1 to make her debut in radio . . . John Charles Thomas will introduce Peter de Rose's newest song, "I Heard a Forest Praying," on the April 24 Ford show.

Williamson of NBC Fizdale Associate

CHICAGO, Feb. 18.—Al Williamson, for nine years manager of the press department for NBC's central division, and recently assistant to the publisher of the Minneapolis *Star*, today joined the Tom Fizdale office as an associate.

Several New Deals at WNEW

New accounts at WNEW include La Comp Products, Inc., for "Make Believe Ballroom," 52 weeks; "The Voice of Chiropractic," 26 weeks, sponsored by Dr. William P. Schmaelk; Lightning Electric Co. "Skyways Reporter," 17 weeks, and Musebeck Shoe Co., 52 weeks featuring Ray Hamilton, organist.

Explanation

St. Louis, Feb. 18.—Because several hundred telephone callers demanded to know the purpose of a new German program on WEW, the station is making a brief announcement in English preceding each broadcast. The announcement follows: "The station broadcasts German programs to preserve the tradition of German music and of German song, and to show the beauty and purity of the German language as it should be spoken. The station denies there is any affiliation whatsoever with any German political or any American political faction or party."

Two North Carolina Stations Dismantled

ALBEMARLE, N. C., Feb. 18.—Stanly County's broadcasting stations, which have been sending regular programs over the air, have been dismantled after a visit of Federal inspectors to this city.

Deputy U. S. Marshal Henry C. Stallings arrested W. H. Nichols and C. L. Weathersbee at Norwood, near here, on charges of operating a radio station without a permit. The men waived a hearing before the U. S. Commissioner and gave bonds of $500 each for appearance at the April term of Federal Court in Salisbury.

Two Albemarle stations, one operated by the First Presbyterian Church's Men's Bible Class and the other by the Rev. C. L. Pickler, were dismantled under the supervision of the marshal and no charges were preferred against the operators. It was said an effort would be made to obtain a permit for the church station to continue operation.

"Musical Gazette" to Start

Lyn Murray's "Musical Gazette," a new show, will make its air debut Sunday, Feb. 27, over WABC from 8:30 to 9:00 P. M. The program, which will seek to recreate the atmosphere of the city room of a large daily paper, will feature Murray, Barry Wood, Nan Wynn, "The Sob Sisters" and a male quartette.

Medal Award to Go on WOR

WOR will broadcast the presentation of a gold medal award for distinguished service to advertising sponsored by *Advertising and Selling* on Feb. 24. from the Waldorf-Astoria. The medal will be presented by Stuart Peabody, advertising director of the Borden Co., from 10:30 to 11 P. M.

Lee Signs Combs for Series

The Frank H. Lee Co. of Danbury, Conn., has engaged George H. Combs, Jr., WHN news commentator, for a new 13-week series of programs, starting Feb. 28. The period will be heard Mondays, Wednesdays and Fridays at 7:30 P. M. Birmingham, Castleman & Pierce placed the account.

MacMillan on Ford Hour

Sir Ernest MacMillan will succeed Fritz Reiner as conductor on the "Ford Sunday Evening Hour," beginning Feb. 27 and continuing for five concerts.

Fletcher & Ellis to Change Name

Fletcher & Ellis, advertising agency, will change its corporate name, to Sherman K. Ellis & Co., Inc., effective March 1. No changes in personnel, officers or directors are involved.

Edgar Jacobs Joins WNEW

Edgar Jacobs, formerly night production manager at WFBL, Syracuse, has joined the staff of WNEW. Previously Jacobs was with WTIC, Hartford, and with the Yankee Network in Boston.

Marney Renews for 52 Weeks

LOS ANGELES, Feb. 18.—Marney Food Co., has renewed its "Marco Juvenile Revue" on KNX for a second 52-week period. The I. F. Wallin & Staff Co. placed the business.

Jessel to Air Credit For Authors on Show

HOLLYWOOD, Feb. 18.—Full credit for writers will be given starting March 28 on the programs which George Jessel produces on Sundays over the Mutual network. Jessel today stated that he will announce the names of the writers who prepare his material and added that he has started a move to extend the practice to other air shows.

"It is my suggestion," said the comedian, "that credit be given the men who write material for shows so that, should the program be off the air or should they be dismissed or be taken ill, at least their names will continue to be known and this fact will help them subsequently to get another job. As it stands now, nobody except a few insiders knows them."

CIO Unit to Reach Workers Via Radio

The United Office and Professional Workers, C.I.O. affiliate which has been attempting to organize "white collar" workers in radio, is using the air as a means of reaching the workers, starting yesterday, when the New York chapter began a series on WEVD at 10:30 P. M., to be heard each Friday at the same time.

The series will consist of dramatic skits and interviews. Among those who will appear in the series, according to a brochure, are Senator Wagner, Rockwell Kent, Jacob Ben Ami, Senator Ernest Lundeen, Congressman Henry Teigan, Clifford Odets, Orson Welles and others.

Frank Zwigart Back on Job

CINCINNATI, Feb. 18.—Frank Zwigart, known to WCKY listeners as Rex Davis, sports announcer, who underwent two major operations, again is back on the job, although not completely recovered. He is doing limited announcing from the Netherland Plaza studios for the present.

Oneida Has New Disc Shows

Oneida, Ltd., will sponsor a new series of morning shows, electrically transcribed, over WEAF, starting April 7. The programs will be offered Thursdays from 8:45 to 9 P. M., and will be titled "Silver Serenade." Batten, Barton, Durstine & Osborn is the agency.

Set New Music Program

Works of living Americans will be broadcast by the League of Composers on Feb. 21 and Feb. 28, over the WABC-CBS network from 3 to 3:45 P. M. Marion Bauer will be the commentator for the first program, and Aaron Copland will officiate at the second.

Brewster Morgan Back at CBS

Brewster Morgan, producer of last year's Columbia Shakespeare Cycle, has returned to the CBS staff as producer and director after completing a six-month writing assignment for M-G-M.

Burridge Butler Goes West

CHICAGO, Feb. 18.—Burridge Butler, owner of WLS and KOY in Phoenix, Ariz., has left for the coast. He plans to spend the rest of the winter there and a part of his time in Phoenix.

Around the Country

Albany

Local stations apparently will n
the Notre Dame-Colgate baske
game in the State Armory here
26, although many sponsors would
to arrange it. The time canno
cleared, it is said. . . . Leah Ka
winner of several local amateur
tests and heard in this territory
past two years over WGY
WOKO, will be piped over W
from the Waldorf-Astoria H
where she is singing with Ray K
ing's band. . . . George Nelson
Lehighton & Nelson advert
agency, Schenectady, is up and ar
again after falling prey to la gr
. . . Harold Smith, boss of WC
and WABY, is still enjoying
Florida sun.

+

Chicago

Clark Dennis, tenor on the Fi
McGee show, is making a pers
appearance at the State-Lake. .
WIND will broadcast the "stor
Industry" in cooperation with C
. . . Don McNeill, Jack Baker
Annette King will make a pers
appearance in St. Petersburg,
for the Chamber of Commerce t
next week. . . . Frank Hicks, N
engineer, is vacationing in Califo
. . . Valentine Sherman of WBBI
now the manager of a male sin
mouse.

+

San Francisco

Eddie Garrigan, *Call-Bulletin* b
ball writer, has started a serie
Sunday night "baseball roundups'
KGGC, summarizing weekend pro
semi-pro games, and interviewing
day's outstanding stars. . . . Ruth
ber, 13, contralto, was winner of K(
semi-annual amateur finals, polling
67,000 votes to win a round-trip f
to New York. . . . Don Allen's "H
wood Reporter" program will re
to KPO in March. . . . More
14,000 persons jammed the an
"style show" to see Charlie McCa
and Edgar Bergen, who drew $
for the one appearance.

Government Talks

**Richmond, Feb. 18. — Ar
rangements are being com
pleted for broadcasts b
WRTD, the Richmond *Time*
Dispatch station, concernin
matters in the Virginia Leg
islature and in Congres
"Know Your Governmer
Better" is the title of th
program, the first of whic
will be broadcast at 7:30 P.M
Feb. 24.**

**Dave E. Satterfield, Jr
member of Congress, an
Horace H. Edwards of th
Virginia House of Delegate
will be among the speaker
The airings will be sponsore
by the Clay Ward Democrati
Club.**

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MOTION PICTURE DAILY

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and
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43. NO. 42 NEW YORK, MONDAY, FEBRUARY 21, 1938 TEN CENTS

uns on B'way re Worrying ibsequents

kings Upset and Film Shortage Feared

ended engagements given recent at Broadway first runs are dis- g subsequent run operators be- of a possible shortage of prod- or neighborhood houses.

counting the assertion of the .A. that long runs on Broadway " the attractions and their draw erefore weakened in the neigh- ods, operators of major neigh- od circuits are viewing the ion from another standpoint. is that bookings are frequently ted and a shortage of features coming apparent, with the result outside deals have to be made small number of pictures.

ce last fall pictures have been on Broadway as long as busi- holds up. In the last week,

(Continued on page 4)

port Toscanini to onduct New Series

was reported over the weekend NBC has approached Arturo nini with a view toward obtain- is consent to broadcast another of concerts for NBC during the part of this year and carrying into 1939. According to the re- the maestro is receptive toward lea.

e second concert series, it is stood, will be longer than the nt one which will be concluded o weeks and which numbers 11 rts.

Mixed Allegiance

Last week an engineering legate of CBS in Chicago me here to persuade the ABC engineers to quit the merican Communications ssociation, C. I. O., to join e International Brother- od of Electrical Workers, F. of L. The Chicago engi- ers now belong to an inde- endent union, but have de- ded to join the I.B.E.W.

The Chicago delegate failed win his point.

During his stay here he sided at the Waldorf- storia, which is being pick- ed by the I.B.E.W.

February Key City Grosses Holding to a Steady Level

Key city grosses bounced downward with a thud following the New Year jump to $1,852,759, but began to show revival signs the third and fourth weeks of January. For the first week of February they tilted upwards to $1,593,065, but during Lincoln's Birthday week they slipped back to $1,519,866.

All these totals are better than the late November and early December totals and compare favorably with the October levels before managers and circuit heads began to talk dolefully about the effects of the recession.

The totals are based on the first run grosses of approximately 149 houses in 24 cities from which statistics are gathered regularly by MOTION PICTURE DAILY.

Since the sharp drop for the week ending Jan. 14-15, when the total went down to $1,482,955, with only 145 first run houses open, the totals have held over the $1,500,000 mark and the first run houses in operation have increased to 149.

These figures do not include the big grosses rolled up by the roadshow engagements of "In Old Chicago," and the full effects of the box-office stimulus of "The Buccaneer," "The Hurricane" and "Snow White and the Seven Dwarfs" are yet to be felt outside of New York.

(*Grosses tabulation on page 2.*)

Chinese Business Is Generally Weak

By J. P. KOEHLER

SHANGHAI, Feb. 2.—The exhibition situation in China has undergone little change in the past three months. Hongkong continues to do excellent business (this British territory being served from the Shanghai main offices, having branch exchanges located in Hongkong).

In Shanghai, holiday receipts have been normal, "full house" being usual. For the rest of China, little can be said in the way of encouragement. Tientsin foreign concessions continue to do fair business, but only about four or five theatres are operating and these with receipts well under average.

Tsingtao and Tsinan, the last to close, gave up when the Chinese retreated with the resultant disorders, but two British-owned theatres in Tsingtao may attempt to reopen now that the Japanese have taken control

(*Continued on page 6*)

English Firms May Produce in France

By PIERRE AUTRE

PARIS, Feb. 10.—The quality of some of the more recent French films, and their low production cost, which is less than $100,000, has attracted the attention of British producers, who cannot make a comparable film in their own country for less than $200,000.

British Unity Pictures has started a movement to produce British talking films in French studios. The company, formed in England early last year, has transferred its activities to France, where it plans to produce films in both French and English versions.

Jersey Allied Not For "Divorce" Bill

Allied of New Jersey will not support a theatre divorcement bill reported planned for introduction in this session of the New Jersey legislature. Irving Dollinger, president, said over the weekend. It has been reported that a well known state senator is planning to sponsor such legislation, but Dollinger indicated that it will have no exhibitor backing.

If the North Dakota theatre divorcement law is upheld, and "at the right time," Allied of N. J. might get behind such legislation in that state. Dollinger said. Two members of Allied have pooling arrangements with the Warner circuit.

Dollinger is a member of New Jersey Allied's legislative committee which is watching developments at Trenton. The other members are Sidney Samuelson and Lee Newbury

Monogram 11-Month Deficit Is $239,076

Monogram Pictures on Saturday reported a net loss of $239,076 up to Dec. 31. The report covers 11 months of operation from the reestablishment of the company on Feb. 1, 1937, and includes organizing costs which were offset only by the picture releases beginning in July.

Organization, administration and selling expenses amounted to $299.355 Gross profit for the period was $60,279. Total current working assets after film amortization amounted to $1.145.195. Current liabilities are $332.095.

The company reports that the bulk of film rentals on pictures produced during 1937 will accrue during the current year.

Opposition to Duals Spreads Among PTA's

Milwaukee Unit Seeking Support for Drive

The opposition of parent-teacher groups to the showing of double feature programs, which reached a point of specific action in Chicago recently, is spreading to other parts of the country.

In Milwaukee the parent-teacher organization has been holding meetings to solicit support in a campaign to eliminate double bills from local theatres there. Although the Milwaukee movement has not been widely publicized as yet, it is known that the organization is attempting to obtain the aid of the health and other city officials, while reports indicate that several aldermen who have been approached on the matter of introducing an ordinance to ban duals have expressed a willingness to sponsor such a measure.

Several newspaper polls taken in Milwaukee have shown a strong desire for single bills on the part of the public, while exhibitors are divided. Independents are expected to support the organization move to end duals, while it is anticipated that the circuits will oppose it.

In New York the United Parents' Association, which represents 100,000 parents, is considering the initiation

(*Continued on page 7*)

Golden Sees Danger In Dual Ban Fights

Warning that the adoption of city ordinances to prohibit the showing of double features on the ground that they are injurious to health will open the door to limitless regulation of theatre operation, Edward Golden, Monogram Pictures sales manager, charged Saturday that this newest form of anti-duals agitation was either inspired by or had the support of elements within the industry.

The moves to prohibit duals by means of city health ordinances were initiated in Chicago and Milwaukee by parent-teacher groups.

"These well-intentioned women,"

(*Continued on page 7*)

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Washington's Birthday.**

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Fr. Ahearn Ampa Guest

Rev. Michael J. Ahern, S. J., narrator of "Monastery," will be the guest of honor Thursday at the regular Ampa meeting. Rabbi Jonah B. Wise and Dr. Everett R. Clinchy will also be present to speak on "The Church and Motion Pictures."

Rename 'Rights Reserved'

HOLLYWOOD, Feb. 20.—"Four's a Crowd" is the title selected for the Erroll Flynn vehicle formerly called "All Rights Reserved."

MITCHELL MAY, Jr.
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•
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in requirements of the
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February Key City Grosses Holding to a Steady Level

Estimated takings for the latest available periods:

	Week Ending Feb. 4-5		Week Ending Feb. 11-12	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	7	$103,100	7	$97,500
Buffalo	5	53,900	5	48,900
Chicago	8	139,400	8	130,600
Cincinnati	8	64,300	8	59,050
Cleveland	5	60,000	5	56,300
Denver	7	36,700	7	44,500
Detroit	6	76,400	6	74,100
Houston	4	25,500	4	26,200
Indianapolis	5	36,300	5	29,600
Kansas City	5	44,000	5	47,200
Los Angeles	11	136,180	11	112,851
Milwaukee	5	30,200	7	35,300
Minneapolis	5	27,000	5	24,400
Montreal	5	42,000	5	38,000
New Haven	4	21,800	4	23,100
New York	9	284,885	9	285,465
Oklahoma City	5	22,600	5	20,000
Omaha	3	30,750	3	22,500
Philadelphia	9	95,500	9	72,950
Pittsburgh	5	61,500	5	69,550
San Francisco	9	84,700	9	88,200
St. Paul	4	15,000	4	13,000
Seattle	7	39,250	7	36,600
Washington	6	62,100	6	64,000
	147	$1,593,065	149	$1,519,866

Key city grosses up to the week ending Feb. 11-12:

Week Ending	*No. Theatres*	*Gross*
Sept. 3- 4, 1937	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974
Nov. 26-27	138	1,419,301
Dec. 3- 4	136	1,612,773
Dec. 10-11	137	1,300,818
Dec. 17-18	137	1,193,642
Dec. 24-25	136	1,076,657
Dec. 31-Jan. 1, 1938	136	1,597,409
Jan. 7- 8	150	1,852,759
Jan. 14-15	145	1,482,955
Jan. 21-22	149	1,535,087
Jan. 28-29	147	1,528,720
Feb. 4- 5	147	1,593,065
Feb. 11-12	149	1,519,866

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Asks Censoring of Reels

TOPEKA, Kan., Senator Ed T. Hackney of Sumner County has introduced a bill which would permit the State Board of Review to bar pictures of sweepstakes and sweepstakes' winners from newsreels. At present the censorship law of Kansas specifically exempts newsreels from the jurisdiction of censors. The bill has been referred to committee.

M-G-M Signs 5 Pacts

HOLLYWOOD, Feb. 20.—M-G-M has signed new contracts with the following:

Kenneth Warren and Reide Sawyer, junior writers; Guy Kibbee and Gene Reynolds, players, and Dr. William Axt, music composer.

Loew School Paper Out

A four-page monthly publication called *Students' Screen Forecast* was launched by the Loew circuit over the weekend. It is published by the circuit's school department and will be circulated in the junior high schools, high schools and parochial schools in the five boroughs. The paper is devoted to news of coming pictures and is designed to appeal to students, teachers and parents. Oscar A. Doob is editor and Ernest Emerling associate editor. The advisory board includes Mrs. James F. Looram, film chairman of the International Federation of Catholic Alumnae; A. M. Bush, president of the Parent-Teachers' Association of Samuel Tilden High School, A. L. Simon and Raymond Jacobson.

Purely Personal

STANLEY S. NEAL, manag
director of Caravel Distribu
Corp., has left on a trip thro
Pennsylvania, in connection with
company's first production, "
Meets Dog."

•

ARTHUR HOUGHTON, formerly
the Hollywood Production Code
ministration staff, sails for Lo
Wednesday on the *Manhattan*
member of JOSEPH P. KENNE
party.

•

DOMINIC BARRECA, Loew dis
manager, has left the Lutheran
pital after a long illness and is
recuperating at his home in W
side.

•

JOHN W. HICKS, JR., Param
foreign head, sails tomorrow o
three-month trip to South Am
and Europe.

•

CHARLES E. FORD will leave
Hollywood tomorrow with MOE
GEL to begin a production assign
at Republic.

•

BETTY BALFOUR, the Earl of
wick and ZOLTAN and LASZLO V
Austrian producers, will arrive t
on the *Queen Mary*.

•

ED SAULPAUGH, formerly stage
rector for Max Gordon, Inc.,
joined the sales convention de
ment of the Jam Handy organiza

•

JOHN HAY WHITNEY arrived
the coast by plane on Saturday.
plans to return to Hollywood w
a few days.

•

WILLIAM J. CLARK, head of s
subjects and news sales for 20th
tury-Fox, will return today fro
field trip.

•

MAX REICHMANN, European d
tor, has arrived on the coast, w
he will make his home permane

•

AL ELLNER, assistant manage
the Hollywood, is the father of a

•

. . . Indianapolis

MAX PAGE, former owner of
Strand, is the new manager of
Tacoma and will book pictures fo
Garfield. The two houses are of
Tamler circuit.

A. E. CAMPBELL has acquired
Lido, Negro neighborhood house

•

. . . Seattle

JOAN DAVIS is visiting rela
here.

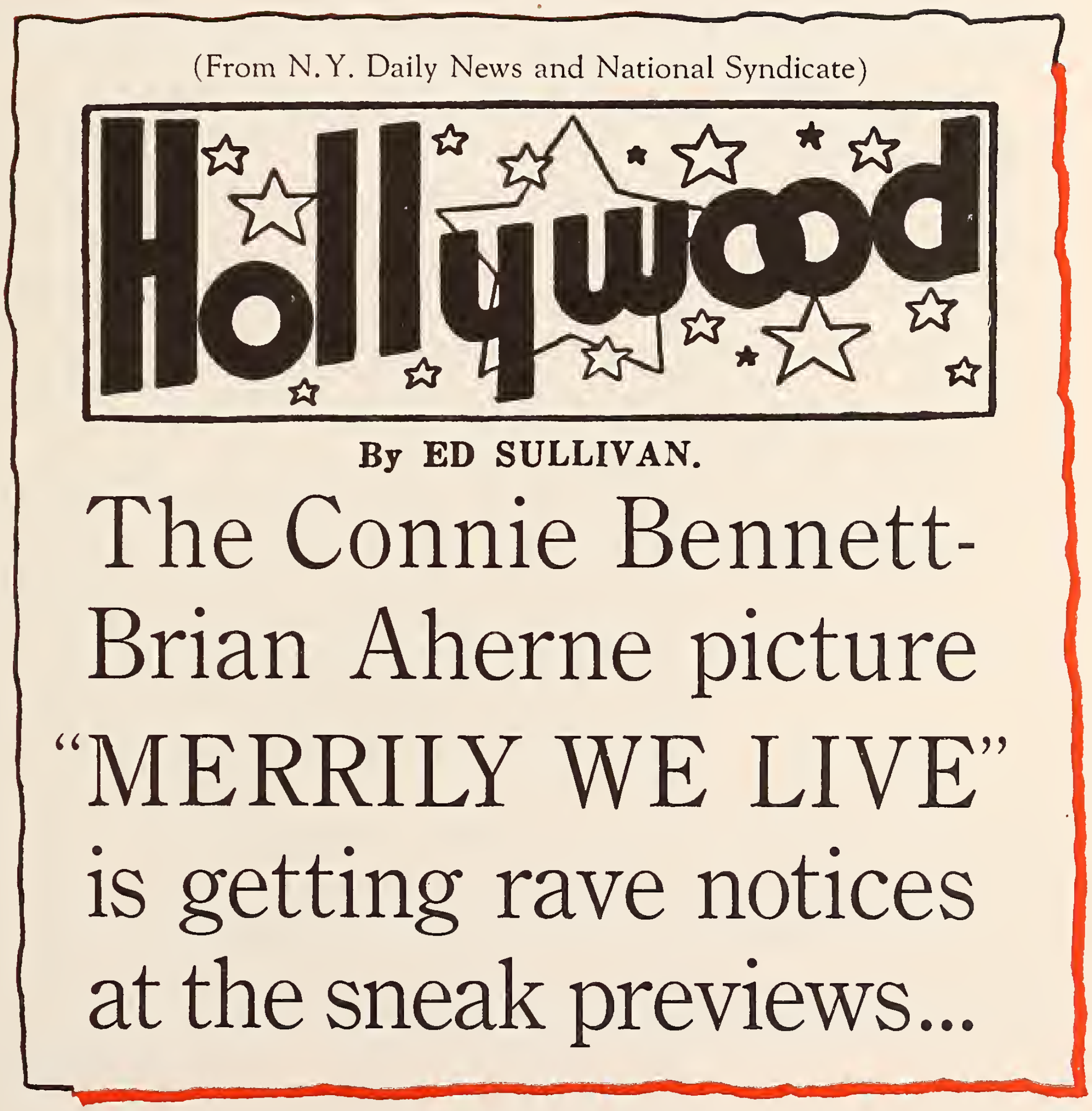
VERONICA MILLER, formerly
the Universal exchange in San F
cisco, has arrived here to become
retary to L. J. McGINLEY,
branch manager.

SAMMY SIEGEL, formerly adve
ing and publicity man for Ham
circuit, here ahead of "Adventur
Tom Sawyer" and renewing fr
ships at the Film Club.

LES THEUERKAUF of Unive
Portland branch office working o
the local exchange for a short
He formerly covered the we
Washington territory.

arts
with
a
rumor
and

GROWS!
GROWS!
GROWS!



(From N.Y. Daily News and National Syndicate)

Hollywood

By ED SULLIVAN.

The Connie Bennett-Brian Aherne picture "MERRILY WE LIVE" is getting rave notices at the sneak previews...

"That's how box-office sensations are born!"

(it's the Hal Roach-M-G-M topper to "Topper"!)

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F. H. RICHARDSON'S BLUEBOOK OF PROJECTION

The sixth edition of F. H. Richardson's Bluebook is now in its second printing, for which it has been extensively revised. In addition to revisions in text, it contains a supplementary chapter devoted to developments which have become important in projection room technique and servicing methods since the first printing.

The revised edition includes 736 pages of up-to-the-minute text, charts and data with detailed description of assembly, wiring and functioning of all modern sound and projection apparatus. It is a practical "trouble shooter," cross indexed for immediate reference in any projection room emergency.

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"Hurricane" Top in Third Denver Week

DENVER, Feb. 20.—"The Hurricane" demonstrated remarkable staying powers at the Rialto by pulling $4,000 after previously having played a week each at the Denver and the Aladdin. Normal for the house is $1,750. The other half of the dual bill was "Change of Heart."

"Boy of the Streets," on a dual with "Charlie Chan at Monte Carlo," was outstanding with a take of $5,000 at the Paramount. This was $1,000 above par. "In Old Chicago" pulled an excellent $3,500 at the Broadway, and "Happy Landing" held up well with $4,000 at the Aladdin after a week at the Denver.

Cold weather clipped grosses slightly at the end of the week.

Total first run business was $38,500. Average is $33,250.

Estimated takings for the week ending Feb. 17:

"HAPPY LANDING" (20th-Fox)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver. **Gross:** $4,000. (Average, $3,500)

"IN OLD CHICAGO" (20th-Fox)
BROADWAY—(1,500), 50c-$1.50, 7 days. **Gross:** $3,500. (Average, $2,500)

"THE BUCCANEER" (Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,500)

"YOU'RE A SWEETHEART" (Univ.)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $8,500. (Average, $8,500)

"OF HUMAN HEARTS" (M-G-M)
"PARADISE FOR THREE" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $7,500. (Average, $7,500)

"BOY OF THE STREETS" (Monogram)
"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
PARAMOUNT—(2,096), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"THE HURRICANE" (U.A.)
"CHANGE OF HEART" (20th-Fox)
RIALTO—(878), 25c-40c, 7 days. "The Hurricane" had had a week each at the Denver and Aladdin. **Gross:** $4,000. (Average, $1,750)

Fight "China" Film Ban

VANCOUVER, B. C., Feb. 20.—A crowd of more than 3,000 in the Orpheum Theatre registered a protest against the censor ban on "China Strikes Back," which had been scheduled for showing at the meeting.

Led by A. M. Stephen, president of the Canadian League for Peace and Democracy, Vancouver branch, under whose auspices the meeting was held, the crowd passed a resolution asking for an investigation into amount of influence brought to bear on the censors by foreign consulates.

May Syndicate "Snooks"

HOLLYWOOD, Feb. 20. — "Baby Snooks," as created by Fanny Brice on M-G-M's Maxwell House coffee radio program and in the picture, "Everybody Sing," may become the subject of a syndicated newspaper cartoon strip. Robert Allan, cartoonist, is negotiating a deal with Miss Brice and M-G-M.

McShane to Brattleboro

BOSTON, Feb. 20.—Frank McShane is now manager of the Paramount in Brattleboro, Vt. The house is operated by Western Massachusetts Theatres, Inc. McShane formerly managed the Strand in Dorchester for M. & P.

Four for Four

"How is business?" a reporter asked a New York manager yesterday shortly after his theatre opened for the day.

"I've got a four-star picture and four patrons in the house, one for each star," came the reply.

Runs on B'way Are Worrying Subsequents

(Continued from page 1)

"Every Day's a Holiday" finished three weeks at the Paramount; "Hurricane" completed a five-week stretch at the Rivoli; "Happy Landing" finished four weeks at the Roxy; "The Bad Man of Brimstone" ended two weeks at the Capitol, while "Snow White and the Seven Dwarfs" completed a five-week run at the Music Hall. Five of the nine first runs were holdovers. The long runs at the Music Hall and the Rivoli forced a shift in bookings on following pictures at these houses.

The distributors, it was explained, are in a dilemma on the situation since while they want all the revenue they can get through the first run bookings, at the same time they must get other pictures played and circulated among the subsequent runs. Where a theatre, such as the Music Hall, has commitments with two or three distributors for completed pictures, the pressure to cut a current engagement short in order to make way for a film awaiting general release often is strong.

"Snow" Run Unusual

The "Snow White" run was an unusual situation. As a result, the Music Hall waived its usual seven days to two weeks' protection and permitted the film to open at the Palace and Albee in Brooklyn on Saturday, two days after the close of the engagement at the large house. The Palace and Albee will hold the picture definitely for two weeks and possibly three. The RKO runs in Manhattan will open with "Snow White" on March 3 for a week, and the circuit will waive its usual seven days' protection over the independents to permit them to get the film March 12. RKO will open "Snow White" at its Brooklyn runs on March 10. The circuit will play the picture as a single bill in all of its situations.

RKO points to "Snow White" in refutation of the charge that a long downtown run is detrimental to the neighborhoods and claims that the picture is gaining a momentum that will assure good business in the later runs regardless of the time element.

Charge Illegal Sales

MILWAUKEE, Feb. 20.—Warrants have been issued against three officers of the defunct B. E. Buckman & Co., securities company, in connection with the alleged illegal sales of stock of Condor Pictures, Inc., among others. Preliminary hearing has been set for April 4.

"Checkers," Show $24,00 Detroit Lea

DETROIT, Feb. 20.—"Checkers," w a stage show headed by Jane With and Billy Gilbert, turned in a $24,000 at the Fox. This was better than normal.

"Thrill of a Lifetime," with a st show headed by Mischa Auer and w Borrah Minnevitch's band, pu $22,500 at the Michigan. "Beg, B row or Steal" and "Sh! The Octop went $300 up on a take of $5,300 the State. Business elsewhere slow.

Total first run business was $69, Average is $70,000.

Estimated takings for the week e ing Feb. 17:

"HAPPY LANDING" (20th-Fox)
"THE SHADOW" (Col.)
ADAMS—(1,770), 15c-50c, 7 days. **Gr** $5,000. (Average, $5,000)

"CHECKERS" (20th-Fox)
FOX—(5,100), 15c-65c, 7 days. St Jane Withers, Billy Gilbert, Gil Lamb, Foy, Lois Harper. **Gross:** $24,000. (A age, $20,000)

"THRILL OF A LIFETIME" (Par
MICHIGAN — (4,100), 15c-65c, 7 d Stage: Mischa Auer, Borrah Minevit Harmonica Rascals; Bryant, Rains Young; Berry, Breen & Wyler. **Gr** $22,500. (Average, $20,000)

"BEG, BORROW OR STEAL" (M-G
"SH! THE OCTOPUS" (F.N.)
STATE—(3,000), 15c-50c, 7 days. **Gr** $5,300. (Average, $5,000)

"THE BUCCANEER" (Para.)
UNITED ARTISTS—(2,070), 15c-65c, week. **Gross:** $8,500. (Average, $10,000

"VICTORIA THE GREAT" (RKO
MADISON—(2,000), 15c-65c, 7 days. **Gr** $4,500. (Average, $10,000)

Lincoln Remodeling U

LINCOLN, Neb., Feb. 20.—Remo ing of theatres is gaining. The Z owned by Ed H. Zorn in Benkelm the Lyric, property of Bert Ream Sutton, and the Town Hall, Holbr Neb., are getting paint brush and equipment.

New openings include Ralph Hint Chief, in Tecumseh, Neb., a 300- house just built at a cost of $15, and the Opera House, Brownville, N by its owner, Frank Thomas, who been vacationing in California.

Wall Street

Small Board Changes

	Open	High	Low	Close	Ch
Col. pfd....	32½	32½	32½	32½	+
Cons.	1⅜	1⅜	1⅜	1⅜	.
Cons., pfd...	5⅛	5⅛	5⅛	5⅛	-
E. K........	154	154	154	154	-
E. K., pfd..	164	164	164	164	
G. T. E.....	11½	11½	11½	11½	-
Loew	49¼	49¼	49	49	-
Para.	9⅞	10	9¾	10	-
Pathe	5⅞	5⅞	5⅞	5⅞	-
R. K. O....	3¾	3¾	3¾	3¾	.
W. B.......	6	6⅛	6	6	.
W. B., pfd..	38	38	37⅞	37⅜	-

Little Curb Activity

	Open	High	Low	Close	Ch
G.N.	9/16	9/16	9/16	9/16	—

Bonds in Light Decline

	High	Low	Close	Ch
Paramount Broadway 3s '55......	58½	58½	58½	-
W. B. 6s '39......	70	70	70	-

(Quotations at close of Feb. 19.)

BALANCED

IN EASTMAN Super X Panchromatic Negative the vital film factors of fine grain, high speed, and superb photographic quality are combined to give the finest results to be seen anywhere today. It is the admirable balance of these qualities that has made Super X the world's most widely used negative film. Eastman Kodak Co., Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER* X

PANCHROMATIC NEGATIVE

Short Subjects

"Air Parade"

(*Educational*)

A nicely turned two-reel musical that combines the elements of youth, comedy and song with a plausible story and a good production. The plot is a bright, frothy affair concerning a radio station and the efforts made by the staff, against the wish of the owner, to land a big sponsor. Niela Goodelle and Lee Sullivan engagingly supply the vocals and the boy and girl twist. Others who aid in the diverting doings are Russ Brown, Edith Gresham, Arthur Boran, Clyde Fillmore, Marion Martin and Johnny Green and his orchestra. The film will more than satisfy the demand for this type of entertainment. Running time, 18 mins. "G."

"Paramount Pictorial P7-7"

(*Paramount*)

Closeups of the moon as photographed by telescope at Yerkes Observatory are pictorially thrilling in this three-subject collection. Alois Havrilla describes the satellite 24,000 miles from the earth, and the close shots of its craters, ocean beds and mountains will give to many a new conception of the lunar landscape. Activities of Alpine peasants in the autumn, described by David Ross, are against an eye-filling setting. The third subject shows how Ed Rickard produces shadow characters with his fingers. Running time, 10 mins. "G."

"Donald's Better Self"

(*RKO*)

In this amusing Walt Disney subject, Donald Duck is cast as a schoolboy, assisted by two ethereal characters, his Evil Self and Better Self, both of whom try to influence him. Throughout the unfolding of the story it's nip and tuck between the two influences, with Better Self winning in the end. It is produced in the typical, and technically excellent, Disney manner. Running time, 8 mins. "G."

"A Fascinating Adventure"

(*Paramount*)

This Sportlight combines fine photography with intimate animal and marine life studies and is recommended. Ross Allen, a Florida Tarzan, and a girl take a leisurely canoe trip along the streams of Central Florida and make friends with the tame animals that abound. Allen's underwater tussle with a giant turtle is an interesting highlight. There are good shots of underwater swimming. Running time, 10 mins. "G."

"Bluebird's Baby"

(*Columbia*)

A cartoon in Technicolor, this tells in entertaining fashion the story of the bluebirds who cause a baby to stop crying by carrying it away to "Happyland," after which they return it to the mother. The animation is good and the subject should be pleasing. Running time, 7 mins. "G."

"Hit and Run"

(*Vitaphone*)

In the 12 minutes running time of this Floyd Gibbons' "Your True Adventure," the audience will view a brief but powerfully dramatic film which incidentally is also good propaganda for safe driving. A young fellow and his girl go out for a bit of relaxation and get involved in a hit-and-run killing when blood is found on their car. The male in the case is arrested and attempts to prove his innocence. The evidence is against him. Eventually, after a series of tense moments, he is cleared. The film is in keeping with the fine standard set by other numbers. "G."

"Latin Rhythm"

(*Nu-Atlas-RKO*)

The entertainment value of this musical is centered mainly upon Jan Peerce, featured tenor at Radio City Music Hall and known also on the radio. In support are Luba Malina, singer; Mia Miles Foursome, adagio act, and The Dansapators, a mixed group of 12 from the stage show "I'd Rather Be Right." The title of the subject comes by reason of Spanish costuming and setting. Running time, 11 mins. "G."

"Be Up to Date"

(*Paramount*)

This is a fair Betty Boop cartoon. Miss Boop takes a department store on wheels into the hillbilly country and not only finds business good but finds the billies putting their purchases to startling use, one using a waffle iron as a permanent wave machine. The subject ends with Betty and the natives doing a swing number. Running time, 7 mins. "G."

"Song Birds of the North Woods"

(*Educational*)

Here is an interesting and novel little excursion into a simple branch of natural history that should prove to be a distinctly different film. The various birds found in the Adirondacks play the leading roles and the music they make pleasantly fills the sound track. The bird photography and the scenic backgrounds aid effectively the narration. The short was filmed by the Cornell laboratory of ornithology. Running time, 10 mins. "G."

"The Candid Kid"

(*Vitaphone*)

A nicely fashioned musical. While its humor is slow in getting started, it manages to strike a satisfying note. The candid camera craze is the theme. Josephine Huston, in between pleasantly done vocals, gads about with Phil Silvers and the Anthony Morelli Sextet in an effort to get a prize-winning picture. They go from one night club to another and eventually wind up the doings in good style. The attractive Gae Foster Girls are also featured in ensemble numbers. The music and dancing is in good taste. Running time, 20 mins. "G."

"Gold"

(*Paramount*)

The mining of the precious yellow metal at Johannesburg makes an above-average short that will hold the attention of any audience. The Kaffir boys are human moles working in eight-hour shifts three-quarters of a mile below ground. They do the heavy work, and Britishers are entrusted with the more precise functions. Alois Havrilla does a good job of narrating the processes, from the "digging" to the refining and, finally, the shipments of the bullion to the world markets. Running time, 10 mins. "G."

"Porky's Phoney Express"

(*Vitaphone*)

Here is another Porky cartoon replete with the usual clever animation and serio-comic effects that make it an easy item to sell to a wide audience. Porky rides in an emergency and gets the mail through, but not before he has a number of hair-raising experiences with Indians. As a reward he is made postmaster and his former boss is demoted to licking envelope flaps. Running time, 7 mins. "G."

Hollywood Preview

"The Maid's Night Out"

(*RKO*)

HOLLYWOOD, Feb. 20.—"The Maid's Night Out," produced by Robert Sisk and directed by Bert Holmes, is a comedy romance with an occasional laugh in dialogue or situation, but it hardly is to be counted upon to raise the mortgage on the theatre.

The original story of Willoughby Speyers and the screenplay of Bert Granet tells of the pursuit and romance of Allan Lane and Joan Fontaine, the former acceptable, the latter less so. He makes a bet with his father and goes to work as a milk driver for the family company, while she, meeting him while wearing a dust cap in the backyard, is mistaken for the maid at the wealthy home in which she is the slightly spoiled daughter.

This dual mistaken identity is carried through in rather expected fashion, including various dodges by which she prevents him from learning who she is. Her mother, incidentally, is attempting to marry her to a wealthy and insipid young man to save the family fortune, but she fails to see the point.

Eventually, after a flareup at a swank party in which they are both revealed among society, he virtually captures her, lands in jail and she dons his milkman's outfit and enables him to win the bet with his father, with the anticipated conclusion.

Running time, 62 minutes. "G."

Chinese Business Is Generally Weal

(*Continued from page* 1)

and have reestablished order and son public service.

In the southwest, in Canton, bus ness is very poor, with few theatr operating and these subject to sudd closing, due to almost constant a raids. In distant Yunan, theatres still carrying on, and in the west, Hankow, Changsha, Chungking ar Chengtu they are continuing with fa receipts, but the difficulties and unce tainties of the round about delive circuit via Hongkong, Canton, Ha kow make films service irregular.

On future operation most foreig distributors are emphatically pessimi tic, some even predicting that it wi take over a year to get even tl Yangtse River port cities west Shanghai to Hankow back into oper tion. Theatres generally along th line have suffered heavily from battl fire and either looting or self-impos stripping of equipment.

Should military operations perm reopening of theatres in territory no occupied by the Japanese forces, the will be much rebuilding, refurnishir and reequipping. Most of these hous used either German or American sou projectors, and unless Japanese-ma apparatus is installed, an unlikely fe ture in the larger theatres, equipme business should experience a boom 1938. However, this prediction mu be taken cautiously, everything depen ing on how soon and on what tern order is reestablished in these areas.

French M. P. Corp. Asks to Reorganiz

The French Motion Picture Cor local representative for distributi and exhibition of French films in tl United States, Central and Sou America, filed a petition in the U. District Court here on Saturday f permission to reorganize under secti 77B of the Bankruptcy Law.

Lack of liquid assets was given the principal reason for the necessi of reorganization. Assets of $160,9 were set forth, against liabilities $21,571. No schedules were filed.

John S. Tapernoux, who signed tl petition, stated that contracts are hand for 34 features, of which 17 ha not been exhibited in the United State but time is required until the films ca be distributed.

Among the assets, contracts we listed at $140,000; film rights $19,81 and furniture $1,093. Liabilities co sist of current debts $17,141, and loa $4,430.

Spectrum Closes Deals

Fred Bellin, supervisor of distrib tion for Spectrum Pictures, has clos distribution deals with Edward G briel, Capital Film Exchange, Phil delphia, and Emil Rosenbaum, A vance Film Exchange, New York, f a series of Fred Scott musical wes erns.

Pollock Stays on Board

ROCHESTER, Feb. 20.—Lester Po lock, manager of Loew's Rocheste has been reappointed a member of tl Motion Picture Operators' Exami ing Board for this city.

)pposition to)uals Spreads ımong PTA's

(*Continued from page* 1)

a move to ascertain the attitude of members to the showing of dual grams, and in the event that a ma-ity are opposed, it is expected that plan will be devised for active opsition to double bills.

In Chicago the preparation of an dinance to ban double bills already s started, and is expected to be ady for submission to the City Coun- on March 2. The decision to pro-ed with such a measure followed a ling by Corporation Counsel Barnet odes that the city had the power regulate the exhibition of duals as health measure. The action was ırted several weeks ago, when a oup of clubwomen and teachers, repsenting 150,000 school children of city, descended upon the City Hall protest duals as a menace to the alth of their children to Health mmissioner Herman N. Bundeson.

Independents Cooperate

Independent theatre owners and opators of small circuits in Chicago e known to be in favor of the elimition of duals.

Action against duals also has been ken by the parent-teacher group of ronxville, Westchester County. In at community a movement has been arted to enlist general support for e abolition of the double programs, ich, it was contended, held children the theatre too long. Similar action s been taken in the Oranges, in New rsey.

The sudden introduction of triple lls in Toledo, where, as in most of hio, double bills have long been virally standard theatre policy, has used considerable concern among hibitors.

In other widely separated sections the country women's organizations ve expressed opposition to duals, and some instances have undertaken ace campaigns to bring about the mination of the policy.

nspect New NSS Studio

HOLLYWOOD, Feb. 20.—More than 0 guests representing studios, exanges, circuits and press attended luncheon and tour of inspection at e new National Screen Service ıdio.

In the new quarters the company s 16,000 feet of floor space, double former area, and is equipped with gh speed Art Reeves developing maines and other latest model facilis for turning out, from continuity release print, the 400 prevues, or ailers, produced annually.

Ben Cohen Is Honored

NEW HAVEN, Feb. 20.—Ben Cohen, anager of Loew's Poli here, was nored at a farewell dinner last ght by a group of friends and Poli anagers. City officials, prominent izens and newspaper men attended. hen will leave March 2 for Bomy, India, where he will take charge the Metro Theatre to be opened in ay or June.

Golden Sees Danger In Dual Ban Fights

(*Continued from page* 1)

Golden observed, "apparently are unaware of the fact that they merely are serving as 'stooges' to further the interests of monopolistic groups within the industry itself, who have started this newest move only because all previous attempts to discredit the double feature have failed."

He recounted unsuccessful efforts to ban double features under the industry's NRA code, by means of prohibitions written into exhibition license agreements, through the opposition of religious groups, by audience polls and other means.

Golden asserted that if health ordinances are adopted prohibiting double features the way will be opened to municipal policing of all phases of theatre operation, such as requirements for fumigation and sterilization after every performance, rigid regulation of ventilation and air-conditioning, all of the physical aspects of the theatre and, possibly, regulation of the type of picture permitted to be shown, giving rise to municipal censorship of the screen.

Golden also warned of the economic consequences which he sees resulting from any eventual elimination of double featuring, such as a reduction of employment throughout the industry with 200 fewer features being made annually; loss of revenue from foreign markets, and control of rentals and admission scales by the distributors of the fewer number of features produced. He recalls, as well, that production would suffer from the absence of a talent discovery and training field such as that now provided by "B" picture production.

Delay Wisconsin Meet

MILWAUKEE, Feb. 20.—Directors of the Independent Theatres Protective Association of Wisconsin and Upper Michigan have failed to set dates for the anticipated conference here. Indications are that the convention will be held sometime later in the year, possibly after the national Allied convention. Following last year's convention late in 1937, it was planned to hold another statewide gathering early in 1938, at which plans for a buying group were to have been discussed.

RKO Sound Nearly Ready

HOLLYWOOD, Feb. 20.—Completion of installation of new RCA equipment, started last summer, will be effected by April 1 at RKO. The new equipment includes 13 stage channels, 17 mixers and a new recording stage, the latter to be used for the first time on the Irene Dunne picture, "The Joy of Living."

Richard Whiting Dead

HOLLYWOOD, Feb. 20. — Richard Whiting, 46, Warner composer, died yesterday at his home in Beverly Hills. He had been teamed with Johnny Mercer in writing many Warner musical hits. He is survived by his widow, his mother and two children.

Manages Omaha House

LINCON, Feb. 20.—Leland Mischnick, formerly city manager with William Youngclaus for the Lyric and Sterling in Superior, Neb., has resigned to become manager of Ralph Goldberg's Dundee, Omaha.

G. N. Finance Deal Cools Over Weekend

The $1,000,000 financing for Grand National which was to have included Phil Goldstone, Arnold and Robert M. Bernstein and Ira Greene, president of Continental Film Industries, cooled over the weekend.

Arnold Bernstein, a son of David Bernstein, Loew's vice-president and treasurer, said he had discussed the matter recently with Edward Peskay, G. N. vice-president, but the discussions had not reached the status of a deal. Bernstein is a member of Loew's legal staff and associated with Peskay in some theatre ventures.

Bernstein stated that his visit to Hollywood, from which he returned last week, apparently led certain quarters interested in the future of Grand National to believe that he went to the coast to further the discussions started with Peskay. In any event, it was said, nothing could be done about the matter until the return from Florida of David Bernstein, about March 1.

Greene today will attempt to obtain more information on the status of the reported deal. It is reported, however, that Goldstone has pledged an investment up to $250,000 provided the balance of $1,000,000 will be forthcoming from others.

First Rogers Check In

G. B. Odlum of Paramount has turned in the first check for the Will Rogers Memorial Fund drive to A. P. Waxman, in charge of the campaign. The check, for $1,000, was from the Sparks circuit in Florida.

Legion Approves 15 Of 18 New Pictures

Of 18 new pictures reviewed and classified by the National Legion of Decency for the current week, 11 were classed as unobjectionable for general patronage, four as unobjectionable for adults, two as objectionable in part, and one was condemned. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Adventures of Tom Sawyer," "Albero di Adamo" (Italian), "Arsene Lupin Returns," "Blondes at Work," "Border Wolves," "Daredevil Drivers," "El 113" (Spanish), "Ihr Groesster Erfolg" (German), "Making the Headlines," "Painted Trail," "Sieben Ohrfeigen." Class A-2, Unobjectionable for Adults—"The Affairs of Maupassant" (German), "No Basta Ser Madre" (Spanish), "Zweimal Zwei im Himmelbett," "Manhattan Melodrama." Class B, Objectionable in Part—"The Baroness and the Butler," "The Big Broadcast of 1938." Class C, Condemned—"Assassin of Youth."

H. Jameyson Returns

KANSAS CITY, Feb. 20.—Howard Jameyson, district manager at Wichita for Fox Midwest, has returned from a convalescing trip to the South. Jameyson recently underwent an operation.

Rosen on "Marines"

HOLLYWOOD, Feb. 20.—Phil Rosen has been signed by Monogram to direct "The Marines Are Here."

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NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday, Sunday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
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Note to "Scrip" Holders

Scrip eards may be used to charge these low excursion rates, no matter what airline issued them.

TWA first

SHORTEST-FASTEST COAST TO COAST

▸ Radio Personals ◂

TOM FIZDALE, the publicist, will turn actor when he plays the part of a newspaperman in the "Margot of Castlewood" program on NBC tomorrow. This will be his second air acting appearance, as he appeared in the Fibber McGee and Molly show last season. . . . Roger Doolins of the Fizdale staff in Chicago, is now in New York. . . . Al Bernard, the minstrel, heard on NBC, is back in New York from a vaudeville tour. . . . Eddy Brandt, just returned from England, is now featured at the New Yorker Grill. . . . Luise Rainer will make one of her infrequent radio appearances in the M-G-M "Good News" show Thursday. . . . Lawson Zerbe has been added to the cast of "David Harum." . . . Elza Schallert will observe her third anniversary as an NBC Hollywood commentator March 3. Her husband, Edwin Schallert, *Los Angeles Times* film critic, will appear with her in the anniversary program.

✛

Nelson Hesse, talent manager, left for Los Angeles yesterday. . . Dale Armstrong, radio editor of *Los Angeles Times,* is here looking over the local radio shows.

Five Canadian Executives Here

Five executives of Canadian stations are in New York contacting American advertisers and agencies. They are M. V. Chesnut of CKCK, Regina; Jerry Gaetz of CJOC, Lethbridge; F. H. Elphicke of CJCA, Edmonton; Major William C. Borrett of CHNS, Halifax, and H. R. Carson of All-Canada Radio Facilities, Ltd. They are making their headquarters in the offices of Weed & Co., their American representative.

Ohio Gets First Local Net

CINCINNATI, Feb. 20.—The first network in this section is being used to broadcast the new program of the Coon Creek Girls' Band from WCKY, which is piped to WHIO, Dayton, and WBNS, Columbus, on a new three-station hookup. Both WHIO and WBNS take the program from the air.

Takes Disc Time on KYW

PHILADELPHIA, Feb. 20. — Because KYW couldn't clear time to carry the NBC script drama, "Dan Harding's Wife," McCann-Erickson, Inc., has bought time over the station for the National Biscuit Co., and will air the show on transcriptions five times weekly at mid-afternoon.

WTAQ Has Labor Program

GREEN BAY, Wis., Feb. 20.—WTAQ is airing a series of 15-minute weekly labor programs, sponsored by the Wisconsin State Federation of Labor, and heard every Thursday at 6:45 P. M., C. S. T. The discussions will continue through April 28.

Spargrove with NBC Here

DES MOINES, Feb. 20.—Bill Spargrove, KSO announcer for the past five years, has left Des Moines to join the NBC announcing staff in New York. Dan Lawrence, formerly with KOIL, Omaha, has taken his place on the KSO staff.

Milwaukee Listeners Oppose Federal Rule

MILWAUKEE, Feb. 20.—Sixty per cent of WTMJ's listeners are opposed to Federal supervision of programs, they indicated in a radio poll by the station. Voters in this eighth annual poll also selected the Edgar Bergen-Charlie McCarthy program as their favorite, topping Jack Benny, who dropped to second place. The biggest drop was experienced by Fred Allen's "Town Hall Tonight," which dropped from second place in 1937 to eighth in the current poll.

Listeners named Wayne King tops in dance orchestras; Bing Crosby, favorite male popular singer; Frances Langford best girl popular singer; Tom, Dick and Harry, harmony tops; Philadelphia, first place in symphony orchestras; Nelson Eddy, male concert favorite; Grace Moore, feminine concert first; Don Wilson, studio announcer favorite; Russ Winnie, first among sport announcers; Boake Carter, favorite news commentator, and Len Salvo, first among organists.

"One Man's Family" was voted first place among serial stories; "Lone Star Ranger," among children's programs; Nancy Grey, among women's programs, and the Radio Theatre rated first among dramatic programs.

Edgar Bergen and Charlie McCarthy rated first place among comedians and Bing Crosby was voted the favorite master of ceremonies. Dave Rubinoff was declared tops among instrumentalists.

Official Denies Any Plans to Drop CRCK

MONTREAL, Feb. 20.—Rumors to the effect that the Canadian Broadcasting Corp. planned closing its Quebec City outlet, CRCK, now that the high-powered CBF is in operation at Vercheres, Que., have been scotched by Gladstone Murray, general manager of the corporation.

Murray admitted hearing such rumors, but denied any proposal had been made. "It is purely speculative. We couldn't possibly reduce the number of stations in that area until we are quite sure that CBF is giving equally good coverage. And again, there are a certain number of English programs carried on CRCK."

CBF is a French-language station.

Stix Heading Radio Unit for Eshleman

Thomas L. Stix, active in radio for the last six years and for the past year vice-president of Henry Souvaine, Inc., has joined the Benjamin Eshleman Co., Philadelphia, to organize and head its radio department.

Gibbons Suits Are Dismissed

The Appellate Division of the N. Y. Supreme Court has dismissed without prejudice two suits for $250,000 each instituted by Charles Locke, a radio script writer, on the basis of interpolations made by Floyd Gibbons in the script of an Ohio River flood broadcast. One of the actions named Gibbons as the defendant, the other named as defendant the Benton & Bowles advertising agency, which had hired Gibbons for its client, Colgate-Palmolive-Peet. The decision was based on the fact that the words on which the suits were based were not included in the complaint.

Time Boosts Given 2 Mutual Programs

Two of Mutual's audience participation shows have just been given boosts, one in time, the other in coverage.

Kay Kyser's "Musical Kollege," currently heard for 45-minutes once weekly, will be presented for a full hour beginning tomorrow, from 8 to 9 P. M. American Tobacco Co., sponsors, and Lord & Thomas is the agency.

"True or False," now heard over WOR, WGN and WLW, will go coast-to-coast beginning March 7, when the Don Lee units take the program. Prior to this, on Feb. 21, WAAB, Boston, and CKLW, Detroit, will be added. The J. B. Williams Co. sponsors the series, through the J. Walter Thompson agency.

A new Mutual program began Saturday, when the Allis-Chalmers Co. presented the "Renfro Barn Dance." The series hereafter will be heard Saturdays from 7 to 7:30 P. M. over WLW, CKLW, WHK and WHKC. Russel M. Seeds Co. of Chicago is the agency. Allis-Chalmers shortly will begin another network program over NBC.

WOV and WBIL Sign AGRAP's Contracts

The American Guild of Radio Announcers and Producers has secured contracts for the guild at WOV and WBIL, stations of the International Broadcasting Corp., covering the English and foreign announcers at those stations.

The contracts specify a five day, $40 week, with $35 a week set as the minimum salary.

A. G. R. A. P.'s next activity will be centered on WCAU, Philadelphia, and WEII, Boston.

Voting to determine the future labor affiliation of the A. G. R. A. P., whether C. I. O. or A. F. of L., is still in progress, and, according to Roy Langham, the outcome will not be known for at least another three weeks. One-third of the ballots have been received to date, but these have not yet been opened. The WABC chapter has set March 11 as its voting date.

CBC Seeking Ruling Upon Federal Status

MONTREAL, Feb. 20.—The Canadian Broadcasting Corp. is seeking permission to go to the Supreme Court of Canada to establish that it is a Government department rather than a separate company. Judgments in the Superior Court and the Court of Appeals have already gone against the corporation, but that body will press the case to the highest tribunal.

The question arose out of a minor salary seizure action in which CBC was ordered into court to reveal the salary earned by one of its employes. The corporation refused on the grounds that as a Government department its employes were exempt from having their salaries seized.

Plans Spanish Sports Series

Esteban Balleste, Spanish newspaperman, will start a new series of sports broadcasts Feb. 25 for listeners in Central America over W3XAL, short wave station of NBC. The programs will be offered once weekly.

FCC Schedules Air Hearings This Weel

WASHINGTON, Feb. 20.—The Fed eral Communications Commission ha scheduled examiners' hearings thi week on broadcasting applications a follows:

Feb. 21: Applications of Clint Broadcasting Co. for a 1,310-kilocycl station at Clinton, Ia., with 100 watt power night, 250 watts day; Burli ton Broadcasting Co. for a 1,310-k cycle, 100-watt station at Burlingto Ia.

Feb. 23: Applications of WFO St. Augustine, Fla., for change c frequency from 1,210 to 590 kilocycle and increase of night power from 10 to 250 watts; KPAC, Port Arthu Tex., for change of frequency fro 1,260 to 1,350 kilocycles, extension c time from day to unlimited and in crease of power from 500 to 1,00 watts.

The Commission has approved th applications of the Beaumont Broad casting Association for a new 1,42 kilocycle, 100-watt station at Bea mont, Tex., and Mervel M. Valentin for a 1,500-kilocycle station at Lared Tex., with 100 watts night, 250 watt day.

Pilot Contracts for 13-Week WOV Serie

The Pilot Radio Co., through th Alvin-Austin agency, has contracte with the International Broadcastin Corp. for 13 weeks of programs ove WOV. The programs, in Italian, wi be heard Sundays from 3:45 to P. M.

The Flotta Salsina Tomato Pro ucts Co. also has signed for 13 wee on WOV, the program beginning ye terday and Sundays thereafter. Dr matization of stories connected wi world-famous songs will be the offe ings. The account was placed direc

Beginning today, a new schedu for the Procter & Gamble progran from WOV will go into effect. The programs originate here and are f to WPEN, Philadelphia, and WCO Boston, Mondays through Friday The schedule now will be: Cama program, 10:15 to 11:30 A. M.; t Oxydol program, 10:30 to 10:45 M.; the Ivory program, 10:45 to A. M.

Joachim Radio Heac In Buchanan Agenc

CHICAGO, Feb. 20.—M. H. Joachim has been appointed vic president in charge of radio of t local office of Buchanan & Co., a vertising agency. Joachim has been script writer and radio producer. F most recent program was "Your U seen Friend," for the Personal Finan Co., on CBS.

Walker Joins WOR in Chicago

CHICAGO, Feb. 20. — Harry Walker, Jr., has joined the sales st of WOR here. He is a former new paperman and will work under R. Barrett, Jr., in charge of the sa staff.

Starts Baseball Series Today

Joe Bolton will begin a series discussions on baseball on the "Gra stand and Bandstand" series WMCA today. Bolton formerly c ducted a sports program on WHN

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43. NO. 43 NEW YORK, WEDNESDAY, FEBRUARY 23, 1938 TEN CENTS

'arner Show ime Renewed or 15 Weeks

futes Report Program To Be Dropped

he network time for the Warner-erican Tobacco Co. program has extended for another 15 weeks, tive in two weeks, under the 1s of a contract just closed, acing to Lord & Thomas. The pron is broadcast on the NBC-Red.

1e disclosure of the renewal res recent reports current on the t that the tieup between the adiser and the film company would dropped at the conclusion of the ent contract period in two weeks.

1e program, "Your Hollywood ade," will remain substantially as ow is, although it was admitted a few changes might be made in format effective with the time real. What these changes might be, ny, are not known here, but asnces were made that they would light.

ord & Thomas officials explained the contract between Warners the American Tobacco Co., aside 1 the network time, just renewed, r 52 weeks, and applies to talent the production of the program.

3S Negotiating lub Booking Deal

deal between the CBS Artists au, Inc., and Radio Quality Group ice, Inc., New York representa- of WOR, whereby the latter will le all club bookings for the CBS t division, is nearing completion, consummation expected momen-. Nat Abramson, head of the R talent setup, and Herb Rosen- director of CBS Artists Bureau, orking out the details of the pact. out a year ago, CBS abolished

(Continued on page 6)

FIL Establishes Recording Service

ILADELPHIA, Feb. 22.—After a month experiment with all phases commercial recording, Donald ycomb, general manager of L, has established the WFIL rding Service, a completely

(Continued on page 6)

lore Radio—Pp. 6-7

'Divorcement' Is Shelved in Massachusetts

Put Over to Next Session To Await Court Test

Boston, Feb. 22.—The theatre divorcement bill before the Massachusetts Legislature has been shelved formally by reference to the next annual session. It was filed by Representative Edward Sirois.

Allied refused to support it before the committee hearing. Independent Exhibitors, Inc., the Allied New England unit, said the reason for its inertia was that it wished to see how the North Dakota bill fared with the courts there. Sirois was asked not to go ahead with the bill this year.

Referring to Motion Picture Daily's Feb. 9 story stating that Massachusetts Allied would not support the bill at this session, the latest Allied bulletin describes this as a "half-truth."

"For your information," the bulletin

(Continued on page 7)

Production Gains With 37 in Work

Hollywood, Feb. 22.—Production is at its highest level in some months, with 37 pictures in work, as 10 were started this week and seven were finished. Fifteen are being prepared and 52 are in the cutting rooms.

Those starting are: "Hidden Walls," Columbia; "Crime Gives Orders," Paramount; "Law of the Underworld" and "Go Chase Yourself," RKO; "The River Is Blue," Wanger; "Last Stand," "Reckless Living" and "Nurse from Brooklyn,"

(Continued on page 8)

Harris Toastmaster At M. H. Clark Party

Columbus, Feb. 22.—John H. Harris, one of the founders of the national Variety Club, was toastmaster at the testimonial dinner and dance for M. R. ("Duke") Clark in honor of his 10th year as Paramount branch manager here, given tonight at the Neil House. Approximately 400 reservations have been received. An all-girl orchestra, a band, a style revue, vaudeville show, fortune telling and Bank Night were among the entertainment features.

Clark is founder of the Columbus Variety Club, Tent No. 2, and has been president since its inception several years ago.

SPITZ TO REMAIN AS HEAD OF RKO

McDonough Is Elected as Vice-President and Board Member

Deliberations on RKO management were formally concluded late Monday with a definite and final decision by Leo Spitz, president, to continue in that post, and with J. R. McDonough, former president, being elected a vice-president and director of RKO Radio Pictures.

The decisions fulfill the basic management program advocated by Irving Trust Co., RKO trustee, for the past several weeks. The retention of Spitz as head of the company was the keystone of this program and, as reported in Motion Picture Daily of Feb. 10, included the addition of McDonough to the company management and the continuation of Pandro S. Berman in charge of the studio. As reported in the same issue, the post of RKO theatre operating head vacated by Nate J. Blumberg on Jan. 1 was not involved in the discussions and, it is believed, no appointment to that post will be made for several weeks.

McDonough's election is understood to give him pre-defined duties in the nature of an executive aide to the trustee, which presumably means that his designation is for the period of

(Continued on page 8)

Trade Unites For Fight on English Bill

By AUBREY FLANAGAN

London, Feb. 22.—Virtually all branches of the film industry here have united in opposition to the Films Bill, which Oliver Stanley, president of the Board of Trade, was scheduled to place before the Board of Commons for third reading today.

The exhibitors in particular are actively canvassing all members of Parliament in opposition to the Government plan. They greeted with dismay and indignation the suddenly revealed plans of Stanley to offer amendments on the floor of Commons which, they contend, will reduce the

(Continued on page 7)

Ticket Tax Shows Big January Drop

Washington, Feb. 22.—Admission tax collections in January dropped more than $900,000 from the December figure of $2,290,027 to touch the lowest total recorded since May, 1936, at $1,353,415, it has been reported by the Internal Revenue Bureau. Collections for the month were approximately $150,000 below the $1,505,676 reported for January, 1937.

The precipitous decline in collections disclosed for the first time the effect of the current business recession upon the

(Continued on page 7)

Actors Federation to Stand with Four A's

The American Federation of Actors in a communication to the Associated Actors & Artistes of America on Monday declared that it would stand in a united front with the parent entertainers' organization in all matters pertaining to union affairs. The letter was in reply to charges that the A. F. of A. was sympathetic to the I.A.T.S.E.'s recent claims to jurisdiction over entertainers' unions.

Ralph Whitehead, executive secretary of the A. F. of A., explained his organization's recent refusal to join in a censure of the I. A. as due

(Continued on page 7)

Nebraska Game Ban Wins in High Court

Omaha, Feb. 22.—Bank Night is now definitely outlawed in Nebraska, according to a ruling by the Nebraska State Supreme Court.

The court denied a motion for a rehearing made last Nov. 30 by attorneys for the Fox Midwest Circuit, operating the Fox at Beatrice. On Oct. 22 the court had upheld a lower court decision calling Bank Night a lottery and in violation of the state lottery laws.

Hearing in the Beatrice case was regarded as a test case. District Judge Fred Messmore ruled in lower court that any consideration involved, whether time, money or even going out of one's way to be at the theatre for the drawing, brought it under the lottery laws. It was this decision the state high court upheld.

A rehearing had been asked on the ground that the court ignored a rule of law in the Beatrice case laid down

(Continued on page 7)

MOTION PICTURE
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"Buccaneer" Is Near Para. Weekend Mark

"The Buccaneer," now current at the Paramount, has just drawn the second largest weekend gross in the history of the theatre, Robert M. Weitman, house manager, stated on Monday. The record is held by "Wells Fargo" for the weekend which included last New Year's Eve.

Weitman predicted a $60,000 gross for the first week of the film's run.

"Dwarfs" Strong in 2 Spots

Saturday and Sunday business for "Snow White and the Seven Dwarfs" at the Palace, New York, and Albee, Brooklyn, was greater than the average for a full week at each of the houses.

Churchmen at Ampa

"The Church in Relation to Motion Pictures" will be the general subject for discussion at the Ampa luncheon today at the International Casino.

Among the speakers will be Rev. Michael J. Ahearn, narrator of the film "Monastery"; Dr. Everett R. Clinchy, director of the National Conference of Jews and Christians, and Dr. Jonah B. Wise, Rabbi of Central Synagogue. Jack Alicoate will introduce the speakers.

◂ Purely Personal ▸

BARNEY BALABAN, Paramount president, who has been vacationing in Florida for the past three weeks, will return to New York tomorrow to attend the monthly meeting of the company's board of directors. STANTON GRIFFIS, chairman of the Paramount executive committee, will leave on Friday for Florida for two or three weeks of fishing. Y. FRANK FREEMAN, Paramount theatre head, who is now at the studio, is expected back shortly after the first of the month.

•

WILLIAM A. SCULLY, Universal sales manager, is due back from a three-weeks tour of western and southern exchanges the first of next week.

•

IRVIN SHAPIRO left Monday for Rochester, in connection with the opening at the Regent there of his film "The Life and Loves of Beethoven."

•

FRANK PHILLIPS, Warner executive in charge of labor relations, left yesterday for Florida to recuperate from a recent illness. He will return the middle of next month.

•

JOSEPH P. KENNEDY, Ambassador to Great Britain, and ARTHUR HOUGHTON will sail for England today on the *Manhattan*.

•

WHITFORD DRAKE, Erpi president, spotted at the Universal home office looking much improved after his recent illness.

•

EMANUEL COHEN sails on the *Rex*, Saturday, for Mediterranean ports and Paris and London, to be gone about two months.

•

GUS SCHAEFER, former Universal foreign manager, leaves today on a month's visit to key cities throughout the country.

•

VICTOR SAVILLE, British director now under contract to M-G-M, will sail for England today on the *Queen Mary*.

•

CHARLES E. FORD, new Republic producer, left for the coast yesterday with MOE SIEGEL.

•

LOU HYMAN is in town on behalf of the new BOBBY BREEN picture, "Hawaii Calls."

JOSEPH N. WEBER, president of the American Federation of Musicians, is prolonging his Florida vacation and is not expected back in New York until the end of the week. His plans for leaving for Hollywood to discuss proposals for increased employment for studio musicians are indefinite now.

•

SOLTAN and LASZLO VIDOR, Austrian producers; the EARL OF WARWICK and BETTY BALFOUR arrived Monday on the *Queen Mary*.

•

. JACK COHN, ABE MONTAGUE and A. SCHNEIDER are expected back from the coast this weekend.

•

. . . Houston

JUDY GARLAND'S brief visit to Houston bore fruit—one of the city junior high schools has a "Judy Garland Club."

PAUL HOCHULI has been made amusement editor of *The Press*.

RICHARD BARNES is now manager of WILL HORWITZ' Iris and OREN H. DEFORD is manager of the Ritz.

•

. . . New Haven

AL BOOKSPAN of the Fishman Theatre office is the father of a baby girl, Marilyn.

B. E. HOFFMAN planning a West Indies cruise, while his brother, I. J., probably will go to Florida.

EDWIN PARKS of the Yale Art School has been called to Hollywood to join the Walt Disney staff.

•

. . . Pittsburgh

BILL WALKER, AL WEISS and WILLIAM WHEAT, all independent exhibitors, are vacationing in Florida.

JOHN GORING has installed a driving range in the basement at the Fulton to polish his golf.

JOE FELDMAN and SID JACOBS are back from a week's inspection of Warners' West Virginia theatres.

HARRIET PETTIT has returned from Miami and her boss, HARRY KALMINE, will get in from Hollywood shortly.

PAUL MOSS, former screen writer for Warners and Paramount, has returned to the coast as a prize fight manager.

KAP MONAHAN, the *Press* film critic, was a minstrel man in the Pittsburgh sports writers' annual show.

Circuit Is Sold to Griffith Affiliate

FREDERICK, OKLA., Feb. 22.—All holdings of the Frederick Amusement Co., including the Ramona, Ritz and Grand, have been sold to Consolidated Theatres, Inc., affiliate of the Griffith Amusement Co. Kenneth Blackledge of Wellington, Tex., will come here to assume management of the three theatres, according to Edward G. Kadane.

Kadane made the sale in order to give his entire time to management of his oil holdings in the KMA field near Wichita Falls.

The Griffith interests in Enid have purchased a building there and will convert it into a new theatre to replace the Mecca. The amount involved in the transaction was about $30,000.

Plan New House in Ohio

HILLSBORO, O., Feb. 22.—Work on a new 850-seat house, to be known as the Colony, which will be constructed here by Chakeres Theatres, Inc., will be started within 30 days, and will be ready for opening Aug. 1, according to present plans.

Carl Niesse to Build

INDIANAPOLIS, Feb. 22.—A contract has been let for the 1,000-seat neighborhood to be operated by Carl Niesse on the far North Side and the house is expected to be ready about May 10. No name has been selected for the theatre to date.

Eureka Wins Plea to Appeal Film Actio

Eureka Productions, Inc., w granted permission by Federal Jud William Bondy in the U. S. Distri Court on Monday to appeal to t U. S. Circuit Court of Appeals fr an adverse ruling of a three-jud statutory court which dismissed suit against Gov. Herbert H. Lehm Attorney General John B. Be Jr., Frank P. Graves, N. Y. S Commissioner of Education and Irw Esmond, director of the censor boa

Eureka contends that the censorsl by the state of the film "Ecstasy" unconstitutional because the pict was passed by customs authorities af inspection. The statutory court, wh considers constitutional questio ruled that censorship by a state not interfere with the exclusive ju diction of Congress over foreign c cerns.

Transfer Warner Action

The infringement suit brought Hollywood Hotel Revue, Inc., agai Warners was transferred from N. Y. Supreme Court to the U. District Court here on Monday.

The plaintiff alleges that it o exclusive rights to the use of title Hollywood Hotel Revue and used the name for a stage prese tion in many film theatres. It claimed that the Warner pict "Hollywood Hotel," infringes. D ages of $50,000, a permanent inj tion and an accounting of the pr are sought.

Mayer to Be Honor At Dinner Tomorr

HOLLYWOOD, Feb. 22.—As a s bol of his long service as presi of the Association of Motion Pic Producers, Louis B. Mayer on Th day night will receive the gavel used during his tenure of office, a suitable gold inscription. Joseph Schenck will make the presenta at the dinner in Mayer's honor at Biltmore Hotel in Los Angeles.

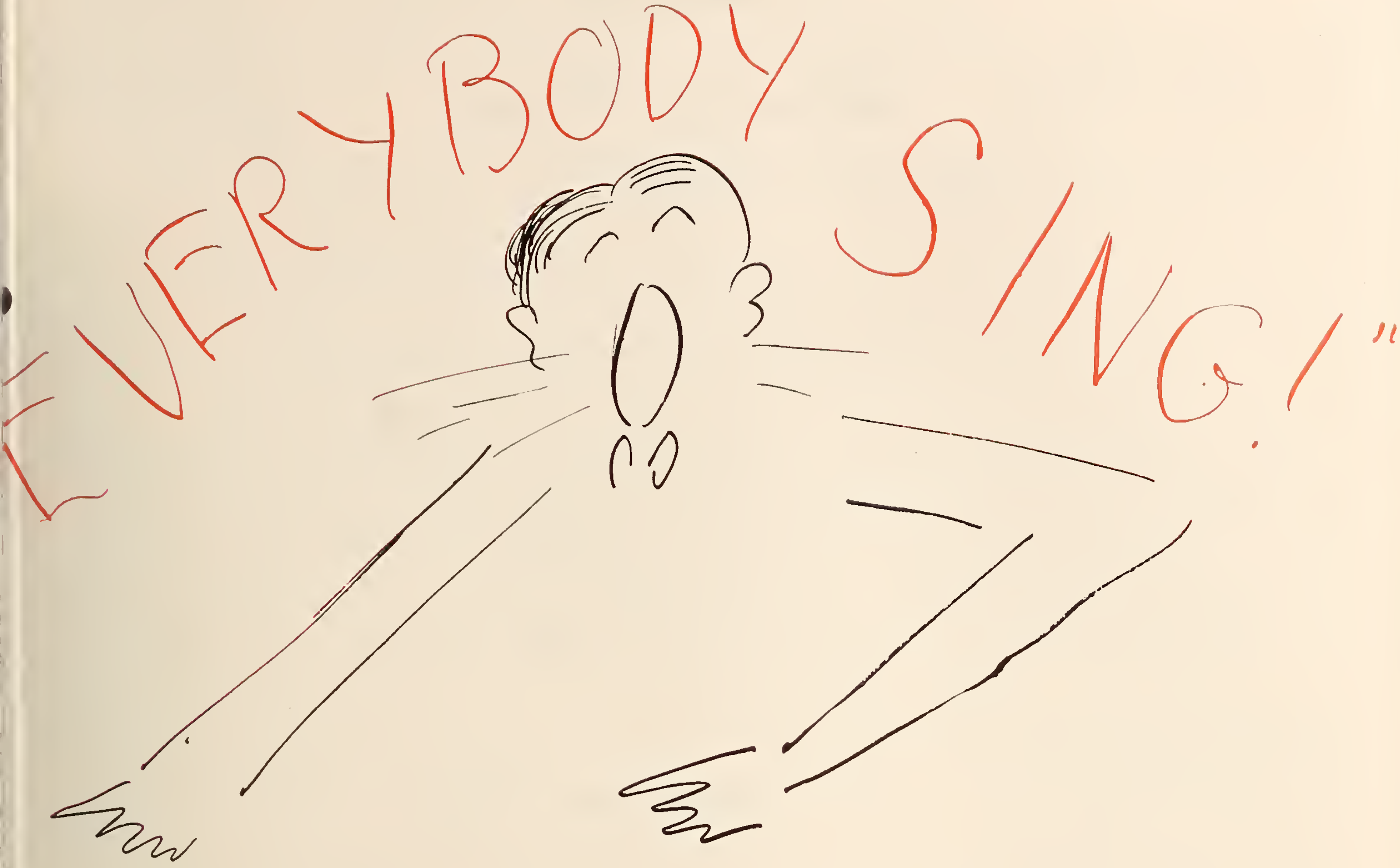
Included among the sched speakers will be George Jessel, m of ceremonies; Will H. Hays, B. DeMille, Gov. Frank Merri and Jack Benny. The dinner wi broadcast over the NBC-Red work, starting at 9:15 P. M., E. Among the entertainers will Allan Jones, Bob Burns, Edgar gen, Fanny Brice, Sophie Tu Jeanette MacDonald and Don Wi who will act as announcer.

Cubans Honor Dis

HOLLYWOOD, Feb. 22.—For the ond successive year, Walt Disne been honored by a group of newspaper cartoonists of Cuba voted his "The Country Cousin" best cartoon film exhibited in during 1937. Last year a si award went to Disney's "Mi Grand Opera."

Three Tie in Conte

SAN FRANCISCO, Feb. 22.—A t way tie for first place was the of the contest for the best handli exploitation campaigns, disclos the managers' convention of the vey Amusement Co. here. The ners were Ken Udall, Ed Coff Paul Jorden.


"EVERYBODY SING!"

There's M-G-M box-office music in the air . . .

* * *

The Yanks are coming in droves to see that two-fisted entertainment ROBERT TAYLOR in "A YANK AT OXFORD" . . . Dough-re-mi . . .

* * *

Sing high! "GIRL OF THE GOLDEN WEST" had its first studio preview this week. "Golden" is right! It's the best yet from that golden star-team JEANETTE MacDONALD, NELSON EDDY.

* * *

Loud music, professor, for this tip-off to the nation in Ed Sullivan's syndicated column from Hollywood. Says he: "The CONNIE BENNETT-BRIAN AHERNE picture 'MERRILY WE LIVE' is getting rave notices at the sneak previews." (*Hal Roach's topper to "Topper"!*)

* * *

We could sing for hours about coming hits, but you're a busy man Mr. Exhibitor, so we'll end on a high and happy note CLARK GABLE, MYRNA LOY, SPENCER TRACY in "TEST PILOT"!

* * *

La . . . la . . . la . . . oh boy, isn't Leo the best crooner!

Ethel Smith, Aide To Reisman, Passes

Ethel Smith of RKO's foreign department died Sunday afternoon at St. Mary's Hospital, Brooklyn, after suffering two weeks from bronchial pneumonia. She was assistant to Phil Reisman and one of the few women to hold a major sales executive post in the foreign field of the industry. At the time of her death she was in charge of the Far East, Australasia and the United Kingdom sales divisions.

Miss Smith entered the industry after her graduation from Smith College as assistant to Edna Williams in the Robertson-Cole company. She was later assistant to Colvin Brown in the FBO foreign department and still later with Ambrose Dowling's RKO foreign department. She had been aide to Reisman for the past three years.

Surviving are her father, Thomas A. Smith of Brooklyn, and two sisters, Dorothy and Marie.

Funeral services will be held this morning at St. Francis Xavier Church, Sixth Ave., Brooklyn, at 9:30.

Harry Hunter's Mother Dead

Seattle, Feb. 22.—The Paramount office has cabled Harry Hunter, managing director of Paramount Film Service Pty, Ltd., Sydney, Australia, telling him of the death of his mother, who passed away here on Saturday.

British Group Arrives

Nine members of the British Board of Trade arrived Monday on the *Queen Mary* for conferences in Washington on the proposed Anglo-American trade pact. The committee includes A. E. Overton, F. Grant, N. E. Archer, J. A. Stirling, G. L. Watkinson, W. E. Rhydderch, Miss H. D. Lupton, Miss J. C. Forrester and Miss T. H. Hammond. The group proceeded to Washington.

Blanks at Los Angeles

Des Moines, Feb. 22.—A. H. Blank and Mrs. Blank, who spent a month in Honolulu, are now at the Ambassador Hotel, Los Angeles, for two weeks.

Wall Street

Eastman Leads Board Rise

	Open	High	Low	Close	Net Change
Col.	13⅞	14¼	13⅞	14¼	+ ½
E. K.	154	156	154	156	+2
E. K. pfd.	165¼	165½	165¼	165½	+ ½
Loew	49⅛	50¼	49⅛	50¼	+1¼
Loew pfd.	106	106	106	106	— ½
Para.	10	10⅛	10	10	.....
Para. 1	89¼	89¼	89¼	89¼	.....
Para. 2	10⅛	10¼	10⅛	10¼	+ ⅛
RKO	3⅞	3⅞	3⅝	3¾	.....
20th Fox	21⅝	22¼	21⅝	22	+ ½
W. B.	6	6	6	6	.....

Light Curb Change

	Open	High	Low	Close	Net Change
G. N.	9/16	9/16	9/16	9/16	.....
Monogram	2⅛	2⅛	2⅛	2⅛	.....
Sentry	¼	¼	¼	¼	—1/16
Tech.	18⅞	19	18¾	19	+ ½

Keith Bonds Gain

	High	Low	Close	Net Change
Keith 6s '46	84½	84½	84½	+1½
Loew 3½s '46	98¼	98¼	98¼	— ½
Para. Pict. 6s '55	91½	91½	91½	.....
W. B. 6s '39	65	65	65	—4

(Quotations at close of Feb. 21)

Hollywood Preview

"Accidents Will Happen"

(Warners)

Hollywood, Feb. 22.—The fake accident racket, which occasionally becomes a scandal in many localities, has been adapted as the subject matter of "Accidents Will Happen." While hardly of caliber that will attract attention in the bigger houses, the picture should prove effective in the neighborhood and small town theatres.

In theme and in the manner in which the expose is effected the story follows the honest-man-who-turns-crooked-for-a-purpose formula. Ronald Regan, an insurance investigator disillusioned by his faithless wife, Sheila Bromley, goes into the fake accident racket with Gloria Blondell. The clever pair, knowing all the angles, soon are accepted as legitimate allies by the big boss, Addison Richards. Action and situations illustrate the various ruses through which insurance companies are mulcted. Regan finally gets all the evidence necessary to expose Richards and his henchmen. While the melodrama is going on, Regan becomes more closely attached to Miss Blondell and when, following the expose, he is reinstated in his company, plans are formulated to divorce Miss Bromley so that the hero may marry Miss Blondell.

The picture is told realistically and with quite a bit of exciting punch. Good performances are contributed by the leads and supporting players. The film is based on a story by George Bricker which he, Anthony Coldeway and Morton Grant adapted. William Clemens' direction is gaited to keep things moving.

Running time, 60 minutes. "G."

Out Hollywood Way

Hollywood, Feb. 22. — The real name of Roy Rogers, Republic's new Western player, is Leonard Slye. He was billed as Dick Weston in "The Old Barn Dance," which starred Gene Autry . . . Arthur Hornblow, Jr., Paramount producer, has returned to his desk following four weeks' absence due to an appendicitis operation. . . . Warners have given a term contract to Bobby Jordan, of the "Dead End" kids, and have assigned him to an important part in "Angels with Dirty Faces."

Dorothy Lamour and Bob Hope will have the romantic leads in Paramount's "Rainbows in the Night," new title for "The Stooge," original story by Sid Silvers and Lillie Hayward, which Jeff Lazarus will produce. . . . Grace Moore has three stories scheduled for her at Paramount. They are "Show Business," "Madame Butterfly" and "Carmen." One of them will be started between May and November. . . . Wally Klein and Joseph Schrank have been assigned by Warners to develop an original musical as a possible vehicle for Dick Powell. The tentative title is "Glamour Girl."

✚

Writers—Republic has assigned Adele Buffington to work with Carl Gass on the script of "Hollywood Bandwagon;" Gordon Kahn to work on "Tenth Avenue Kid," and George Yates and Marjorie Klein on "Inspector Hardy Hits New York" . . . Lawrence Kimble is working on the screenplay of "Three Broadway Girls," Warners.

Warners has assigned George Bricker to work with N. W. Hanneman on the script of "Up She Goes." . . . Edward Childs Carpenter has been signed by Walter Wanger to write the screenplay of "The Illusionist," Sascha Guitry story.

✚

Casting—Rosella Towne, Janet Shaw and John Ridgely in "Lovely Lady," Warners . . . Ralph Bellamy in "Boy Meets Girl," Warners.

Allen Jenkins in "The Amazing Dr. Clitterhouse," Warners. . . . Gloria Blondell in "Lovely Lady," Warners. . . . Bryant Washburn to RKO's "Law of the Underworld," formerly titled "Crime." . . . Bradley Page, given a new contract, goes into "Go Chase Yourself," RKO picture formerly titled "Rolling Stones," in which Joe Penner, Lucille Ball, Richard Lane, Fritz Feld and Vickie Lester have featured parts.

✚

Directors — Otis Garrett has been assigned by Universal to direct "The Lady in the Morgue," third of the Crime Club stories. . . . Fanchon Royer has moved her offices from the Conn studios to Grand National where "Madame Houdini Speaks" will begin Feb. 24. Frank O'Connor will direct.

Finish "State Police"

Hollywood, Feb. 22.—Universal has completed "State Police," featuring John King, and has resumed production of "The Last Stand," Bob Baker vehicle, delayed for several days by inclement weather.

To Film Sheean Story

Hollywood, Feb. 22.—Walter Wanger will produce "Personal History," from the Vincent Sheean book of that name, following the completion of "The River Is Blue." "Personal History" will star Joan Bennett.

Monogram Signs Carroll

Hollywood, Feb. 22.—Monogram has signed John Carroll to a long-term contract. He is scheduled to appear in "Gypsy Romance" and "The Lost Legion," having completed "Rose of the Rio Grande."

Short Subjects

"Flash Gordon's Trip to Mars"

(Universal)

There should be little difficulty i selling this serial to youngster Where the first "Flash Gordon" wer over this will do the same. It ha similar selling angles and is a comb nation of an identically bizarre far-fetched story that requires a yo imagination to fully appreciate. Th film was given a good production wit a lot of colorful detail and well-ex ecuted model work to convey its fur damental ideas.

Here again Buster Crabbe is i the title role. His adventures sta when he goes off on another rocke ship flight to Mars. It seems th the powers that be up there are inte on destroying the earth by drawin away the atmosphere by means a mysterious ray of light. Crab is accompanied by Jean Rogers an Frank Shannon who play the rol of Dale Arden and Dr. Zarkov, r spectively. The story has to do wi the trio's attempt to halt the impen ing celestial doom. No doubt they a complish this end by the 15th chapte But in the meantime they have cope with a wicked queen who h magical powers and that omnipote devil, the Emperor Ming.

The exciting incidents are treat to give the most in spectacular effe The story moves vividly from o chapter to another. The film is bas on Alex Raymond's cartoon and w directed by Ford Beebe and Robe Hill. Each chapter runs about mins. "G."

"Unusual Occupations L7-4"

(Paramount)

Entertainment for the most part, th collection has Captain Banning, wh clings to a lost day and still drives t ancient stagecoach that antedated t California railroads; Dr. Mauri Goldblatt of Notre Dame Universit adept at spotting fraudulent painting a London sidewalk artist; a wom who found it profitable to make tri kets out of seahorses; a man who pu miniature ships in bottles, and a ca tanet maker. There is also Bob Burn who studies cell life under the micr scope, but the reason for includi this is not clear. Running time, mins. "G."

"Learn Polikeness

(Paramount)

Olive Oyl tries to make a gentlem out of Popeye and takes him to school of etiquette. The professo who is Bluto in a new guise, taun Popeye, and when he attempts to b come romantic with Olive, the sail goes after him. There is the usu mixup and fistic slaughter, in whic the villain is bested. There are a fe chuckles in this one. Running time, mins. "G."

Arthur A. Lee on Coa

Los Angeles, Feb. 22.—Arthur Lee, vice-president and general ma ager of G. B., arrived here yesterd for conferences with branch manage and salesmen in this territory. H will return to New York by plane a few days.

CLASS OF SERVICE DESIRED			
DOMESTIC		CABLE	
TELEGRAM		FULL RATE	
DAY LETTER		DEFERRED	
NIGHT MESSAGE		NIGHT LETTER	
NIGHT LETTER		SHIP RADIOGRAM	

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

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PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

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Send the following message, subject to the terms on back hereof, which are hereby agreed to

NA2 TWS PD 4 MIN HKY HOLLYWOOD CAL FEB 16 1245P
PARAMOUNT PICTURES INC PARAMOUNT BLDG NEWYORK NY

DAILY VARIETY: "ROMANCE IN DARK" SMART COMBINATION OF MUSIC AND SOPHISTICATED COMEDY, PRODUCED WITH TASTE AND LUXURIANT QUALITY, MAKES "ROMANCE IN THE DARK" SUREFIRE FOR THE DELUXERS. IT ALSO HAS SUFFICIENT COMMON APPEAL IN ITS ROMANTIC IMPLICATIONS AND DIVERSITY OF LAUGH ELEMENTS TO CARRY FAR DOWN THE LINE AS HEAVY PAY ENTERTAINMENT. RATES AS THE BEST OF THE GLADYS SWARTHOUT OFFERINGS BOTH IN THE MUSICAL AND ROMANTIC PHASES AND WILL SERVE TO SWING THIS EXCELLENT DIVAS STOCK ON THE UPWARD CURVE.

HOLLYWOOD REPORTER: "ROMANCE IN THE DARK" FINE CLASS COMEDY WITH MUSIC. SWARTHOUT-BOLES-BARRYMORE TOPS. THIS CONTINENTAL HIGH COMEDY WITH SONGS IS A HAPPY SOLUTION TO THE PROBLEM OF FITTING AN OPERATIC DIVA WITH A FILM VEHICLE THAT WILL PLEASE GENERALLY. IT IS A LIVELY AFFAIR TO BE ENJOYED FOR ITS FREQUENT OUTBURSTS OF GOOD COMEDY WELL SUNG AND ITS CLUSTER OF AMUSING CHARACTERIZATIONS.

FILM DAILY:- "ROMANCE IN THE DARK" TUNEFUL MUSICAL COMEDY - HANDSOMELY PRODUCED AND WELL-CAST. SHOULD BE PLEASING SCREEN FARE FOR AUDIENCE IN GENERAL.

MEMO - GENERAL PRESS REACTION SPLENDID. REGARDS

TERRY DELAPP..

Paramount Pictures

A tip to the trade

PARAMOUNT'S ON PARADE!

CBS Negotiating Club Booking Deal

(*Continued from page* 1)

its club booking division, and it has not been reinstated. Numerous inquiries for club dates have continued to arrive at the offices of the network's artists bureau, however, resulting in the pact now pending. Because of its past troublesome experience with a club booking department, CBS is determined not to reinstate the department, preferring to turn over all calls for such bookings to the Radio Quality Group on a percentage basis.

WFIL Establishes Recording Service

(*Continued from page* 1)

manned bureau. Roger W. Clipp, the station's business manager, will head the new department.

In the station's four months of experimental recording, WFIL has made 1,427 pressings. The station has already cut a series of wax discs for the Taylor Packing Co. and the Personal Finance Co.

Rules Atlanta Tax Illegal

ATLANTA, Feb. 22.—Atlanta's occupational tax ordinance, under which it sought to collect $300 a year from WSB, *Atlanta Journal* station, for broadcasting the advertising of local companies has been ruled invalid by Superior Court Judge John D. Humphries. The court held that there is no way to restrict transmission of such advertising from crossing state lines, stating such a tax would be a "burden" on interstate commerce for municipal benefit. The city has 20 days in which to appeal case to the State Supreme Court.

Correspondent Has WIP Series

PHILADELPHIA, Feb. 22.—William J. Butler, for 18 years a foreign correspondent for the International News Service, has begun a new series over WIP, titled "Person of the Hour." Butler, formerly with the New York *World-Telegram* and the *New York American,* is currently on the editorial staff of the *Evening Bulletin.* In his present air series, Butler will bring outstanding personalities in the news to the microphone.

WRC Adds Film Chatter

WASHINGTON, Feb. 22. — Thiceweekly Hollywood chatter feature is to be inaugurated by WRC, NBC-Red outlet here. Announcer Bill Crago will be at the microphone, with Tommy Knode, night news editor, doing the script.

Rites Held for Mrs. Shepard

BOSTON, Feb. 22.—Mrs. Mary Ingraham Shepard, widow of John Shepard, Sr., was buried Monday in the Forest Hills Cemetery. She was intensely interested in radio and was the grandmother of John Shepard, 3rd, of the Yankee and Colonial Networks.

KFRC Program Is Sponsored

SAN FRANCISCO, Feb. 22.—Following 19 weeks as a sustaining program on KFRC, "Listen," a quarter-hour commentary on radio programs, will be sponsored by the Shasta Water Co. The show is written by Pat Kelly and announced by Herb Allen.

No Imitations

San Francisco, Feb. 22.—"Three Radio Rogues," appearing at a local night spot, were slated to mimic outstanding figures in American life on "Women's Magazines," on KPO.

At the last minute a wire was received from Stephen Early, refusing permission to imitate the voice of President Roosevelt. NBC stepped in to squelch attempts to get approval from Amos 'n' Andy, Lum and Abner, and Rudy Vallee.

Rorer Is Appointed As Manager of WPE

Dwight E. Rorer, for nine years an Assistant Attorney General in Washington, has been appointed manager of WPEN, in Philadelphia, according to Hyla Kiczales, general manager of the William Penn Broadcasting Corp.

George Lasker remains as head of the commercial department of the station. Ed Dukoff has been appointed director of publicity of WPEN.

To Air Charity Show Tomorrow

A one-time program for the benefit of the Greater New York Fund will be broadcast tomorrow from the Center Theatre from 9 to 10:30 P. M. over WABC and CBS network, WJZ, WOR and WHN. It will also be heard over WEAF and WMCA from 9 to 10 P. M. Speakers will include Mayor Fiorello H. LaGuardia, Alfred E. Smith, former Judge Joseph M. Proskauer, John D. Rockefeller, and James G. Blaine. There will be a concert orchestra conducted by Walter Damrosch and Fritz Reiner and a piano duet by Jose and Antaro Iturbi. Major Bowes' program and Victor Baye's "Essays in Music" will not be heard due to this broadcast.

Bank Has School Program

LONGVIEW, Tex., Feb. 21.—The First National Bank is presenting each week on KFRO "The Voice of the Longview Public Schools," a half-hour feature direct from the auditorium of the school presenting the program. The bank has prepared folders describing the program, and sends them out with their regular monthly statements. The program features the Longview High School band, the girls' and the boys' glee clubs, both from the high school, and the various junior high schools of the city.

Silvers to Be Air Producer

George Silvers, formerly in publicity and more recently an associate of Jimmy Saphier and Ed Wolfe, will go into business as an independent program producer. His list of attractions includes Upton Close, commentator; Murdock Pemberton of the *New Yorker,* and a show called "The Editor's Assignment," wherein Arthur C. Robb, editor of *Editor and Publisher,* interviews prominent newspapermen, with dramatizations. The editor for the first script is William Allen White.

To Air "Case of Murder"

"Hollywood Hotel" on March 11 will feature Edward G. Robinson, Jane Bryant and Allen Jenkins in "A Slight Case of Murder."

Charlesworth Tells About Canada Radio

MONTREAL, Feb. 22.—The story of his removal as head of the old Canadian Radio Commission is told by Hector Charlesworth in his first book in five years, "I'm Telling You." His volume gives the history of the commission which was headed by him from 1932 until late 1936 when it was superseded by the present corporation.

The commission having been a creating of the R. B. Bennett regime, the author says he and his colleagues were not surprised at encountering considerable criticism from Liberal parliamentarians when they came into power under Mackenzie King, but he was amazed at the hostile attacks directed at himself.

Birmingham Station Asks Power Increase

WASHINGTON, Feb. 22. — Application for authority to increase its night power from 1,000 to 5,000 watts has been filed with the Federal Communications Commission by WBRC, Birmingham.

Also received was an application from KAND, Corsicana, Tex., for authority to increase power from 100 to 250 watts.

The commission has fixed hearings before an examiner on March 22 on the applications of the Vancouver Radio Corp. for an 880-kilocycle, 250-watt daytime station at Vancouver, Wash., and the Great Western Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Omaha.

Cope Returns to KJBS Program

SAN FRANCISCO, Feb. 22.—Frank N. Cope, for the past two years production manager at NBC here, has resigned to resume his old post as skipper of KJBS' "Alarm Klok Klub," effective March 1. The program is heard from 6:30 to 8 A.M. daily, and features regular time signals, weather news and popular music. It is of the participating type, with 18 sponsors.

Ravazza Starts New Band

SAN FRANCISCO, Feb. 22.—After six months playing bits in films, Carl Ravazza has organized a new band. It will open Feb. 24 at the Hotel Sir Francis Drake, broadcasting over KPO-KGO. Carvel Craig's band will reopen at the Hotel Whitecomb Feb. 17, with Sid Hoff going into El Patio Gardens Feb. 10. The latter two are also KPO-KGO pickups.

Stephan Cartwright Dies

LINCOLN, Feb. 22.—Stephan Cartwright, blind and deaf news commentator, died of a heart attack here Sunday. Cartwright was last featured on KOIL.

Radio Sales Appoints Bohn

ST. LOUIS, Feb. 22.—John Bohn has been appointed KMOX representative for Radio Sales, Inc. He replaces Bob Dunville, who left the station in December.

Campana to Cancel Series

Campana Sales Co. will cancel broadcasts of its "Grand Hotel" series on NBC with the broadcast of March 28. Aubrey, Moore & Wallace is the agency.

Around the Country

Chicago

Ken Carpenter of NBC is at N
for a few weeks. . . . George B
WLS promotional director, is a
vacationing in California. . . . Warr
Brown and John Harrington, spo
experts for WJJD and WBBM,
on the coast to get ready for the ba
ball training season. . . . Francis
Bushman, Burr Lee and Tom Shirl
all former film actors for the
Essanay studios, are now radio act
on WBBM and other stations here.

◆

Hollywood

Harrison Holliway, KFI-KE
station manager, has dropped his "T
Listen-Inner" program on KFI, duri
which he discussed and comment
upon various radio programs.
seems that listening to radio progra
constantly began wearing on him .
KFI's staff "chorestra," composed
musicians who also sing, has met wi
such favorable response that they w
be heard Mondays, Wednesdays a
Saturdays, instead of just Saturda
. . . Sam Balter, Southland spo
authority, has started a new series
broadcasts, "California Sports
view," on KNX and KSFO
"Phillies" Cigars . . . "Hollywo
Barn Dance," Pacific CBS show,
celebrated its fourth anniversary
the air . . . CBS Producer Brews
Morgan has a new addition to
family—Brewster Morgan, Jr., weig
6½ pounds bedside, at the Cedars
Lebanon . . . Raulli's Sunland Bisc
Co., is sponsoring Al Gayle, singi
accordionist, on KECA for 15-min
programs on Sundays for 52 weeks

◆

Lincoln

Reggie Martin, formerly stati
manager with KOIL-KFAB-KFO
is making his home temporarily
Des Moines. . . . J. Gunnar Back, w
resigned as continuity chief at KFA
KFOR, has gone to California. . . . J
di Natale, with the help of a libe
flood of stills from the CBS public
department, is cooperating with N
man Harris, *Daily Nebraskan* ra
editor, in doing a contest. . . . Har
Harvey, former technical supervisor
the Central States Broadcasting Co.,
lining up a Chicago engineering j

◆

San Francisco

KROW's "Man in the Street" p
gram, a daily feature from downto
Oakland, recently had its 500th airi
. . . Marjory Tolman, recent amat
hour winner, has been signed to pl
in "Romance of the Highways," S
day program sponsored by Paci
Greyhound Bus Lines over KFRC a
the Don Lee web . . . Howard M
holland, former KPO-KGO progr
director, and his wife, Eva Gar
have sailed for Australia on a thr
month concert tour . . . Rush Hugh
whose "Pictorial" commentary is he
coast-to-coast daily over the NB
Red, is planning a flight to Haw
by *Clipper,* during which one of
regular programs will be relayed
short wave to the mainland. Oth
will be on short wave from Honol
and aboard ship en route back to
mainland.

Radio ersonals ◂

BE SCHECHTER, NBC director of special events, is back from pt, where he attended the wedding ing Farouk at the invitation and ense of the Government, which is nice work if you can get it. . . . y Clark on Monday auditioned ew program for Lord & Thomas, n the outcome unknown. . . . An- r recent auditioner, for Griffin e Cleaner Co., was Bunny Berri- , for a CBS spot. . . . Bob Carter, ICA chief announcer, has resigned station post, effective March 1. plans to leave for Hollywood im- liately thereafter. . . . Ireene cker, Kellogg's "Singing Lady," been given an award by *Parents' gazine* for "outstanding service to dren."

+

lue Barron's band has been re- ved for 13 weeks on NBC . . . Lucy nroe was one of a group of eight s who made Chevrolet recordings nday . . . Ken Sisson has been en- ged to conduct at the Musicians' l in Montreal in April . . . WQXR l get the *Radio Guide* plaque next k . . . Henry Busse has signed an lusive CRA contract . . . Ray bing's "Ingenues," 16 girl musicians, ived here yesterday from Mexico y to audition for a radio program.

+

Violet Bonner, who has appeared the "Barn Dance" shows, left terday for Boston to join a Major wes unit. She will leave for the st early in March. . . . Carl Hoff es over the "Hit Parade" March . . . Joe E. Brown will be Eddie ntor's guest on Feb. 23.

eintroub-Olenick in New Firm

HOLLYWOOD, Feb. 22.—Murry eintraub and Jerome E. "Jerry" enick, radio and film publicity rep- entatives, have severed their con- ction with the George D. Lottman gency of New York, which they ved as local representatives.

They are continuing business under firm name of Weintraub-Olenick. artin Melcher of New York has ned the firm as an associate.

Lohr Returns from Coast

Lenox R. Lohr, president of NBC, urned to New York Monday after three-week stay in Hollywood in the erests of the network's new studios Hollywood, now under construction. hr officiated at the ground breaking remonies some weeks ago. O. B. anson, NBC chief engineer, who ade the trip with Lohr, is expected ck today.

Renew on Crosby Gaige

C. F. Mueller Co. has renewed its Kitchen Cavalcade," with Crosby aige, for 13 weeks, effective March . The program is heard Mondays rough Fridays on the NBC-Blue om 10:45 to 11 A. M. Kenyon & ckhardt, Inc., is the agency.

Fields on Lux Show March 7

W. C. Fields on March 7 will age his first bit of acting in a long ell when he stars in a radio version "Poppy" in the Lux "Radio The- re."

Trade Unites For Fight on English Bill

(Continued from page 1)

quota obligations of American distributors to one-third those imposed on exhibitors.

The exhibitors forecast that the normal quota figure on a year's films of 97 would be reduced under the new plan to 33. In other words, 64 fewer films would be produced, which would result in the exhibitors' quota needs going unfilled and leave a consequent shortage of product.

The Stanley amendments would reduce to £15,000 the minimum cost of those films which may be counted as eligible under the proposed reciprocity clause, and would permit films costing £30,000 to be counted a triple in valuation for the distributor quota.

The exhibitors contend that enactment of the Stanley plans would have the effect of putting many independent theatre owners out of business.

A deputation of exhibitors yesterday visited the Board of Trade in an effort to persuade Stanley to withdraw his amendments. Stanley was absent and his office offered no encouragement to the exhibitors. The theatre owners have expressed their intention to fight the plan through to the end.

Metcalfe Asks Assistance

Charles P. Metcalfe, president of the Cinematograph Exhibitors' Association, told an emergency press conference yesterday that he needed their assistance, declaring he would agree to deferring the Stanley plan for consideration later by the Films Council. It is contended that the only support for the proposal is coming from the interested producer section which has circuit release for expensive films.

A new Stanley amendment to be proposed stipulates that the distributors' quota productions must be made in the United Kingdom by producers in business there during the periods of production. This would have the effect of barring distributor quota films made in Canada, Australia or India. Another Stanley proposal would allow two foreigners to work on any production under the labor cost clause, thus permitting one foreign star and one foreign director or technician on a picture.

Actors Federation to Stand with Four A's

(Continued from page 1)

solely to the former organization's "unwillingness to precipitate a conflict among A. F. of L. unions." His letter was taken to mean that the A. F. of A. would join other Four A's unions in opposing any advancement of the I. A's jurisdictional claims.

The A. F. of A. complied with a recent order of the Four A's and returned $1,400 in dues which it had collected from burlesque actors to the Burlesque Artists Ass'n. The dues were collected during a brief period last summer when the A. F. of A. claimed jurisdiction over the burlesque workers, a claim which was later denied by the Four A's.

Nebraska Game Ban Wins in High Court

(Continued from page 1)

last June when State's Attorney General Richard C. Hunter obtained an injunction against Bank Night in Omaha. In the Omaha case, Bank Night was ruled a lottery because people paid money for the chance of winning the prize.

Asks Probe on Game Insurance

MONTGOMERY, ALA., Feb. 22.—Frank N. Julian, Alabama Superintendent of Insurance, has suggested Grand Jury investigation of a practice of guaranteeing collections of theatre Jackpots, asserting, "it is clearly against the insurance laws of Alabama unless the operators are authorized guaranty companies." Julian said no individual or corporation had been authorized to engage in the "jackpot guarantee" business, and none would be, "unless they can post $100,000 cash and meet other requirements of the law."

Theatre Jackpots recently were held to be lotteries by the Alabama Supreme Court.

Tulsa to Test Bank Night

TULSA, Feb. 22.—Tulsa County's first court test of theatre Bank Night legality is being prepared by Assistant County Attorney M. S. Simms against V. L. Chandler, who operates the Rex. The action was brought at the request of the Negro ministerial alliance and citizens of the community.

To Enforce Ban on Beano

PORTLAND, ME., Feb. 22.—Chief of Police Ralph Brooks and Sheriff Henry Burnell of Cumberland County plan rigid enforcement of the ban on Beano, which, up to now, has not been enforced. The game was declared illegal some time ago.

Writes Book in 17 Days

CHICAGO, Feb. 22.—Preston Langley Hickey, known for the past 10 years as Duke Hickey, Universal exploitation man, has just finished a writing marathon. He has written the life of Juanita Hanson under the title "Red Grows the Poppy"—140,000 words—in 17 days. During that time he left his hotel only twice and lost 27 pounds.

Bob Burns a Colonel

OKLAHOMA CITY, Feb. 22.—Bob Burns has been named a colonel on Gov. E. W. Marland's staff. Arkansas Secretary of State C. G. Hall asked the Oklahoma governor to name the comedian a senator of good will, but the governor settled on a colonelcy for Bob.

Miss Trevor to Warners

HOLLYWOOD, Feb. 22.—Claire Trevor has been borrowed by Warners from 20th Century-Fox to play opposite Edward G. Robinson in "The Amazing Dr. Clitterhouse."

Stage Shows Dropped

OKLAHOMA CITY, Feb. 22.—Standard Theatres has discontinued showing of traveling stage shows in its first run spots for the immediate future.

'Divorce' Bill Is Shelved in Massachusetts

(Continued from page 1)

reads, "your organization was recorded with the committee holding a hearing on divorce legislation to the effect that while we are strongly in favor of this type of legislation there would be no point to be gained in pressing for it in this state until its constitutionality is decided in North Dakota.

"Our members may rest assured that when the time is propitious for the introduction of this type of legislation in this territory, we will open up on it with all our guns."

The bill, as introduced, provides that no theatre could do business in Massachusetts if it were "owned, controlled, managed, or operated, in whole or in part, by any producer or distributor of motion picture film, direct or indirect, legal or equitable, through stock ownership or otherwise."

Ticket Tax Shows Big January Drop

(Continued from page 1)

amusement industry. The loss of $900,000 from December to January was more than $200,000 greater than the decline from December to January a year ago.

For the seven months of the current fiscal year—July through January—admission tax revenues were $12,807,432 as compared with $11,725,853 in the corresponding period last year, the bureau reported.

Holiday admission tax collections in the Broadway district were slashed drastically, it was disclosed by the Bureau of Internal Revenue in figures showing January receipts from the Third New York District.

Total collections for the month were but $339,074, a drop of $417,000 from the December total of $756,524, and nearly $160,000 under the January, 1937, receipts of $498,924, it was reported. Box-office collections, which totaled $425,863 in January, 1937, and $668,327 in December, dropped to $271,505 last month.

Reductions were noted in all other categories except permanent use or lease of boxes and seats, from which collections jumped from $3 in December to $6 in January.

Collections from free or reduced rate admissions dropped $9,467 to $4,965; tickets sold by brokers, from $18,300 to $15,535; tickets sold by proprietors in excess of established prices, from $2,441 to $244, and admissions to roof gardens and cabarets, from $57,985 to $46,819.

"Hurricane" Sets Record

VANCOUVER, Feb. 22.—The record-breaking run of "Hurricane" at the independent Plaza here will end after the present week, which is its ninth, according to Sam Nagler, United Artists branch manager here. The picture has exceeded by four weeks the former record, which was held by "San Francisco" at the Capitol.

Leo Spitz to Retain Post As RKO Head

(Continued from page 1)

reorganization. It was reported in usually reliable quarters, in this connection, that McDonough had been given a one-year contract with renewal options. His first assignment is expected to be at the studio where he will concern himself exclusively with financial matters. Decisions involving production affairs will remain with Berman, it is believed, and where they may conflict with financial decisions final rulings, presumably, will be made in New York.

The deliberations on a change in RKO management were begun shortly before the first of the year and were participated in originally by the principal creditors, Atlas Corp. and Lehman Bros., trustee's representatives, Spitz and Berman. The discussions continued in Hollywood for four weeks, ended in an impasse, and were then transferred to New York where they have continued since, without, however, Atlas and Lehman participation.

Presumably, the inability to reach an earlier decision since the deliberations were begun here was due to the trustee's basic desire to have Spitz continue as head of the company while insisting upon the addition of a financial aide. According to informed sources, Spitz was wary of the development of a situation which might lead to divided authority and executive conflict within the company. Therefore, all proposals which were advanced during the three weeks of deliberations here were of a tentative nature and depended for permanence on their acceptability to Spitz. For this reason, the setup arrived at Monday is assumed to have his approval.

Production Gains With 37 in Work

(Continued from page 1)

Universal, and "The Amazing Dr. Clitterhouse," Warners.

The tally by studio:

Columbia finished one, shooting one, preparing zero, editing four; Goldwyn, zero, zero, zero, zero; M-G-M, one, four, one, five; Monogram, one, zero, zero, one; Paramount, zero, five, one, 10; Principal, zero, zero, zero, one; RKO, one, three, two, four; Republic, one, one, two, five; Roach, zero, one, zero, one; Selznick, zero, zero, zero, zero; 20th Century-Fox, one, nine, zero, four; Universal, zero, five, three, three; Wanger, zero, one, zero, zero; Warners, one, seven, six, 14.

Columbia finished one short subject, while one is shooting at RKO and another at Roach. Seven are being prepared, four at M-G-M, one at RKO and two at Roach. A total of 18 are being edited.

Production Activity Keeps Zanuck on Job

Hollywood, Feb. 22. — Vacation plans of Darryl F. Zanuck have again been abandoned by the production chief at 20th Century-Fox, who has decided to stay here and give his attention to the nine pictures now in production. The studio states that 1,900 players and 5,000 technicians are engaged at the present time.

The films now in work, together with the featured players in each are: "Alexander's Ragtime Band," Tyrone Power, Alice Faye, Don Ameche; "Little Miss Broadway," Shirley Temple; "Battle of Broadway," Victor McLaglen; "Kentucky Moonshine," the Ritz Brothers; "Kidnapped," Warner Baxter, Freddie Bartholomew; "Four Men and a Prayer," Loretta Young; "Mr. Moto's Gamble," Peter Lorre; "Island in the Sky," Gloria Stuart, and "A Trip to Paris," the Jones Family.

"Snow White" Sensational In Boston; Takes $42,500

Boston, Feb. 22.—"Snow White and the Seven Dwarfs" at the RKO Memorial proved to be the biggest thing to hit Boston for months, socking over normal by $20,500 with a total take of $42,500. Georges Campo, Vic Hyde and an assembled unit worked the stage. All-time records for Saturday and Sunday catapulted the Memorial to a terrific start. Ticket sales Monday morning stopped at 9:30 with 800 waiting outside. A gross of $44,000 is expected for the second week.

"Man-Proof" and "I'll Take Romance" was slightly over par at both Loew's Orpheum and Loew's State. At the RKO Boston, "Happy Landing" held up well in its fourth week. It was dualed for a second week with "Charlie Chan at Monte Carlo." The Boston grossed $8,000, under the level by only $2,000.

The Metropolitan, putting on its last stage show before going into double features and therefore holding expenses down, had one of the poorest weeks of its career, grossing $9,000.

Total first run business was $96,500. Average is $90,500.

Estimated takings for the week ending Feb. 19:

"THE KID COMES BACK" (Para.)
"SH, THE OCTOPUS!" (F. N.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $3,000. (Average, $4,500)

"MAN-PROOF" (M-G-M)
"I'LL TAKE ROMANCE" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-35c-40c-55c, 7 days. **Gross:** $13,000. (Average, $12,000)

"MAN-PROOF" (M-G-M)
"I'LL TAKE ROMANCE" (Col.)
LOEW'S STATE—(3,537), 25c-30c-40c-55c, 7 days. **Gross:** $12,000. (Average, $11,000)

"CHECKERS" (20th-Fox)
METROPOLITAN—(4,332), 25c-35c-55c, 7 days. Stage: Senator Ford, Metroettes. **Gross:** $9,000. (Average, $22,000)

"THE KID COMES BACK" (Para.)
"SH, THE OCTOPUS" (F.N.)
PARAMOUNT—(1,793), 30c-40c-55c, 7 days. **Gross:** $5,500. (Average, $8,000)

"HAPPY LANDING" (20th-Fox)
(4th week)
"CHARLIE CHAN AT MONTE CARLO"
(20th-Fox) (2nd week)
RKO BOSTON—(3,246), 25c-40c-55c, 7 days. **Gross:** $8,000. (Average, $10,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
RKO MEMORIAL—(2,907), 35c-50c-65c, 7 days, 2nd week. Stage: Georges Campo, Vic Hyde. **Gross:** $42,500. (Average, $22,000)

To Honor William Erbb

Boston, Feb. 22. — A testimonial dinner for William Erbb is planned for March 8 at the Statler. Erbb is head of the Boston, Portland and New Haven offices of Paramount.

Since 8 A.M.

At supper-show time for "Snow White" at the RKO Palace, on Monday, the barkers were announcing:

"There are now a few seats, for the first time since 8 o'clock this morning."

"Snow White" Stirs Ohio Factory Rush

Columbus, Feb. 22.—"Snow White and the Seven Dwarfs" has precipitated an unusual industrial spurt in northern Ohio. From Toledo it is reported that the Libby division of the Owens-Illinois Glass Co. has been operating at capacity for several weeks producing practically millions of tumblers with "Snow White" characters blown thereon in color, while at Akron the Seiberling Tire & Rubber Co. is turning out rubber models of "Snow White."

It is understood that both industries are having difficulty in supplying the nationwide demand.

The picture will be given a midnight "Hollywood premiere" when it opens at the RKO Palace Feb. 24, according to C. Harry Schreiber, RKO city manager. Fireworks and bombs will be set off, local department stores will feature a "Snow White Fashion Show," and there will be a special broadcast of the musical score over WBNS. City, county and state officials will attend, and one of the celebrities will cut the massive "Snow White" cake just before the picture opens. Girls dressed in white will act as hostesses.

"Everybody Sing" $7,600 at Houston

Houston, Feb. 22.—"Everybody Sing," with a glimpse of Judy Garland in person between trains, pulled $7,600 at Loew's State to lead the picture parade. This was $600 above par.

"Radio City Revels," run in two days in advance of the usual opening to replace a weak film, held up well and grossed $7,000 at the Metropolitan. "I Met My Love Again" took the rap at the Majestic, falling under par by $900 to a gross of $6,100. The Kirby had a normal week of $5,000 with "She Married An Artist" and "Daughter of Shanghai."

Total first run business was $25,700. Average is $26,000.

Estimated takings for the week ending Feb. 17:

"SHE MARRIED AN ARTIST" (Col.)
KIRBY—(1,450), 15c-35c, 4 days. **Gross:** $2,700. (Average, 7 days, $5,000)

"DAUGHTER OF SHANGHAI" (Para.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,300. (Average, 7 days, $5,000)

"EVERYBODY SING" (M-G-M)
LOEW'S STATE—(2,700), 25c-50c, 7 days. **Gross:** $7,500. (Average, $7,000)

"I MET MY LOVE AGAIN" (U. A.)
MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $6,100. (Average, $7,000)

"RADIO CITY REVELS" (RKO)
METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"Chicago" Up With $15,00 On the Loo

Chicago, Feb. 22.—Sellouts on evening shows along with hea matinees on the weekends helpe Old Chicago" at the Apollo to the lead in Loop business and sc a $15,000 gross for last week. T was almost double average.

"Stage Door" at the Palace was a other strong attraction and was h a second week. The gross for t first seven days was $24,000, wh was $5,000 better than normal bu ness. "45 Fathers" at the State-La was good for $14,600, which was $ 600 over average.

The weather was unsettled.

Total first run business was $12 100. Average is $122,500.

Estimated takings:

Week Ending Feb. 17:

"IN OLD CHICAGO" (20th-Fox)
APOLLO—(1,400), 75c-$1.50, 2 shows da 7 days, 3rd week. **Gross:** $15,000. (Av age, $8,000)

"MAN-PROOF" (M-G-M)
CHICAGO—(4,000), 35c-55c-75c, 7 da Stage: Georges and Jalna and Rev **Gross:** $30,000. (Average, $32,000)

"HURRICANE" (U. A.)
GARRICK—(900), 35c-55c-65c, 7 days, week. **Gross:** $6,000. (Average, $6,500)

"BUCCANEER" (Para.)
ORIENTAL—(3,490), 35c-55c-75c, 7 da 4th Loop Week. Stage: William Hall Revue. **Gross:** $17,200. (Average, $18,

"STAGE DOOR" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 da Stage: Cinda Glen and Revue. **Gro** $24,000. (Average, $19,000)

"45 FATHERS" (20th-Fox)
STATE-LAKE — (2,776), 20c-40c-55c, days. Stage: Verne Buck and Band. **Gro** $14,600. (Average, $13,000)

Week Ending Feb. 18:

"OF HUMAN HEARTS" (M-G-M)
ROOSEVELT—(1,500), 35c-55c-75c, 7 da **Gross:** $8,000. (Average, $11,000)

"MANNEQUIN" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c- 7 days, 2nd week. **Gross:** $14,300. (Av age, $15,000)

"Landing" on Dua Sets Omaha Recor

Omaha, Feb. 22.—"Happy Lar ing" and "Tarzan's Revenge" pul $13,100 in seven days at the Orphe for one of the best weeks in the th tre's history on straight film. T gross topped weekly average of $7, by $5,900.

"The Hurricane" and "Love Toast" grossed $10,300 in seven da at the Omaha, a gain of $4,800 o weekly par of $5,500.

The Brandeis jerked "Manhatt Merry-Go-Round" and "She Marri an Artist" after six days, grossi $3,000 which was below par.

Total first run business was $26,4 Average is $16,700.

Estimated takings:

Week Ending Feb. 15:

"MANHATTAN MERRY-GO-ROUN
(Republic)
"SHE MARRIED AN ARTIST" (Col.
BRANDEIS—(1,200), 25c-35c-40c, 6 da **Gross:** $3,000. (Average, $4,000)

"THE HURRICANE" (U.A.)
"LOVE ON TOAST" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. **Gro** $10,300. (Average, $5,500)

Week Ending Feb. 17:

"HAPPY LANDING" (20th-Fox)
"TARZAN'S REVENGE" (20th-Fox)
ORPHEUM—(3,000), 25c-40c, 7 da **Gross:** $13,100. (Average, $7,200)

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

13. NO. 44 NEW YORK, THURSDAY, FEBRUARY 24, 1938 TEN CENTS

enters' 3-1 uota Killed y the Crown

idespread Objections Caused Action

By AUBREY FLANAGAN

NDON, Feb. 23.—Weeks of angry est by various elements in the stry here against certain phases he new Films Bill reached a ax today when the Government ntarily abandoned the much-dis-d three-to-one renters' quota pro-l. After a general attack in which y speaker opposed the plan, Sir gsley Wood stated that under the ting circumstances the quota pro-ls would be withrawn.

aptain Euan Wallace opened the te in Parliament today in the ab-e of Oliver Stanley, president of Board of Trade, who is ill. A Government amendment tighten-the labor cost clause was carried.

long debate occupied the Com-s on Tom Williams' motion to titute a small commission for

(Continued on page 7)

deral Radio Tax learing to Be Held

ASHINGTON, Feb. 23.—Hearings he Boylan Bill to impose license s upon broadcasting stations op-ed for profit will be held by the sub-committee of the House Ways Means Committee as soon as the ling tax revision bill is reported he House.

ates of tax would be based upon er, ranging from $1 to $3 per watt, small local stations paying the imum rate and the large clear-

(Continued on page 6)

lebration to Mark VMCA Studio Start

MCA will open its new studios a gala three-day celebration ch 30, 31 and April 1.

eremonies scheduled to date are tes via sky, sea and land, a series programs from BBC in London, entation of talks from governors ll states in which Inter-City net-k stations are located, and a salute n Hollywood. The station is dis-hing Harry Hershfield to the st to line up a program from there.

More Radio—Pp. 6-7

Kennedy a Diplomat Before Departing—He Won't Talk

By AL FINESTONE

Even before he reaches the Court of St. James's in London, Joseph P. Kennedy is the cautious diplomat. He parried all questions put to him by newspaper reporters before he sailed on the *Manhattan* yesterday at noon.

"Did President Roosevelt give you any instructions during your conference with him at Hyde Park yesterday?" he was asked.

Kennedy shook his head negatively. "No," he said, peering through his eyeglasses.

"Do you have any comment on the new British film quota proposals?" the MOTION PICTURE DAILY reporter persisted.

"I just got bounced out of one job and thrown into another," Kennedy replied with a grin. "I don't know anything about it. That's what I'm going over there to find out."

Mrs. Kennedy and other members of the family were with the Ambassador when reporters and cameramen crowded his suite seeking "coverage." A white-haired spokesman emerged from a private room and notified the press that Ambassador Kennedy would see them in a stateroom down the hall. Meanwhile, James Roosevelt tried to pry his way into the Kennedy suite, and when he found ingress blocked, he exclaimed:

"My God, is this a press conference?"

Young Roosevelt, who is a secre-

(Continued on page 7)

Tax Talks Include Control of Radio

ALBANY, Feb. 23.—Pending legislation to put the radio industry in this state under the supervision of the Public Service Commission was brought into the conference of Democratic senators who are discussing taxation to defray the $386,000,000 budget, MOTION PICTURE DAILY has learned.

Senator John T. McCall, Manhattan legislator, who introduced the measure last week, was among those attending the conference. No criticism of the McCall bill was uttered in rebuttal, it is understood.

Radio stations and corporations are planning a drive to beat the bill, and may demand a public hearing.

Revenue from radio utility and franchise taxes under the proposed law would amount to between $8,000,000 and $9,000,000 annually, Senator McCall estimated.

"Chicago" 6-Week Take Is $101,400

"In Old Chicago" has grossed $101,400 in six and a half weeks of its two-a-day run at the Astor, according to 20th Century-Fox. Opening on a Thursday night, the film did $11,000 in its first three days, and full-week takes for the subsequent six weeks were as follows: $17,700; $16,500; $16,400; $14,800; $14,200; $10,800. The picture will complete a 12-week run late in March.

"Tom Sawyer" garnered $95,000 in its first week at the Music Hall, ending last night, and was held for a second week. "Bringing Up Baby" will follow on March 3.

Washington's Birthday holiday drew larger than usual crowds to Broadway and the theatres benefited. The Capitol reported 50 per cent more than the normal Tuesday take, which helped the theatre wind up the

(Continued on page 4)

Miami "Snow" Starts Riot

Miami, Feb. 23.—Over 1,000 children at the last performance of the Sonja Henie Ice Ballet at the Burdine Stadium staged a near-riot when they became too enthusiastic over their first snowball experience. Most of the 3,000 under-privileged children present as guests of a local man grabbed handfuls of artificial ice from the ski slide and pelted each other, the skating star and onlookers. A policeman was injured.

The melee was stopped only when a fire truck turned on a hose, drenching a swank crowd as well as the kids. The riot lasted 20 minutes. Miss Henie was posing for publicity stills when the first snowball landed. She was rushed to a dressing room by a wedge of performers.

The kids had the last laugh by cutting the fire hose.

Berman Keeps Post as RKO Studio Head

McDonough Going West On Financial Matters

Pandro S. Berman is definitely slated to continue in charge of production for RKO, official sources stated yesterday. J. R. McDonough, newly elected vice-president of RKO Radio Pictures, will go to the studio immediately to act as temporary financial liaison there for the home office. His duties are described as being divorced completely from production authority and will include home office assignments from time to time.

Berman, as the nominal production head of the studio, in addition to having personal charge of all "A" picture production, is working under a continuing contract. No new pact is scheduled to be discussed with the production head during forthcoming conferences with Leo Spitz, president, and other home office officials who are scheduled to leave for the coast daily.

McDonough plans to leave for Hollywood by plane today. Spitz may leave by train tomorrow, although his

(Continued on page 4)

Ascap Attorneys to Contest Florida Law

Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, Ascap counsel, will leave New York on Sunday for New Orleans to prepare for the hearing there on March 3 of Ascap's action to test the constitutionality of the Florida statute prohibiting the music licensing society from operating within the state. E. C. Mills of Ascap will accompany the attorneys.

A Federal statutory court of three judges has been appointed to convene in New Orleans to conduct the hearing.

Billboard Tax Bill Introduced in N. Y.

ALBANY, Feb. 23.—Controversy over amusement field legislation whipped up its tempo on Capitol Hill today with the disclosure that exhibitors are concerned over a measure by Senator Thomas F. Burchill of New York, imposing an annual tax of five cents per square foot on outdoor advertisements or advertising devices along state or country highways. The tax would be collected by the Public

(Continued on page 4)

MOTION PICTURE DAILY
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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Theatre in Mexico Destroyed by Fire

Mexico City, Feb. 23.—The Cine Alcazar, 1,000-seat theatre, today was destroyed by a fire which resulted from the explosion of five large gas tanks which wrecked most of Maguaricihic in Chihuahua State near the American border, a section known as one of the world's best gold mining districts.

The blast killed three and injured 20 but none of the theatre's employes was included. Scarcity of water made fighting the theatre fire difficult. Loss is estimated at about $250,000.

Cohn Joins 20th-Fox As Contract Writer

Hollywood, Feb. 23.—Alfred A. Cohn has signed a long term contract as a writer for 20th Century-Fox. He will join the studio on March 1.

He recently resigned as Collector of the Port of Los Angeles to reenter the industry, where his activity since 1915 included the writing of such screenplays as "The Jazz Singer," "The Cisco Kid," "Abie's Irish Rose," the "Cohens and Kellys" series and others.

Purely Personal

Marco Page's novel "Fast Company," has been purchased by M-G-M and Page has been signed by the producer to a writing contract. M-G-M also has acquired rights to the new William Faulkner novel, "The Unvanquished," which was published Feb. 15 by Random House.

•

Larry Golob, of the Warner home office publicity department, today is in Baltimore on "The Adventures of Robin Hood" and "Jezebel." He plans to cover Washington tomorrow.

•

James Melton yesterday was signed to an agency contract for pictures exclusively by Myron Selznick, Ltd., of New York. Herman Bernie handed the negotiations.

•

Jules Girden, of the Warner home office, is under treatment in the Manhattan General Hospital. He will leave shortly for a few weeks' rest.

•

Deanna Durbin plans to come to New York for the premiere of "Mad About Music," which will open at the Roxy early in March.

•

George J. Schaefer, who has been in Florida on vacation for the past two weeks, is expected back in New York on Monday.

•

Sam Seidelman, United Artists manager for Mexico, leaves tomorrow for Mexico City after two weeks in New York.

•

George Archainbaud, Paramount director, is en route to the coast to attend a preview of "Her Jungle Lover."

•

King Charney, Agfa Ansco distributor on the coast, is in New York.

•

David L. and Mrs. Loew have left New York to return to the coast.

•

Barney Balaban, Paramount president, arrives from Florida today.

•

John Hay Whitney plans to return to Hollowood early next week.

•

Derrick de Marney will leave next Monday for a visit to Hollywood.

•

B. S. Moss has returned from a Florida vacation.

•

. . . Omaha

Bob Pennington of Vallisca, Ia., is recovering in a hospital from injuries received in an accident in which his father was killed.

John Quinlan, assistant manager of the Brandeis, went to Minneapolis while the tram strike was on and had to do a lot of walking.

Eddie Rostermundt, U. A. salesman, is out of the hospital.

John Harms, former Columbia booker, is booking for Monogram, replacing Matt Rozgay, who was moved to a salesman's job.

Jack Lamont of Grand National home offices in New York, is now G. N. branch manager here, replacing Joe Rosenberg. Rosenberg became Nebraska manager for National Screen two months ago.

Film Mayer School

Hollywood, Feb. 23.—James A. FitzPatrick's "Glimpses of New Brunswick," distributed by M-G-M, features the town of St. John. An important feature of the film is Acadia St. and a grammar school.

Louis B. Mayer was born in St. John and went to the school shown.

Guilds Vote Common Front Against I. A.

Hollywood, Feb. 23.—The formation of a guild front to preserve the boundaries of the Screen Actors' Guild from encroachment by the jurisdictional extension drive of the I.A. T.S.E. definitely was set last night when the writers' and directors' organizations signified their intention of aiding each other and the Screen Actors' Guild, if the I.A. pushes its demand for control of all film crafts, made last Sept. 10.

At a meeting of the Screen Writers' Guild called to pass the new constitution giving autonomy to the guild, and making it an affiliate rather than a member of the Authors' League of America, the writers voted to stand with the other two talent groups, whose members the I.A. claims, along with the rosters of the other organizations.

The board of directors of the director group voted to aid the other guilds in the event of an attack by the I.A. Although the Screen Actors' Guild also met Monday night, there was no disclosure of the business transacted. However, it is said that the Screen Actors' Guild may not join actively in a common front with the writers and directors, since some leaders fear that such action may endanger the 10-year contract with producers obtained last year.

To Honor 'Sawyer' Stars

Scranton, Feb. 23.—This city tomorrow and Friday will honor Tommy Kelly and Ann Gillis in appreciation of the fact that Scranton has been chosen as the first of the country's smaller cities to receive a booking on "The Adventures of Tom Sawyer," film in which the youngsters are starred. A reception will be held by Mayor Huester tomorrow afternoon at the City Hall after which the young couple will be guests at the city's orphanages.

Entertain MGM Winner

Hollywood, Feb. 23.—Four international branch and division exchange managers of M-G-M arrive this week to be guests of the studio for 10 days as prizes for the over-quota sales contest. They are David Lake, general manager of the Australian exchange; Les Andrews, branch manager of the Brisbane exchange; Carlos Niebla, Mexico City branch manager, and E. F. Johansen, Osaka, Japan, branch manager.

Set Henry Herbel Month

Chicago, Feb. 23.—March has been named as "Henry Herbel" month at the local Universal exchange. Herbel, manager, will celebrate his 10th anniversary with Universal here at that time. The drive will be for additional playdates in March.

Catholic Notables to Appear at Am

Among those scheduled to attend Ampa luncheon at the Internati Casino today in honor of Rev. chael J. Ahern, S.J., of Boston, Mrs. Mary Harden Looram, chairman of the International Fed tion of Catholic Alumnae; T Ramsaye, editor, *Motion Picture ald;* F. G. Dunham, educatio rector, NBC; Dr. Robert A. worth, National Conference of and Christians; Rev. Francis Ta editor, *America;* Charles H. Ri editor, *Catholic News;* John O' nor, managing editor, and Gran Vernon, critic, *Commonweal;* Mr Van Rennsalear Wyatt, critic, *Ca lic World;* Rev. Gerald C. Tr president, Brooklyn Prepara School; Georgiana McEntee, pr sor of history, Hunter College; Gerald Donnelly, associate ed *America.*

The meeting will be devoted discussion on the church and f Among those who will speak are Everett R. Clinchy, director, Nat Conference of Jews and Christ and Dr. Jonah B. Wise, rabb Central Synagogue. Jack Ali will introduce the speakers.

Gloria Swanson Is Signed by Repub

Republic has signed Gloria Swa to a three-picture contract, acco to Moe J. Siegel, managing dir of Republic Productions, who yesterday for the coast. The "Ex-Love," by Mateel Howe ham, is under consideration as Swanson's first for Republic. The is scheduled to go into produ within 30 days.

Miss Swanson is en route to York from the coast for story ferences.

Miss Swanson Denies Deal

Chicago, Feb. 23.—Gloria Swa has signed no deal with Republic declared here today during a sto at the Blackstone Hotel, whil route east. She said such an arr ment had been discussed, but nothing definite had been decide

Mae West in Chicag

Chicago, Feb. 23.—May West eight men arrived here today, personal appearances which start day at the Palace. Miss West re statements to the press and emp cally declined to appear over W of the CBS network which broa the arrival of the train from the

Set Back "Snow" Date

Chicago, Feb. 23.—The one- personal appearance of Mae starting Friday at the Palace, wi the opening of "Snow White an Seven Dwarfs" back a week, sta March 4. It is expected that the toon will play six to eight weel

Fuller Settles on Fe

New Orleans, Feb. 23.—G Fuller today settled with his neys for $3,000 in payment for ices rendered in the conspiracy brought by Fuller against major exchanges here. Fuller longer connected with his Star Florida theatre.

The Next Screen Appearance Of

BETTE DAVIS

Will Be In The South's Greatest Romance–Her Greatest Role

Jezebel

She was meanest when she was lovin' most!

BETTE DAVIS
in "JEZEBEL" with
HENRY FONDA • GEORGE BRENT
MARGARET LINDSAY
DONALD CRISP • FAY BAINTER
Richard Cromwell • Henry O'Neill
Spring Byington • John Litel
Screen Play by Clements Ripley, Abem Finkel and John Huston • From the Play by Owen Davis, Sr.
Music by Max Steiner

A William Wyler Production from
WARNER BROS.

Soon! Radio City World Premiere!

Berman Keeps Post as RKO Studio Head

(*Continued from page* 1)

plans are subject to day-to-day change at this time. Ned E. Depinet and Jules Levy will accompany him west to discuss new season production plans with Berman. The status of Lee Marcus, in charge of "B" picture production, continues unchanged.

Berman will leave the coast by train tonight for New York conferences which will extend over an indefinite period.

Present indications are that RKO theatre operations will continue without change indefinitely. It is virtually certain, at least, that no new head of the theatre department will be appointed until after Spitz returns from the coast. Theatre operations, therefore, will continue under the direction of John O'Connor and L. E. Thompson.

. Spitz indicated recently that he preferred an appointee to the theatre-operating post "from within the ranks."

New Pact for Robert Sisk

Hollywood, Feb. 23.—Robert Sisk, producer, has been signed to a new contract by RKO. He is the first producer to be re-signed since the shakeup in the executive personnel.

"Chicago" 6-Week Take Is $101,400

(*Continued from page* 1)

week with $32,000 on "Of Human Hearts." While "A Yank at Oxford" is penciled in at the Capitol for one week, it is possible that it will be held over.

The Paramount's business zoomed to $62,000 for the first week of "The Buccaneer," with Mitzi Green, Clyde McCoy and others on the stage. The theatre reported holiday business was "terrific." The current attraction is scheduled to go three weeks and will be followed by "The Big Broadcast of 1938" plus Cab Calloway and his band.

"Paradise for Three" gave the Rialto $5,300 in six and a half days.

"She Married an Artist" will follow the current bill at the Criterion tomorrow.

Columbus House Opened

Columbus, Feb. 23.—The Indianola, a new 600-seat neighborhood house, built by local interests, has opened with a grind policy. Matinee prices are 20 cents, with a 25-cent rate evenings.

Indianapolis Keith's Dark

Indianapolis, Feb. 23. — B. F. Keith's, which has been showing vaudeville and subsequent-run pictures for several weeks under the management of the Central Amusement Co., is dark again.

Mayo Beatty Injured

Des Moines, Feb. 23. — Mayo Beatty, salesman for Warners is in a local hospital suffering from a slight concussion caused by an auto accident.

Schlesinger and Rapf Take Cruise and—Make a Short

By JOSEPH PRIORE

When the *Rex* sailed a few weeks ago "Ace" Williams, a cameraman, was abroad, assigned by the Italian Line to film the ship's cruise from New York to Rio de Janeiro, since it was the first vessel of large tonnage to make the South American jaunt. Williams was plentifully supplied with film.

Now it seems that Leon Schlesinger, Warner producer, and Harry Rapf, M-G-M executive, who should know how these things are done, also were on the ship.

Word probably got around, as it will on shipboard, that Williams would have quite a bit of footage to spare in the course of his recording of the daily seagoing events. Since it was film news there were at least two sets of ears that it reached and what should Schlesinger and Rapf do but get the impromptu idea of making a picture during the voyage. They probably consulted the social director and with his aid recruited from among the passenger list a more or less complete cast and with the Italian liner as a setting, they wrote, directed and produced a detective story. The passengers thought it an excellent diversion.

It is reported that during the voyage home the film was assembled, cut and printed and one evening it had its shipboard premiere. So, Rapf and Schlesinger called it a vacation.

Three Films Planned By U. S. Steel Corp.

As a part of a goodwill and institutional advertising campaign, the United States Steel Corp. is producing three films: a one-reeler for theatrical showings, a four-reeler intended for cities and towns where steel mills are located and a six-reeler telling technically "the story of steel" and which will be loaned to clubs, schools, colleges and similar organizations. The first two films will be in color and will feature Edwin C. Hill as commentator.

The films have been in production for several months under the direction of Batten, Barton, Durstine & Osborn, company advertising agents. They will cost more than $200,000.

Denies Writ to Darmour

Ruling that the "good faith" of the plaintiff was not shown, Justice Peter A. Schmuck yesterday in N. Y. Supreme Court denied a motion of Larry Darmour, independent producer, for a permanent injunction pending trial to restrain 20th Century-Fox from using the title "Second Honeymoon" on a recent picture. No date was set for the trial. An accounting of the profits, damages and a permanent injunction are sought.

Court Hits Former Film Man

Chicago, Feb. 23.—Federal Judge Holly today denounced as "fraudulent" a series of transactions by Harley L. Clarke, one time president of Fox Films. The condemnation concerned Clarke's method of obtaining $2,000,000 in cash from a subsidiary of a utility company of which he was president.

Locate His Molars

When a patron dropped his set of "uppers" at Loew's Lexington, he left word that if found they should be forwarded to his winter residence in Florida. The molars were located and shipped south as per instructions.

Billboard Tax Bill Introduced in N. Y.

(*Continued from page* 1)

Works Dept. as agents of the Taxation Dept.

The Burchill bill, now resting in the Senate taxation group, adds a new section, including "signs or advertisements or advertising devices maintained and displayed on or in any car, station, subway or structure of a corporation subject to the provisions of the Public Service Commission Law." The bill provides that the number of square feet in an advertisement or advertising device shall be computed by measuring its longest horizontal and vertical dimensions.

Legislation sponsored by Assemblyman Irwin Steingut of Brooklyn would broaden provisions in voiding registration of doctors who agree to cure diseases by secret methods or who use motion picture or radio, handbills, magazines or newspapers to advertise such cures.

Buffalo exhibitors went on record against specification of the number of matrons for children in theatres in a blast against the Rossi bill.

House Passes Debt Bill

Albany, Feb. 23. — Assemblyman Delaney's legislation requiring that stockholders in corporations be responsible for debts due laborers, servants and employes has passed the Assembly without a dissenting vote. The bill has the support of New York theatre workers.

Five Fly to NTS Meet

Earle G. Hines, president of General Theatres Equipment and International Projector Corp.; H. Griffin, vice-president; George Friedl, Jr., International Projector Corp., and Walter Green, president, and H. Hartley, both of National Theatre Supply, left by plane yesterday to attend the meeting of the midwest branch managers of National Theatre Supply Co. to be held in Chicago today and tomorrow.

Form Film Ad Division

Street Railways Advertising Co. and Express Motion Poster Co., Inc., have created a new department, under the direction of Walter Liebler, which will offer a special package of advertising material to producers and exhibitors. Car card and dashboard ads for street cars and buses, and posters for subway, elevated and suburban trains and on Railway Express Agency trucks are included.

Theodore Mitchell, Press Agent, De

Theodore Mitchell, one of the
film roadshow press agents,
Wednesday morning at his hom
Beechurst, Long Island, from inj
sustained when he fell and broke
neck.

Born at Covington, Ky., on A
27, 1874, Mitchell spent 12 years
the Cincinnati *Inquirer* as d
editor, going to Broadway i
as press agent for the Erlanger
terests. He was one of the
Broadway press agents to leave
stage for film press agentry.

In 1915, he joined Jeff McCa
to work on the D. W. Griffith r
shows, starting with "The Birtl
a Nation," and subsequently han
films for Griffith and other produ
including Metro-Goldwyn's "Big
rade."

When McCarthy joined Fox,
McCarthy-Mitchell partnership
terminated. He organized the
atrical Managers' and Treasu
Union, and had been its preside
recent years.

R. & B. Take Over Gem, Far Rockau

Rugoff & Becker have acquire
Gem at Far Rockaway from H
& Blumenthal, former operator
the French Casino. The circuit
houses at Long Beach and its
acquisition will be in oppositio
two RKO houses in the neighbor
It seats 600. The transfer was
in the name of the Rubeck R
Corp. The consideration was not
closed.

The Globe on Wilson Ave., B
lyn, has been taken over by the
son Theatre Corp. The former
erators were Herbert Jacobs, F
Kutinsky and Maurice Block.

Walter Reade has reopened
Lyric, Asbury Park, N. J.

Greenblatt to Cavalc

Robert Greenblatt has been el
secretary of Cavalcade Pictures
cording to Andrew Bryne, pres

Wall Street

Advances Predominate on Bo

	Open	High	Low	Close
Col.	14½	14½	14¼	14⅜
Col. pfd. ..	33	33	33	33
Cons.	1½	1½	1½	1½
E. K.	157	157	157	157
E. K. pfd..	165	165½	165	165½
G. T. E...	12½	12½	12½	12½
Loew	50⅝	51⅜	50¼	51
Para.	10¼	10⅝	10¼	10½
Para. 2	10¼	10½	10¼	10⅜
Pathe	5⅝	5⅝	5⅝	5⅝
RKO	3⅞	3⅞	3¾	3¾
20th Fox ..	22⅛	22⅞	22	22⅞
20th pfd. ..	31¾	31¾	31½	31½
W. B.	6⅛	6⅜	6⅛	6¼

Technicolor Gains on Cu

	Open	High	Low	Close
G. N.	9/16	9/16	½	½
Sentry	5/16	5/16	5/16	5/1
Sonotone ..	1⅞	1⅞	1⅞	1⅞
Tech.	19¼	20⅜	19¼	20⅛
Trans-Lux	2⅞	2⅞	2⅞	2⅞

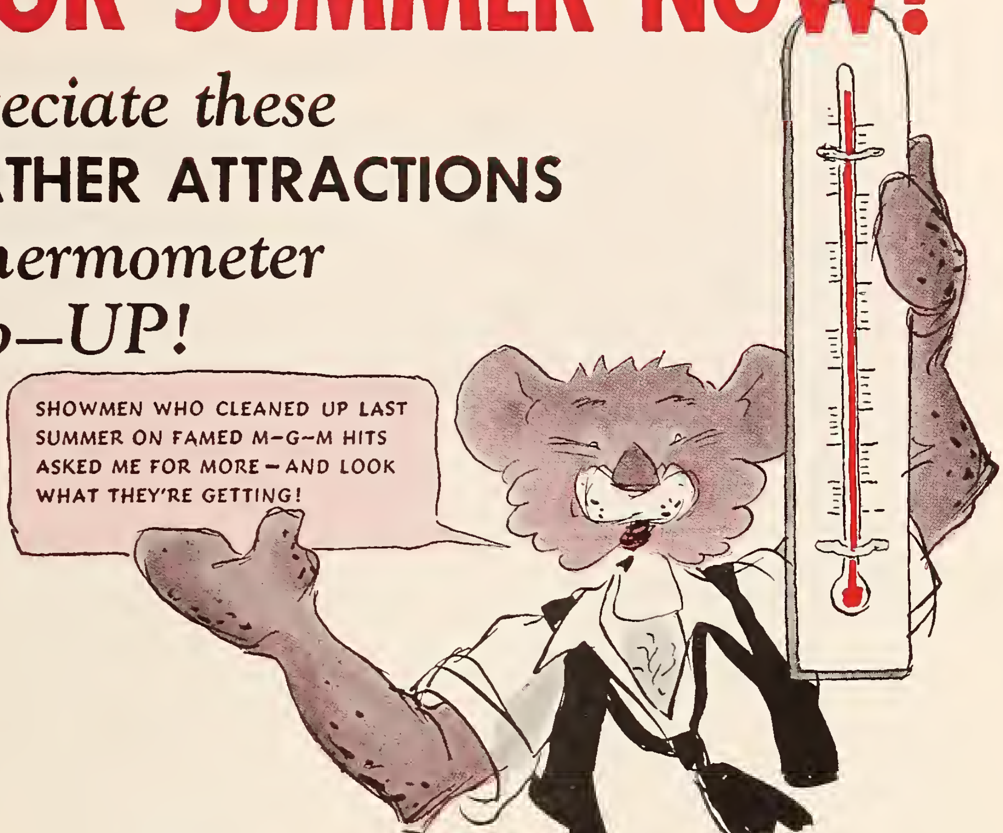
RKO, W. B. Bonds Up

	High	Low	Close
Loew 3½s '46.....	98¾	98¼	98¼
Para. Pict. 6s '55	92	92	92
Para. Pict. '47....	74	74	74
RKO 6s '41	70	70	70
W. B. 6s '39......	68	65½	68

(Quotations at close of Feb 23)

GET SET FOR SUMMER NOW!

You'll appreciate these
4 HOT-WEATHER ATTRACTIONS
when the thermometer
goes up—up—UP!


SHOWMEN WHO CLEANED UP LAST SUMMER ON FAMED M-G-M HITS ASKED ME FOR MORE — AND LOOK WHAT THEY'RE GETTING!

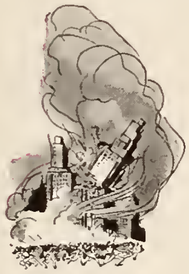
The mutineers join the ravishing maidens of Tahiti; children of nature in their Garden of Eve.

(May)

MUTINY ON THE BOUNTY

The $2,000,000 film sensation of the century—100,000,000 movie-goers want to see this masterpiece again!

Charles LAUGHTON · Clark GABLE · Franchot TONE



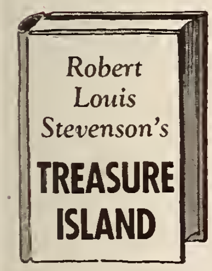
San Francisco in flames — greatest spectacle of thrills and romance ever screened!

(June)

SAN FRANCISCO

New patrons demand it! Everybody wants to see it again!

Clark GABLE · Jeanette MacDONALD · Spencer TRACY


Robert Louis Stevenson's
TREASURE ISLAND

It will always live for the millions who have read it!

(July)

TREASURE ISLAND

The most famous of romantic adventures—just the sort of Summer action that the B. O. needs!

Wallace BEERY · Jackie COOPER · Lionel BARRYMORE

The beloved picture in which W. C. Fields and Freddie Bartholamew scored their greatest screen triumphs!

(August)

DAVID COPPERFIELD

This great cast on your theatre front is Summer dynamite!

W. C. FIELDS · Lionel BARRYMORE · Madge EVANS Maureen O'SULLIVAN · Edna May OLIVER · Lewis STONE · Frank LAWTON · Freddie BARTHOLOMEW Elizabeth ALLEN · Roland YOUNG

GET SET FOR SUMMER NOW—AT YOUR M-G-M EXCHANGE!

Federal Radio Tax Hearing to Be Held

(*Continued from page 1*)

channel transmitters assessed at the highest.

The tax would not apply to stations operated by a Governmental instrumentality or to non-profit stations.

The measure, it is estimated, would raise from $5,000,000 to $7,000,000 a year, under the proposed rates, the Crosley station, WLW, with a power of 500,000 watts, the highest in the country, would pay $1,500,000 a year in tax, and it is believed if the measure is given serious consideration a "ceiling" will be incorporated which would prevent excessive taxation of any station.

Three New Accounts Take Time on KSFO

San Francisco, Feb. 23.—Two national spot advertisers and one large local have closed for time on KSFO, CBS outlet here.

Armstrong Cork, makers of Quaker Rugs, sponsoring "The Heart of Julia Blake," will begin a thrice-weekly strip March 4. Loxol Shampoo this week will start a series with Fray and Graggiotti. Both programs are transcribed. Armstrong Cork is handled bv McCann-Erickson, while Loxol was placed by the Milton Weinberg agency.

The C. H. Baker Shoe Stores have started sponsorship of a weekly spot on Sundays, featuring Don Allen in Hollywood gossip. The contract is for a year and was placed by the Sidney Garfield agency.

Federal Programs Continue

San Francisco, Feb. 23.—The Federal Theatre Project here will continue to broadcast four times weekly over KFRC and KROW, according to Charles Teevin, who has become district supervisor here in a general reorganization. Under the shakeup Leon Churchon, former KYA program manager, will become program supervisor for the "project." James Ramp is now continuity writer, Cycil Woods dramatic director.

Plan Auditions for Children

Pittsburgh, Feb. 23.—In an effort to find new juvenile talent for radio, KDKA has worked out a plan to give youngsters regular auditions. The most promising are to be featured regularly on Bill Sutherland's twice-weekly Kiddie Club program. This is in line with the policy of KDKA's new manager, Al Nelson, for an open door at the station in connection with local talent.

Wins Violin Talent Contest

Des Moines, Feb. 23.—Francis Van Horn, 14, of Des Moines, has been awarded the title of the "most talented" boy violinist to compete in the district audition of the Tony Wons contest at Minneapolis. The records of his performances have been sent to New York to be scored with others from other districts.

P. W. Morency in New Post

Hartford, Feb. 23. — Paul W. Morency, general manager of WTIC, has been named assistant secretary of the Travelers' Broadcasting Service Corp., Travelers subsidiary in charge of operating the station.

FCC Sets Hearings For March and April

Washington, Feb. 23.—The Federal Communications Commission has designated March 4 for oral arguments on the following cases:

Contesting applications of Southwest Broadcasting Co. and W. P. Stuart for a 1,500-kilocycle, 100-watt station at Prescott, Ariz.; WFNC and Capitol Broadcasting Co., Inc., the former for a 1,210-kilocycle, 250-watt day station at Fayetteville and the latter for a 1,210-kilocycle, 100-watt night, 250 watt day, station at Raleigh, N. C., and applications of KQV, Pittsburgh, for increase of power from 500 to 1,000 watts; WSMK, Dayton, for increase of power from 200 to 250 watts night, 500 watts day; WBZA, Springfield, for change of frequency from 990 to 550 kilocycles; Clark Standiford, L. S. Coburn and A. C. Sidner for a 1,370-kilocycle, 100-watt station at Fremont, Neb.; Standard Life Insurance Co. of the South for a 1,420-kilocycle station at Jackson, Miss., with 100 watts night, 250 watts day, and Arthur Lucas for a 1,310-kilocycle, 100-watt station at Savannah.

The commission also tentatively assigned dates for examiners' hearings on a number of applications, as follows:

April 4: WRSP, Inc., for a 1,500-kilocycle station at Wisconsin Rapids, Wis., with 100 watts night, 250 watts day.

April 5: Martin Anderson for a 1,500-kilocycle station at Orlando, Fla., with 100 watts night, 250 watts day.

Washington Station Plea Due

April 6: R. C. Atwood for a 1,500-kilocycle station at Port Angeles, Wash., with 100 watts night, 250 watts day, and Florida West Coast Broadcasting Co., Inc., for a 1,300-kilocycle, 250-watt station at Clearwater, Fla.

April 13: Garden Island Publishing Co., Ltd., for a 1,500-kilocycle station at Lihue, Hawaii, with 100 watts night, 250 watts day.

April 29: State Broadcasting Corp. for a 1,370-kilocycle station at Gretna, La., with 100 watts night, 250 watts day.

May 4: Continental Radio Co. (Scripps-Howard Radio, Inc.) for a 1,310 kilocycle station at Washington, with 100 watts night, 250 watts day.

May 9: Monacacy Broadcasting Co. for a 1,140-kilocycle, 250-watt daytime station at Rockville, Md.

Masterson Joins KFOX

Long Beach, Cal., Feb. 23.—Norman Masterson has joined KFOX here as staff announcer and actor. He also will assist Hal Nichols in production work.

Chiseler?

O. B. Hanson, NBC chief engineer, just back from Hollywood, celebrated a birthday during his stay on the coast. Among the presents he received was a gold-plated chisel from the coast vice-president of the Austin Co., construction firm now building the new NBC studios in Hollywood.

In explanation of the strange gift: Hanson, for NBC, handled the price negotiations for the studios.

Lambert to Sponsor New Mutual Series

Lambert Pharmaceutical Co., for Listerine, will sponsor "True Detective Mysteries" on Mutual, starting March 22 from 9:30 to 9:45 P. M. The stations are WOR, New York; WGN, Chicago, and WLW, Cincinnati. Effective with daylight saving time, eight additional Mutual stations in the east and midwest will be added.

The sponsor heretofore has been an exclusive NBC account. Lambert & Feasley is the agency, and the contract is for 52 weeks.

Report Wrigleys Auditioning

Chicago, Feb. 23.—Reports here are to the effect that Wrigley executives are auditioning groups in an effort to get a variety show to supplant the "Poetic Melodies" program as soon as possible.

Bob Conley Joins WCAE

Pittsburgh, Feb. 23.—Bob Conley of Oklahoma City has been named to the WCAE announcing staff, succeeding Dan Munster, who resigned to accept a similar post with WCAU, Philadelphia.

Interviews Plane Travelers

WNEW has started a new series of travel interviews with passengers en route to the coast. Bob Becker, aviator, will talk with persons at Newark Airport each evening at 8:45, except Sunday and Monday.

NBC "Night Club" Back on Air

The NBC "Night Club," with Ransom Sherman as "em cee," will return to the air tonight at 10:30 P. M. over the NBC-Blue. Harry Kogen's orchestra will provide the music.

Macdonnell Visiting Here

Lesley Macdonnell, British representative for Rockwell-O'Keefe Inc., is visiting the home offices here. He will remain in New York until the end of March.

Toscanini AAU Winner

Last summer NBC paid a stiff price for the exclusive broadcasting rights to the A.A.U. track events.

The A.A.U. finals will be held in Madison Square Garden Saturday, but NBC cannot broadcast the meet because of the Toscanini concert. CBS, aware of NBC's predicament, has assigned Ted Husing to give a resume of the meet from the studios. NBC therefore, "hooked" for an exclusive which it cannot possibly use, has turned its rights to the games over to WOR, gratis! WOR will be on the air from the Garden from 9:15 until approximately 9:50 P. M.

Around the Country

Omaha

Duane Gaither, WAAW prog director, is recovering from ptomai poisoning. . . . Don Kelley of KOIL has been selected by Omaha Universit as an extension instructor in radi broadcasting. . . . Harry Johnson CSBS sports announcer, has started new program giving the stories bac of sports headlines. Irma Cartrigh and Milan Lambert do a piano tea number on the program. . . . Bruc Wallace, KOIL promotion man, ha been ill. . . . Lonnie Robertson an Roy McGeorge, WAAW old-time mu sicians, have moved to KFAB, Lincol . . . Don O'Brien, WAAW announce will be married Feb. 26.

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Pittsburgh

There are now three Davises on th WWSW staff and the phone ope ators there are having a terrible tim John Davis is an announcer and William and Henry Davis are salesmen . . Mrs. Marx Hartman, wife of th WCAE announcer, is doing dramat work at both that station and KDK . . . Mrs. Joe Feldman, formerly Hele Dayle of the WCAE continuity sta became the mother of a girl in Hackensack, N. J., the other day . . . Th wedding of Jean Hoff, KDKA singe and Jack Munyon, radio evangelist WWSW, was broadcast by the latte station . . . Herman Middleman an his band will suspend their KDK and network broadcasts for a fe weeks to take a South Americ cruise.

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St. Louis

F. A. Meyer has joined the WE sales staff. . . . WEW's new expa sion program, costing $70,000, will i clude two new studios, a control roo and general and private offices. . . New claimants to the "brothers-i radio" title are the Shumates of S Louis and Des Moines. KMOX the location of four Shumates—Do Paul, Louis and Ray. Then there Gene Shumate in Des Moines, spor announcer for KRNT and KSO.

CBS Sued on Copyright

A copyright infringement s against CBS, operator of WAB and Knickerbocker Broadcasting C Inc., operator of WMCA, was fil in the U. S. District Court here ye terday by April Productions, Inc. T complaint alleges that the song "W You Remember," from Sigmund Ro berg's operetta, "Maytime," was broa cast without permission over WAB on Jan. 28, and over WMCA on Ja 30. A permanent injunction again further alleged infringement, an a counting of the profits and damag are sought.

Universal Radio Has New Serie

Universal Radio Programs, Inc., about to release a new five-minu series to be known as "Builders Our Nation." Scripts are for on man production, and Stanley Fiel former program director of WLT and now on the writing staff of U versal Radio, is supervising researc

Radio ?ersonals ◀

ADIE HARRIS has been renewed for another three months Mutual. . . . It is time that somee said that Vic Ratner's promotional ces for CBS are by far the bright-n radio. . . . B. F. McClancy, dir of the NBC traffic division, to oston for a week. . . . Dan Russell, BC announcer, will leave with his mily for Hollywood via TWA on arch 20.

+

Muriel Wilson, who has been away om the air too long, will be heard "On Broadway" Sunday over the BC-Blue. . . . Bette Davis and Joel cCrea will be the leads in "Forking All Others" on the Lux "Radio heatre" Feb. 28. . . . Zorina, the llerina, will be the guest of Radie arris on Mutual tonight. . . . Joan ennett and Akim Tamiroff will apar with Feg Murray in the latter's ogram Sunday. . . . Al Goodman has creased his orchestra to 52 men for e Lucky Strike-Warner program, e largest dance band on any NBC mmercial. . . . Jeanne Poli and idson LaHaye of the WICC staff, ill be married tomorrow night in e studios of the station.

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Bob Goldstein, traveling with the ummerts in Europe, sends postcard rm T98, which means "having wonrful time." . . . Raymond Rubicam, airman of the board of Young & ubicam, will deliver the feature ad-ess at the presentation dinner of the nnual Advertising Awards at the 'aldorf tonight.

RKO Now Member)on Lee-Mutual Web

Don Lee has informed the Mual offices here that KRKO, Evert, Wash., is now a regular member the Don Lee-Mutual northwest oup.

Not much network activity for the ation is contemplated, however, un- the station is granted full time. Its quest is now before the F. C. C.

O'Connell to Direct Symphony

Charles O'Connell, young American nductor, will direct the Philadelphia mphony orchestra in its bank-sponred broadcast Feb. 28, and Lauritz elchior will be heard as the guest loist on an all-Wagner program. he programs of this series are broadst from 9 to 10 P. M. on the NBClue.

havez to Conduct NBC Concerts

Carlos Chavez, Mexican conductor, s accepted an invitation from NBC conduct two radio concerts, conuing the present Saturday night ries conducted by Arturo Toscani. The concerts are scheduled on o of three dates, March 12, 19 d 26.

Audition Jones and Hare Show

A new program titled "Loony unes," written by Lee Sands and llan Wilson, and featuring Jones and are, is now in audition at the Biow gency.

Kennedy a Diplomat Before Departing—He Won't Talk

(Continued from page 1)

tary to his father, finally was able to wedge himself in and have a private talk with the Ambassador.

After the press was made comfortable in Stateroom A-7—down the hall from Kennedy's A-41—the Ambassador eventually appeared.

"Hello, boys," was his greeting. "I have nothing to say. Not a thing. I have been asked so many questions already that I feel questioned out." He beamed through his spectacles and started to shake hands all around. His brown suit harmonized with his ruddy complexion and russet hair. His air was that of a man who was very busy and very anxious to get it over with. He was genial about it, though.

Some of the newshounds started to pop questions.

"I haven't a thing to say," was his general reply. "I'm just a babe going over there to find out what it is all about."

"Mr. Ambassador," ventured one of the reporters. "Will you wear knickers when you get to London?"

"I've been waiting for that to catch up with me," Kennedy responded.

"I don't know whether I'll wear 'em or not."

"You know, Mr. Ambassador," another newsman piped up, "one of the greatest rebels wore knickers when he got to St. James's."

"Who was that?" Ambassador Kennedy asked.

"George Harvey," he was informed.

All Ambassador Kennedy said was: "Oh, yes."

Takes Leave of Wife

The MOTION PICTURE DAILY reporter handed Kennedy a copy of yesterday's edition. The Ambassador thanked him, folded it and slipped it in his coat pocket. Then he excused himself and went back to his quarters to say goodbye to Mrs. Kennedy and his children.

There were a number of men connected with maritime affairs around. One of them, who seemed to be an official spokesman, was a young man who identified himself as Harvey Klemmer, chief of special studies for the U. S. Maritime Commission. He confided that he would be attached to the Embassy in London as a special secretary in charge of maritime affairs.

When Kennedy boarded the boat, he found Sir Gerald Campbell, British consul general, waiting to say goodbye. The Ambassador posed for the newsreels on the pier, but had nothing to say.

Mrs. Kennedy is due to follow her husband shortly with seven of their nine children. The other two, it is planned, will continue their studies at Harvard.

Will Honor McGuire

A luncheon in honor of P. A. McGuire, advertising manager of International Projector Corp., will be given at the Lincoln Hotel tomorrow by a group of friends, including New York projectionists. The party will be held in conjunction with the company's exhibit of new projection equipment at the hotel. Wally Byrne, business agent of Local 306, is chairman of the committee.

Union Can't See It

Hollywood, Feb. 23.—Paul Snell, publicity director for Sol Lesser, wanted to hold the preview of "Hawaii Calls," on board the *Matsonia,* in keeping with the Hawaiian spirit of the film starring Bobby Breen. All arrangements were made for a four-hour cruise, dinner and showing of the film on the ship. Snell agreed to pay the boat's crew overtime for the journey.

The sailors' union issued an ultimatum, declaring that a new crew of 300 must be hired for the journey. So the film is being previewed at a local house.

Alperson-Wright to Act as Co-Trustees

HOLLYWOOD, Feb. 23.—Edward L. Alperson and Loyd Wright will act as co-trustees in the reorganization of Grand National under Section 77B of the bankruptcy act as a result of the court proceedings here Monday.

Alperson made the appointment possible by signing the petition for the reorganization in proceedings before U. S. District Judge William James. The court set March 12 as the date for a hearing and gave Alperson and Wright 30 days in which to develop a plan of reorganization.

Alperson's consent to the reorganization followed long conferences with the court and the failure to raise funds to carry on production. Harold Fendler, an attorney, indicated that if no consent were given he would institute involuntary proceedings in bankruptcy.

Peskay Going to Coast

Edward Peskay, G. N. vice-president, is scheduled to leave by plane for Hollywood tonight for reorganization conferences with Edward L. Alperson, president. Peskay also will sit in on financial discussions with Alperson and Phil Goldstone.

The Bank of America is reported to be interested in discussions on new capital. G. N. has been paying off its indebtedness to the bank and by the end of this week will have reduced this debt to $17,000, it was said. The original indebtedness to the bank was $500,000.

Saul J. Krugman, assistant to Peskay, has been appointed New York branch manager, succeeding Morris Epstein, who recently joined Republic in a similar capacity. Krugman has supervised southern exchanges. Sol Edwards, eastern division manager, will spend more time in the field, it is planned, and may include the southern territory.

Giannini Denies G. N. Report

HOLLYWOOD, Feb. 23.—Rumors that Bank of America is interested in the refinancing of Grand National were denied today by Dr. A. H. Giannini, chairman of the executive committee of the bank.

Renters' 3-1 Quota Killed in England

(Continued from page 1)

Stanley's proposed Films Council, but the amendment ultimately was defeated. Wallace claimed the trade is opposed to a commission and declared the Government believes that a small, autocratic body would be disastrous. The Labor and Conservative members supported the Williams amendment, but could not carry it.

Meanwhile, exhibitors, producers and technicians massed in the corridors engaged in lobbying among members of Parliament.

Consideration of the Films Bill had been postponed from yesterday because the cabinet crisis had occupied the attention of the Commons throughout yesterday's session. The general trade viewpoint here is that Stanley has capitulated to the Americans. Exhibitors for the past two days had reached every member of Parliament by telegram expressing alarm and predicting a reduction of production, an increase in unemployment and the greatest setback the industry here ever has received. Labor and producer interests circularized all members, protesting against the alleged inadequacies of the film measure, which was described as subordinating the protection of the industry to a small minority.

A.B.P. Files Action In Ostrer-G.B. Case

LONDON, Feb. 23.—Action has been filed in the King's Bench Division by Associated British Pictures Corp. against Isidore, Mark and Maurice Ostrer, claiming damages for alleged misrepresentation in connection with the agreement made in August, 1936, by which John Maxwell of A.B.P. was to purchase shares in Metropolis & Bradford Trust, holding company of Gaumont British.

It was alleged that the claims regarding the status of the securities were incorrectly represented. The Ostrers have filed a denial of the charges. Laurence Howard also claims £50,000, which he alleges was agreed as remuneration for the negotiation of the stock sale. The defense has denied liability.

Call Creditors on Rock's Liquidation

LONDON, Feb. 23.—Creditors' meetings have been called for the Rock Studios and Soskin Productions, the latter by Paul Soskin, to appoint a liquidator to close out the business.

The bankruptcy petition was filed by John Henry Iles, backer of the Rock Studios, with £250,000 involved. The British production situation was blamed for the firms' failure.

Brandt Delays Trip

Harry Brandt, president of the Independent Theatre Owners' Association, has deferred his scheduled trip to Washington for conferences with Government officials until later in the week, it was said yesterday at his office. He had planned to leave for the capital on Tuesday. Extension of Government credit to small exhibitors is one of the purposes of his trip.

A meeting of the I. T. O. A. is scheduled for tomorrow afternoon at the Hotel Astor.

Ontario Exhibitors Hit Film Broadcasts

TORONTO, Feb. 23.—A protest against the policy of Hollywood producers in broadcasting screenplays and similar programs was entered at the monthly luncheon meeting of the Independent Theatres Association of Ontario, the resolution pointing out that "this type of competition forced on independents by Hollywood producers is placing an unwarranted strain on the theatre business." During the discussion on this subject it was asserted that theatre grosses ranged from 25 to 50 per cent lower on the broadcast nights than on any other comparable night of the week.

The association also decided to take action against the growing menace of Bingo and other prize games conducted in church halls and lodge rooms, many of which are tax-free properties. These games are organized by promoters who sell the prizes for profit and also collect a percentage of the revenue, only a small amount being turned over to religious or charitable organizations, it was declared. The meeting decided to refer the matter to the Toronto Board of Trade.

Clearance Criticised

The subject of booking clearance aroused considerable discussion. N. A. Taylor, general manager of the association, declared: "Clearance, as it exists in Toronto today, is diabolical and is used as a weapon by circuit interests against independent exhibitors." Taylor pointed out that the representatives of the independents on the conciliation committee, made up of film exchange men and theatre managers, had taken the position that, until clearance had been dealt with, the independent theatre owners would refuse to cooperate on any other subject. The meeting voted against the continuance of the score charge imposed by exchanges after it had been described by Harold Kay and Harry Firestone, Toronto exhibitors, as a "gag for additional film rental."

Regarding changes in the standard rental agreement, suggestions for which had been asked by the Motion Picture Distributors' Association of Canada, it was pointed out by Taylor that suggestions for amendments offered in previous years by independents had been ignored but that the board of directors of the Independent Theatres Association were ready to offer recommendations before any joint committee of exchanges and exhibitors which might be appointed for the purpose of revising the form of film contract.

Meyer to Study Color

Possibilities of making available a new color process for 35 mm. film will be investigated in Europe by Dr. Herbert Meyer who will sail tomorrow for a six-week trip. He is a partner with C. King Charney in the distribution of 35 mm. Agfa film in the United States. Dr. Meyer said he will spend some time in London surveying laboratory advances in the production of color film. Meyer arrived yesterday from the coast with Charney. The latter plans to return to Hollywood March 1.

French Film Is Booked

Mayer & Burstyn, distributors of French films, have sold "Club de Femmes" to the 40 Brandt theatres.

Hollywood Preview

"Merrily We Live"

(Roach-M-G-M)

HOLLYWOOD, Feb. 23.—Here are gathered together in congenial confusion as fine a collection of brainy zanies as has been set before King Public in this comedy-conscious season. Here, too, is humor without taint, hilarity without vulgarity and a continuous flow of dialogue, situation and incident, provocative of laughter untinged with blush and unabashed by absurdity. "Merrily We Live" may or may not prove to be, as advertised, "The comedy that tops 'Topper,'" but the point is debatable enough to justify a widespread display of exhibitor ad copy to that effect and box-office profits derived from the same may be pocketed with a clear conscience. It is probably a better, certainly a sounder, picture.

The burden of entertainment is distributed with rare impartiality between such competent performers as Brian Aherne, Constance Bennett, Billy Burke, Alan Mowbray, Patsy Kelly, Bonita Granville, Clarence Kolb, Ann Dvorak, Tom Brown, Marjorie Rambeau and Willie Best.

Aherne plays a novelist who is mistaken for a tramp by Miss Burke, the light-headed but well-meaning mother of a luxury-ridden family, and thrust forthwith into domestic service with a view toward reformation. In a series of uproarious developments he wins the respect of the addled family and their equally temperamental servitors, marrying the elder daughter, of course. The developments leave the beaten track, their treatment is fresh, the humor shades down in skillful graduation from genteel banter to outright slapstick of the original Hal Roach variety, and the result is surefire all-purpose entertainment.

Milton H. Bren, executive producer; Norman Z. McLeod, director, and Jack Jevne and Eddie Moran, writers, have here duplicated the physical aspect of their record-breaking "Topper," the high gloss, the sheer splendor, the kinkless continuity of narrative, without in any particular duplicating or paralleling the subject matter, plot or point of that hit. They have turned out another upper bracket picure quite capable of earning as much or more money and more than likely to find a wider and much happier public.

Running time, 95 minutes. "G."

New York Preview

"Hawaii Calls"

(Principal-RKO)

Colorful Hawaiian backgrounds and native players are introduced interestingly by producer Sol Lesser and director Edward F. Cline, to add to the entertainment values of this new Bobby Breen picture. The voice of the juvenile star provides the strongest selling appeal, his songs holding together a casual and secondary narrative of spies and stowaways.

The story, adapted from the novel, "Stowaways in Paradise," by Don Blanding, and the screenplay by Wanda Tuchock, describe the adventures of the homeless Breen and his Hawaiian comrade of similar age, Pua Lina, in stowing away on a Honolulu-bound boat from San Francisco. Discovered, they are befriended by Ned Sparks, member of the ship's orchestra and song writer. Also friendly to the youngsters are Irvin S. Cobb, in the part of the ship's captain, and Warren Hull, who plays the naval commander on a secret mission to the islands around which the spy sequences revolve.

In Honolulu, the two boys jump ship and eventually make their way to the home of Pua's aunt, where, with Sparks, who has missed his boat, they are sheltered from the police. Here the youngsters stumble upon the hidden rendezvous of the spy ring and when the inevitable "plans" are stolen from Hull, Bobby leads the Government forces to the spot and aids in the rescue of the papers. As a reward, he is brought back to the States in style, and, homeless no longer, the finale finds him established and assured of a brighter future.

Raymond Paige and his orchestra perform pleasingly during the usual ship's concert and well produced also are native dances and celebrations. Special songs listed are "Hawaii Calls," "Down Where the Trade Winds Blow," both by Harry Owens, and "That's the Hawaiian in Me," by Johnny Noble.

Running time, 72 minutes. "G."

Omaha Parent Grou To Fight Dual Bill

OMAHA, Feb. 23. — The Omah Parent-Teachers Association Counci struck out against double features her today and pledged themselves to carr the fight to the city authorities i necessary.

Mrs. H. T. Jones, president of th council, said the organization wil adopt one of three plans of a [illegible] when they meet March 21, or [illegible] special meeting before that date. Th three courses are to appeal to Mayo Dan Butler to ban duals as a menac to health, a campaign through th schools or a resolution asking exhib itors to stop duals.

Council members declare the doubl bills "work on the emotions of chil dren, tire them physically and mentall and take something from a child h needs for his school work." The cam paign will concentrate on the healt angle. The council is concerned ove triple, four-feature and five-featur bills which some local theatres ar running. Ralph Goldberg, circuit op erator whose houses are noted fo long bills, says he will be glad to ge back to singles if the public want them. Other exhibitors declare th question is up to the patrons.

Massachusetts Gets Two Censor Measure

BOSTON, Feb. 23.—Two film cen sorship bills are on the legislativ docket. One would set up a "commis sion" to censor pictures. The othe would transfer film jurisdiction fro the Department of Public Safety t the Department of Education, where film division would be establishe Charges of $3 a reel for the fir prints of films and $2 a reel for extr prints would be made.

Films with any parts that were ol scene, indecent, immoral, inhuma sacrilegious or which tended to inci crime or corrupt morals would b banned. Court appeals might be mad Newsreels, scientific, educational, an religious shows might be excepted a the discretion of the reviewers. public joint hearing is to be hel later this month.

Quebec Bill Would Cut Age Rule to 1

TORONTO, Feb. 23.—An alternativ proposal for relief from the comple ban on juvenile attendance in the fil theatres of Quebec has been present to the Legislature in the form of recommendation that the age limit reduced from 16 to 10 years to enab older children to attend.

The original suggestion under co sideration at present is that juveni of any age be permitted to attend fil on Thursday and Saturdays only u der certain precautionary arrang ments, such as the presence of a pointed supervisors or guards for t protection of the children. The juve ile ban came into effect following t Laurier Palace Theatre disaster mo than 11 years ago at Montreal which 76 children lost their lives

Fairbanks, Jr., to East

CHICAGO, Feb. 23.—Douglas Fai banks, Jr., passed through here tod en route east for a visit of sever days with his mother in New Yo after which he will return to t coast.

DC NOT REMOVE

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Picture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
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43. NO. 45 NEW YORK, FRIDAY, FEBRUARY 25, 1938 TEN CENTS

;roadcasters Are Silent on Boylan's Bill

;eel Present Tax Burden Heavy on Industry

.ocal radio executives are main-
ing a "poker" attitude in the face he proposed Boylan radio tax bill. 'hose who would talk did so only the promise that their identities ıld be concealed.

Jot one local station will send a ct representative to Washington en the bill comes up for a hearing e three weeks hence, but the net-ks will be represented at the hear-s by executives of their Washing- stations and by their Washington rneys.

'he CBS attorney in Washington Paul Porter, while NBC will be esented at the hearings by Phillip nnessy, its Capitol attorney.

'he general reaction of the radio cutives here was that radio was ady carrying a more than a suffi-t tax load, based on the average income of time sold, and for cor-ate and general business tax. All eared optimistic, on the surface at t, that the Boylan bill would not gress beyond the stage of the ring.

nly one local broadcaster admitted

(Continued on page 8)

NEW to Broadcast From Fair Grounds

eginning next week, WNEW will dcast regularly from the World's . The first broadcasts will come the Administration Building, at ent the center of activities at the grounds.

ormal program plans have not been pleted yet, but it is believed that ninent Fair officials will partici- in the initial program.

uller Appointed to 3S Education Board

dded to the CBS Adult Education rd yesterday was Spencer Muller, Director of the Workers' Educa- Bureau of the A. F. of L. The rd was formed some months ago William S. Paley, CBS president, ormulate a new series of educa-al and cultural programs for the ımbia network.

More Radio—Pp. 8-9

Quota Provisions

The distributor quota will start at 15 per cent in the first year of the law, and increase gradually to 30 per cent at the end of the 10-year period.

The exhibitor quota will start at 15 per cent and rise to a high of 25 per cent.

The short subject quota will run from five to 15 per cent for exhibitors and from 10 to 20 per cent for distributors.

Hint CBC May Confine Work To Regulation

TORONTO, Feb. 24.—As a result of the general uproar against the proposed increase in the annual license fee for the operation of a receiving set from $2 to $2.50, effective April 1, intimation has been made by the Dominion Government that the Canadian Broadcasting Corp. will go out of the operating end of radio broadcasting entirely and will confine its work to the supervision and control of privately owned stations as well as certain inspection activities for the improvement of reception in areas affected by static or electrical interferences. There is also a hint that the Canadian Broadcasting Corp. will permit certain privately owned stations to step up their power for the widening of broadcasting coverage, this being a direct reversal of the adopted

(Continued on page 8)

Western Electric's Business Gains 39%

Western Electric's volume of business in 1937 increased 39 per cent in 1937 over 1936, payrolls were up 61 per cent and profits four per cent, notwithstanding a reversal in the trend of business, the company's annual report shows.

Sales totalled $203,467,000, as compared with $146,421,000 the previous year. This was in spite of reductions in prices amounting to $7,500,000. Net earnings, after Federal income taxes, but before provision for the surtax, were $19,514,197. For the previous year the net was $18,698,049.

The company's surplus, after deductions for dividends and amortization, was $15,350,550 at the end of the year. This was an increase of $219,599 over the previous year. The consolidated balance sheet shows assets of $296,901,339.

Coast Leaders Pay a Tribute To L. B. Mayer

HOLLYWOOD, Feb. 24.—Distinguished citizens of the city and state, film notables of Hollywood and the film world generally, tonight honored Louis B. Mayer, retiring president of the Association of Motion Picture Producers, Inc., at a formal dinner in the grand ballroom of the Biltmore Hotel. The occasion was organized as a tribute to Mayer's achievements during the seven years of his incumbency. More than 500 representatives of the Government, clergy, art, industry, finance, society and the press attended.

Following the dinner program arranged by the committee in charge, addresses were delivered by Joseph M. Schenck, who has succeeded Mayer as president of the association; Harry Cohn, Charles R. Rogers and

(Continued on page 9)

Universal's Year Loss $1,084,998

Universal Pictures Co., Inc., yesterday reported a combined net loss of $1,084,998, after all charges, for the fiscal year ended Oct. 30, 1937. The combined net loss for the previous 52 weeks was $1,835,419.

Operations for the last quarter of the fiscal year reported on resulted in a profit of $51,970, J. Cheever Cowdin, chairman of the Universal board, informed stockholders in a message accompanying the financial statement. His letter to stockholders, commenting on the company's change of management at the beginning of the new year, stated that "substantial economies have now been effected and the benefits to be derived therefrom will be felt in due course." He points out, however, that "certain important pictures made and released during the

(Continued on page 9)

Film Measure Gets Approval Of Commons

Bill Now Will Be Sent To House of Lords

By AUBREY FLANAGAN

LONDON, Feb. 24.—The English Films Bill today was passed by the House of Commons on third reading, and now will go to the House of Lords.

In general, the bill went through as originally planned by the Government, most of the outside amendments having been rejected. The belief that the measure, which will supplant the current Films Act, expiring this year, would take the form originally outlined by Oliver Stanley, was confirmed.

The quota provisions, which were the most controversial, provide that the exhibitors' quota shall be 15 per cent for the first year, rising gradually during the 10-year period of the new law to a high of 25 per cent. The distributor's quota will run from 15 per cent in the first year to a final high of 30 per cent. The present distributor quota will expire at the end of March of this year.

The separate quota for short subjects will rise during the term of the

(Continued on page 9)

"Royalty Payments" Held to Be Taxable

WASHINGTON, Feb. 24. — So-called "royalty payments" by film companies to artists, producers and directors under agreements providing for the payment of percentages of profits in addition to salary were held today by the Internal Revenue Bureau to constitute wages within the meaning of both the unemployment compensation and old-age pension provisions of the Social Security Act and subject to the taxes thereof.

In accounting for such payments, employers must report them in the

(Continued on page 9)

N. Y. Film Tax Move Believed in Discard

ALBANY, Feb. 24.—Reported lobbying by utilities to substitute amusement taxes, including one on films, apparently has failed as the State Senate today passed six of Governor Lehman's revenue-producing bills to defray budgetary expenses. Utilities were vainly seeking a compromise to

(Continued on page 9)

MOTION PICTURE
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VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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McCarthy Rites Held

Santa Monica, Feb. 24.—Funeral services were held here yesterday at St. Monica's Church for Mrs. Catherine McCarthy, 80, mother of Augustine Vincent McCarthy of the Hollywood editorial staff of Quigley Publications. Two other sons, Joseph McCarthy of Boston and Charles McCarthy of Santa Monica, also survive.

Mitchell Funeral Today

Funeral services for Theodore Mitchell, who died Wednesday at his Queens home, will be held at noon today from the Cooke Funeral Home on Northern Boulevard, Flushing.

Richard C. Stout Dies

Richard C. Stout, 53, executive of Heywood-Wakefield Co., died yesterday at New York Hospital after a short illness. He is survived by two brothers. Funeral services will be held at Wakefield, Mass., tomorrow.

"Butler" Gets $42,000

With help from the Washington's Birthday holiday, "The Baroness and the Butler" finished with $42,000 for the week at the Roxy, ending last night.

"Mad About Music"

[Universal]

The Deanna Durbin who started her career auspiciously in "Three Smart Girls" and took a bounding, lilting step upward in "100 Men and a Girl," makes another prodigious step upward in Universal's "Mad About Music." As the fatherless school girl who picks a parent out of the air, so to speak, Deanna puts on a show for which the star is entitled to all her deserved bows. They will be many.

Fortunate is Miss Durbin in the story for having selected Herbert Marshall to serve as her father. And Universal also has occasion to feel likewise, for this is shrewd casting. Marshall expertly sustains the warming human qualities of the picture's unfolding. It is a bang-up job he does.

The rest of the casting is in keeping. Producer Joe Pasternak and Director Norman Taurog have surrounded the two principals with able craftsmanship personified by the ever-reliable Arthur Treacher, in the main laugh role, and important to the story, a delightful crowd of young boys and girls, the star's schoolmates. Standouts among the youngsters are Marcia Mae Jones, Jackie Moran and Helen Parrish. Gail Patrick and William Frawley carry out their assignments with precision, and, for the trade, Sid Grauman plays himself amusingly in a theatre manager bit. Christian Rub, too, is entitled to a vigorous nod.

The story is an original by Marcella Burke and Frederick Kohner, and the screen play, by Bruce Manning and Felix Jackson, moves along on ball bearings.

Briefly, the story centers around a school in Switzerland which Miss Durbin attends. Her mother is a Hollywood glamour-girl who because of her career is convinced by her manager that it would be best to keep under cover the evidence of a 14-year-old daughter. She does not communicate with her daughter, nor can the child admit to this highly-publicised parent.

To maintain the prestige of a fitting family background before her schoolmates, Deanna invents a big-game-hunter father. When she is crowded by skeptical schoolmates, Miss Durbin fastens herself to Marshall, a composer, who comes to the Swiss town with his man, Treacher, for a rest. He gets little rest, but wins a daughter and eventually, a wife, through the laughable and heart-warming involvements created by Miss Durbin.

Weaving through the story are three song numbers by Jimmy McHugh and Harold Adamson which the star takes in her stride. "I Love to Whistle" is immediately due for widespread attention on the air and otherwise. "Chapel Bells" and "A Serenade to the Stars" are noteworthy, as is Miss Durbin's rendition of "Ave Maria" by Gounod. There is also an enjoyable novelty number by Cappy Barra's harmonica band.

There was a fine air of optimism around the Universal offices after the screening. There should be.

"Mad About Music" will do a whale of a lot of business.

Running time, 96 minutes. "G." Vogel

(Additional Reviews on page 7)

Ben Cohen Switched To Spot at Calcutta

A switch in assignments will place Ben Cohen, former manager of Loew's Poli College in New Haven, in charge of the Metro Theatre in Calcutta instead of the new Loew house in Bombay, to which he was originally assigned.

Arthur Loew, head of the company's foreign activities, this week decided to transfer Adolph Buehrig from Calcutta to Bombay where he will open the Metro about April 15. Buehrig, formerly a Loew manager in Columbus, has been in India a year.

Cohen will sail Wednesday on the *Conte di Savoia* to take over Buehrig's duties. He has been succeeded in New Haven by Sam Badamo, manager of the Globe, Bridgeport. Harry Rose has been promoted from assistant manager at the State, Providence, to manage the Bridgeport house. He has been succeeded by Maurice Druker, assistant manager of the Orpheum, Boston, while the latter spot has been filled by B. George Fornell, a newcomer to the Loew circuit.

Defer RKO Departures

RKO top executives were still indefinite late yesterday as to plans for leaving for the studio for conferences on new season's product. There is a possibility that Ned E. Depinet and Jules Levy will leave within the next few days, but Leo Spitz, president, and J. B. McDonough, newly elected vice-president, have deferred their departures indefinitely and may not start west for another 10 days or two weeks.

Cut Motiograph Prices

Chicago, Feb. 24.—Reduced prices on Motiograph equipment announced today by Joseph B. Kleckner will take effect immediately.

The new list price on a pair of Model K projectors complete is $1,695. The former price was $2,470.

Hays Due, Board to Meet

Will H. Hays, scheduled to leave the coast by train today, is expected in New York on Monday. The annual meeting of the board of M.P.P.D.A. will be held here about March 23.

Purely Personal

EMANUEL COHEN has postponed his departure from New York to next Wednesday, when he will sail on the *Conte di Savoia* for a two or three-month vacation abroad.

•

James P. O'Loghlin, 20th Ce[illegible]tury-Fox district manager in Canada and Kent drive leader, is here to complete the audit of final standings of branches in the drive.

•

Ed Peskay, Grand National vice-president, left last night for the coast via the American Airlines for reorganization conferences. His return date is indefinite.

•

William C. Gehring, 20th Century-Fox central division manager, will leave tomorrow on a business trip through the middle west.

•

J. R. Vogel, Oscar A. Doob and Marvin Schenck of Loew's are due from Florida on Monday. Vogel also took a side trip to Havana.

•

Harry and Mrs. Rapf plan to leave for the coast in about a week. They returned Wednesday night from a South American cruise.

•

W. A. V. Mack, special sales representative for G. B., will return to his office in Albany today after an illness of several weeks.

•

Stacy Woodard, producer and director of "The Adventures of Chico," will attend the opening at the 55th St. Playhouse tonight.

•

Stanton Griffis, chairman of the Paramount executive committee leaves today for a three-weeks' vacation in Florida.

•

Cresson E. Smith, western and southern sales manager for RKO, is in the south on the Ned E. Depinet sales drive.

•

Ralph B. Austrian, assistant vice-president of RCA Photophone, will leave today for a three-week visit to the coast.

•

Dr. Herbert Meyer of C. King Charney, Inc., will sail today for Europe. He will be gone for six weeks.

•

Jack Fuld has a bunch of keys lost at the Ampa lunch at the International Casino yesterday.

•

Hap Hadley had his parents at the Ampa luncheon yesterday, and they were introduced.

•

Edward Kaufman, RKO producer will leave today for the coast after a short stay here.

•

Wallace Beery arrived at Newark Airport yesterday afternoon.

•

E. M. Loew, New England circuit operator, is in town.

•

Bobby Breen will arrive today from the coast.

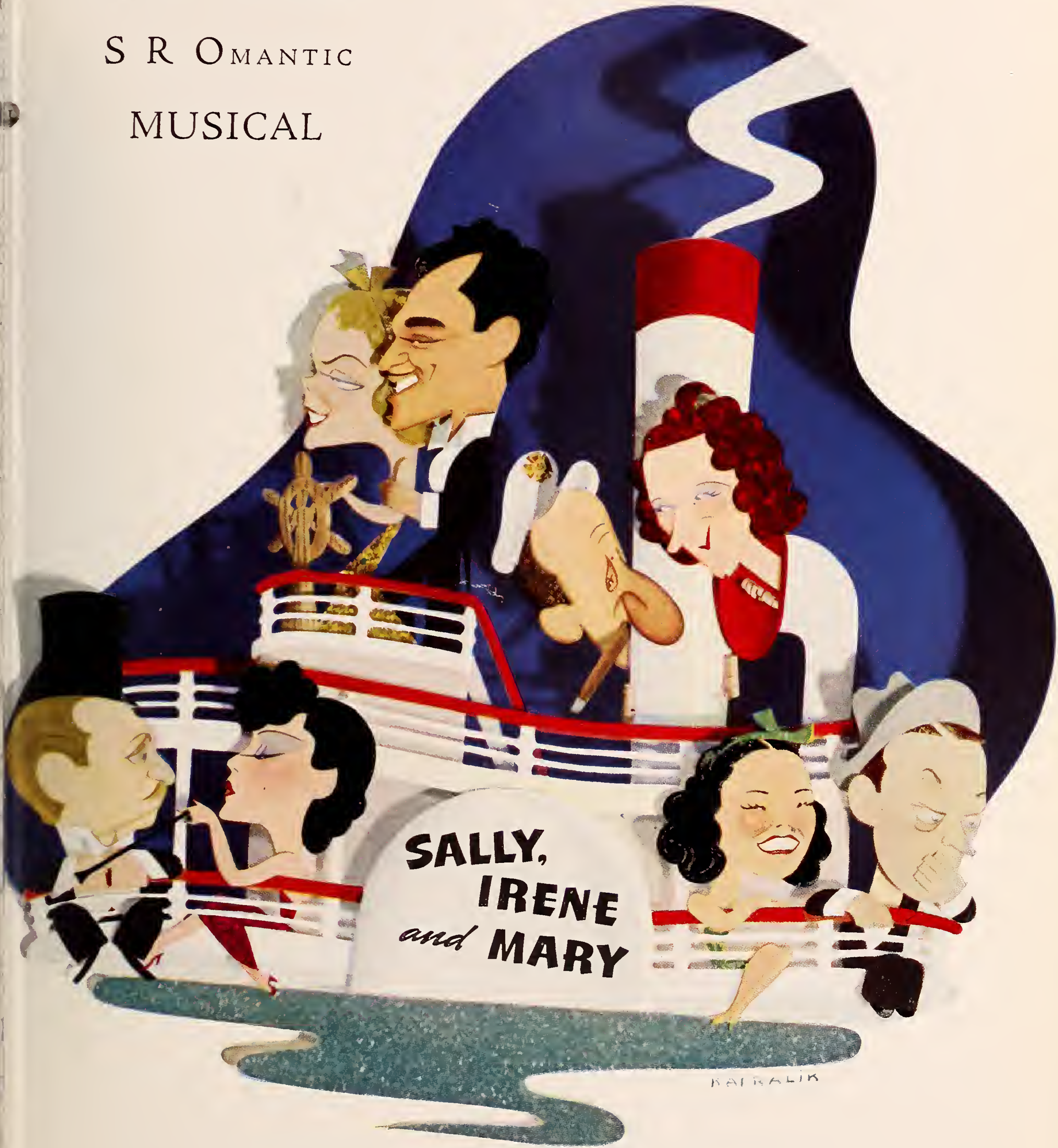
•

Brian Aherne left for the coast yesterday.

20TH'S LATEST

S R OMANTIC

MUSICAL


SALLY, IRENE and MARY
KAPRALIK

DARRYL F. ZANUCK'S TOP-HIT MUSICAL (*but top*

A whole "who's-who" of pepper-uppers . . . headed by Alice and Tony singing and romancing under the Manhattan moon . . . and "Town Hall" Fred Allen, leading comedian of radio and screen . . . in a show with the zing and *extra* sparkle that mark 20th's musicals— to make this the money high-spot of them all!

ALICE FAYE • TONY MARTIN

in

SALLY, IRENE *and* MARY

(*THREE SIRENS OF SWING IN SEARCH OF SOCIAL SECURITY*)

with

JIMMY DURANTE

GREGORY RATOFF • JOAN DAVIS

MARJORIE WEAVER • LOUISE HOVICK

BARNETT PARKER • J. EDWARD BROMBERG

AND *the leading comedian of radio and screen*

FRED ALLEN

Directed by William A. Seiter

Associate Producer Gene Markey. Screen play by Harry Tugend and Jack Yellen. Original story by Karl Tunberg and Don Ettlinger. Suggested by the stage play by Edward Dowling and Cyrus Wood. Dances staged by Nick Castle and Geneva Sawyer.

20th CENTURY FOX

Darryl F. Zanuck in Charge of Production

8 NEW SONGS!

The latest hits by
Bullock & Spina
Gordon & Revel
Raymond Scott!

"Bringing Up" Is Double Hit On the Coast

Los Angeles, Feb. 24.—The box-ffice surprise of the week was fur- ished by "Bringing Up Baby," on ual with "Women in Prison," at th the Hillstreet and Pantages. The ross at the former was $13,000, just ouble the normal take for the house, nd at the latter the $14,800 figure as more than double par.

"The Goldwyn Follies" also was omething of a sensation at Warners' ollywood and Downtown. At the ollywood the $20,500 gross was $6,- 00 over normal and at the Down- wn the $20,000 take was $8,000 to e good.

In the face of this competition "A ank at Oxford," dualled with "Love a Budget" was strong at both the hinese and Loew's State, and "Snow hite and the Seven Dwarfs" did an ccellent $12,500 at the Carthay ircle in its ninth week.

Total first run business was $133,- 5. Average is $105,700.

Estimated takings for the week end- g Feb. 23:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, days, 9th week. **Gross:** $12,500. (Aver- e, $10,000)

"A YANK AT OXFORD" (M-G-M)
"LOVE ON A BUDGET" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **oss:** $13,553. (Average, $12,500)

"MAYERLING" (Pax Film)
ESQUIRE—(900), 55c-$1.10, 7 days, 6th eek. **Gross:** $2,700. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 7 days, 6th eek. **Gross:** $5,100. (Average, $8,000)

"GREEN FIELDS" (New Star)
GRAND—(750), 35c-40c, 7 days. **Gross:** ,100. (Average, $1,200)

"BRINGING UP BABY" (RKO)
"WOMEN IN PRISON" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days. **oss:** $13,000. (Average, $6,500)

"A YANK AT OXFORD" (M-G-M)
'LOVE ON A BUDGET" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 ys. **Gross:** $16,202. (Average, $14,000)

"BRINGING UP BABY" (RKO)
"WOMEN IN PRISON" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days. **oss:** $14,800. (Average, $7,000)

"BUCCANEER" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days, l week. Stage: F. & M. revue, Maury oss and orchestra. **Gross:** $13,500. (Av- ge, $18,000)

HE GOLDWYN FOLLIES" (U. A.)
VARNER BROS. (HOLLYWOOD)—(3,-), 30c-65c. 7 days. **Gross:** $20,500. (Av- ge, $14,000)

HE GOLDWYN FOLLIES" (U. A.)
VARNER BROS. (DOWNTOWN)—(3,-), 30c-65c, 7 days. **Gross:** $20,000. (Av- ge, $12,000)

ake Warrensburg Spots

Kansas City, Feb. 24.—Common- alth Amusement Corp. has taken er the Warrensburg, Mo., theatres der a partnership agreement with n Graham. Graham formerly had h the Mainstreet and Star, but mmonwealth has been operating the r under lease for some time. It ll now have both houses. Bob Shel- , who has been managing the Star, ll handle the town for Common- alth under the new setup.

Wall" to Cosmopolitan

Hollywood, Feb. 24.—"Over the all," which Warners made with ck Foran, June Travis and John el, has been designated as a Cos- politan production.

"Chicago" Is Pittsburgh's Top $10,500

Pittsburgh, Feb. 24.—Business last week kept up the brisk pace it has maintained since the first of the year and even the roadshow engagement of "In Old Chicago" at the Nixon, which did a nice $10,500 in its first week, didn't slow down trade at the regular houses. The Stanley was well out in front again with "True Confession" and Duke Ellington's band, the combination getting around $22,500, while "Victoria the Great," on a double bill with "Beg, Borrow or Steal," helped the Warner to a nice $6,000.

In its second week, "Happy Landing" held steady, doing better than $7,000. "Everybody Sing" at the Penn collected $12,000.

Total first run business was $52,500. Average is $45,000.

Estimated takings for the week ending Feb. 17:

"CHECKERS" (20th-Fox)
"NON-STOP NEW YORK" (G. B.)
ALVIN—(2,000), 25c-50c, 7 days. **Gross:** $6,250. (Average, $6,500)

"HAPPY LANDING" (20th-Fox)
FULTON—(1,750), 25c-40c, 2nd week, 7 days. **Gross:** $7,000. (Average, $4,500)

"IN OLD CHICAGO" (20th-Fox)
NIXON—(2,100), 50c-$1.50, 13 performances. **Gross:** $10,500.

"EVERYBODY SING" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $12,000. (Average, $11,000)

"TRUE CONFESSION" (Para.)
STANLEY — (3,600), 25c-60c, 7 days. Stage: Duke Ellington's band, Ivie Anderson, Alma Turner, Cook and Brown, Jigsaw Jackson. **Gross:** $22,500. (Average, $18,000)

"VICTORIA THE GREAT" (RKO)
"BEG, BORROW OR STEAL" (M-G-M)
WARNER — (2,000), 25c-40c, 7 days. **Gross:** $6,250. (Average, $5,000)

"Paradise," Show Fair in Oklahoma

Oklahoma City, Feb. 24.—"Paradise for Three," helped by Major Bowes' "Jamboree" unit on the stage, was about the only combination to make a dent in the first run lull, and it wasn't much of a dent. The $6,100 take at the Criterion was $900 over par.

The only other spot to get into the profit column was the Tower which grossed $2,600 with "Love Is a Headache."

Total first run business was $17,000. Average is $19,200.

Estimated takings for the week ending Feb. 19:

"PARADISE FOR THREE" (M-G-M)
CRITERION—(1,500). 10c-35c-55c, 7 days. Stage: Major Bowes' "Jamboree." **Gross:** $6,100. (Average, $5,200)

"CRASHING HOLLYWOOD" (RKO)
"VICTORIA THE GREAT" (RKO)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $2,000. (Average, 7 days, $2,700)

"THE MAN WHO CRIED WOLF" (Univ.)
"WINE, WOMEN AND HORSES" (W.B.)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $600. (Average, 7 days, $2,700)

"RADIO CITY REVELS" (RKO)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $2,700. (Average, $4,600)

"HURRICANE" (U. A.)
STATE—(1,100), 10c-25c-40c, 7 days, 3rd week. **Gross:** $3,000. (Average, $4,200)

"LOVE IS A HEADACHE" (M-G-M)
TOWER—(1,000), 10c-20c-35c, 7 days. **Gross:** $2,600. (Average, $2,500)

Technicolor Record

Technicolor is marking a record this week with four color features on Broadway. These are "Goldwyn Follies" at the Rivoli, "Tom Sawyer" at the Music Hall, "Gold Is Where You Find It" at the Strand and "Snow White and the Seven Dwarfs" at the Palace.

Previous commitments for 7,000,000 feet of film to be processed at the Technicolor plant in Hollywood this month have been increased to 7,500,000, the largest in the company's history, says Dr. Herbert T. Kalmus.

"Follies" Has Speedy Start, Philadelphia

Philadelphia, Feb. 24.—With the help of a premiere, "Goldwyn Follies" knocked off a top-notch $18,000 for its first week at the Aldine.

Likewise given a fanfare sendoff, "In Old Chicago" took in $16,500 for its first roadshow week at the Erlanger and is set, according to A. R. Boyd, for seven more weeks.

The stage and screen combination at the Earle—"No Time to Marry" and Ted Weems—grossed a good $19,000 and "The Buccaneer" took enough in its second run at the Karlton to warrant another week.

On the other side of the picture were "Yank at Oxford," which got $14,000—good, but more was expected—at the Boyd; "Radio City Revels," which died at the Fox with $10,500, and "Everybody Sing," with a weak $12,000 at the Stanley.

Total first run business was $108,600. Average (exclusive of average on "In Old Chicago") is $81,960.

Estimated takings for the week ending Feb. 17:

"GOLDWYN FOLLIES" (U.A.)
ALDINE—(1,300), 40c-55c-75c, 7 days. **Gross:** $18,000. (Average, $8,160)

"EVERY DAY'S A HOLIDAY" (Para.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 7 days. **Gross:** $2,300. (Average, $2,800)

"YANK AT OXFORD" (M-G-M)
BOYD — (2,400), 40c-55c-65c, 7 days. **Gross:** $14,000. (Average, $14,000)

"NO TIME TO MARRY" (Col.)
EARLE—(2,000), 25c-40c-55c, 7 days. Stage: Ted Weems Orchestra and revue. **Gross:** $19,000. (Average, $14,000)

"IN OLD CHICAGO" (20th-Fox)
ERLANGER—(2,000), 57c-86c-$1.14-$1.71, 7 days. **Gross:** $16,500.

"RADIO CITY REVELS" (RKO)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $10,500. (Average, $14,000)

"THE BUCCANEER" (Para.)
(2nd run)
KARLTON—(1,000), 25c-40c-50c, 7 days. **Gross:** $6,500. (Average, $4,000)

"HAPPY LANDING" (20th-Fox)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $4,500. (Average, $4,000)

"EVERYBODY SING" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 7 days. **Gross:** $12,000. (Average, $14,000)

"CHARLIE CHAN AT MONTE CARLO"
(20th-Fox)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,300. (Average, $7,000)

R. M. Copeland Injured

Des Moines, Feb. 24.—R. M. Copeland, manager of the Paramount exchange, is at home because of an injured knee caused by a fall on ice.

"Snow White" Hits $23,000 In Washington

Washington, Feb. 24.—"Snow White and the Seven Dwarfs," taking $23,000 at RKO Keith's, ran away with all box-office honors for the week. The Disney feature played to approximately 65,000 persons at the 1,836-seat house. All other downtown houses took a beating except Loew's Columbia, which garnered $4,000 with a return engagement of "Mannequin."

Total first run business was $70,000. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending Feb. 17:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
RKO KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $23,000. (Average, $10,000)

"OF HUMAN HEARTS" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Helen Morgan, Shea and Raymond, Paul Nolan, Three Beau Brummels. **Gross:** $16,000. (Average, $20,900)

"THE BUCCANEER" (Para.)
LOEW'S PALACE—(2,370), 25c-55c, 7 days, 2nd week. **Gross:** $8,000. (Average, $15,900)

"TRUE CONFESSION" (Para.)
METROPOLITAN — (1,591), 25c-40c, 7 days, return engagement. **Gross:** $4,000. (Average, $4,300)

"SWING YOUR LADY" (W. B.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Pinky Tomlin, Irene Vermillion & Co., Schichtl's Royal Wonderettes, Dick, Don and Dinah, Lee Dixon. **Gross:** $15,000. (Average, $18,400)

"MANNEQUIN" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days, return engagement. **Gross:** $4,000. (Average, $3,600)

"Buccaneer" Pulls $13,000, Montreal

Montreal, Feb. 24.—"The Buccaneer" was the outstanding first run leader with $13,000 at the Palace. Average is $11,000. The attraction was held for a second week.

"The Hurricane" registered $3,500 at the Orpheum for its seventh straight week and was held over for an eighth week.

Total first run business was $38,000. Average is $40,500.

Estimated takings for the week ending Feb. 12:

"I MET MY LOVE AGAIN" (U. A.)
"A GIRL WITH IDEAS" (Univ.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,500. (Average, $9,500)

"IT HAPPENED IN HOLLYWOOD" (Col.)
"PAID TO DANCE" (Col.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. Stage: "The Big Apple" Unit. **Gross:** $7,000. (Average, $8,000)

"HURRICANE" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 7th week. **Gross:** $3,500. (Average, $5,000.) Held over for eighth week.

"BUCCANEER" (Para.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,000. (Average, $11,000.) Held over for second week.

"SWING YOUR LADY" (W. B.)
"THEY WON'T FORGET" (W. B.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $6,000. (Average, $7,000)

Omaha Gets New House

Omaha, Feb. 24.—Omaha's first new theatre in 10 years has just been opened. It is the Muller, a 700-seat neighborhood house, owned and managed by Lawrence Grobeck.

The Muller features the first installation here of hard-of-hearing equipment and a "crying room."

Fr. Ahern Talks on Sale of Novel Films

"There may be gold in them there hills, but there is also gold in telling people the truth about the things they know little about," said the Rev. Michael J. Ahern, S.J., of Boston at the Ampa luncheon yesterday in stressing that there is a market for films dealing with subjects not ordinarily treated by producers.

The luncheon, which was at the International Casinò, was a testimonial to Father Ahern, who had much to do with preparing "Monastery" for the American screen. The attendance was 125, including leaders of the clergy. Father Ahern spoke at length on the film, which will have a New York opening soon. He exhibited a copy of *Der Film*, German trade publication, which in bold headlines attacked "Monastery" as "a film of hate against Germany" and "Cardinal Mundelein's reply to Hitler." The picture depicts the life of Catholic monks.

Rabbi Asks Supervision

One of the speakers, Dr. Hyman Judah Shachtel, rabbi of the West End Synagogue, pleaded for "higher standards" in films and proposed "supervision at the source by a committee representing the public." Dr. Everett R. Clinchy, director of the National Conference of Jews and Christians, speaking as a Protestant churchman, told of the role of the screen and the church in promoting amity.

Ralph Rolan presided and Jack Alicoate was toastmaster. Among those present were John J. Downing, chairman of the New York Chapter, Knights of Columbus; George Hecht, publisher, *Parents' Magazine*; Dr. Joseph J. Reilly, Hunter College; Rev. Charles J. Deane, vice-president of Fordham University; Mrs. Mary Harden Looram, film chairman, International Federation of Catholic Alumnae; Terry Ramsaye, editor, *Motion Picture Herald*; F. X. and Maurice Ahern, brothers of Father Ahern; George Kraska of Boston and others.

Warners to Discuss New Cartoon Feature

Whether Leon Schlesinger, cartoon producer for Warners, will make a feature-length cartoon, on the basis of the appeal of "Snow White and the Seven Dwarfs," will be decided in coast conferences with company executives.

Schlesinger, who returned Wednesday night from a South American cruise, said yesterday that he favors the idea, and further discussions will be held when he gets to the coast, March 3. He will discuss the matter with H. M. and Jack L. Warner and Norman H. Moray, short subjects sales manager. Schlesinger estimates the cost of such a feature at $700,000.

The company's short subjects program for next season will be mapped in studio conferences by the Warners, Hal Wallis and Moray, who is expected on the coast March 7. Moray is on a tour of key cities en route west, conferring with branch managers and making a survey of exhibitor preferences on shorts. He may prolong his field trip and arrive on the coast about March 15.

While details remain to be set, a substantial increase in the number of patriotic short subjects is anticipated for 1938-'39.

The Newsreel Parade

Movietone News
Vol. 20, No. 48
(20th Century-Fox)

Six clips of varying appeal are strung together under a general heading of "Around the World with Movietone," and the narrators attempt to give the whole a semblance of continuity. The idea may be good, but the current issue does not prove that it enhances interest.

Included in this division are Australia's 150th anniversary celebration; Britain's $10,000,000 base recently opened at Singapore; machine gun practice and tank maneuvers by British forces in the desert near Suez; H. M. S. *Walrus* stranded by a storm on the English shore; a mammoth elephant modeling for child artists at Miami, and, finally, an aerial view of New York's skyscrapers. The latter is something even for New Yorkers to see. The mid-winter regatta at Los Angeles, showing some fast sailing and fine photography; fast and furious socking at the Golden Gloves tournament, and a polo match in California make up the sports clips. Lew Lehr is caught being inducted into the Saints' & Sinners' Club and, later, in his usual stint becomes confused over a "duck census" at Miami. Ambassadors Kennedy and Biddle, voiceless, are shown prior to sailing abroad, and Paul V. McNutt is caught on arrival from the Philippines. Vyvyan Donner and Helen Claire do a good job explaining how "junk jewelry" is worn. The ladies will like this. Running time, 9 mins. F.

News of the Day
Vol. 9, No. 246
(M-G-M)

An "expose" of the dope traffic gets considerable footage in this release. While not a topical news break, it leads in interest. The vendor's tricks of the trade and the ingenious devices by which he peddles the narcotics are clearly demonstrated. The clip ends with an appeal for public support, by Major Williams of the Government's narcotics bureau in New York. This is out of the routine and offers selling possibilities to exhibitors.

The "sporting page" has fast action in the Golden Gloves fight bouts at Madison Square Garden, spills in skiing at Lake Placid and shots of film stars at the Santa Anita Derby. The personalities department includes the sailing of Ambassadors Joseph P. Kennedy and Anthony J. Biddle, Jr., and the King of Sweden displaying fine prowess in a tennis set, upholding his title as "the grand old man of the courts." There are also air shots of Britain's naval base at Singapore and bathing cuties counting ducks at Lost Lake, Miami.

Running time, 9½ mins. F.

Paramount News
Issue No. 59
(Paramount)

If all the newsreels are going to use the same negative they should call a meeting of their commentators. One reel this week shows workmen inspecting the Coliseum at Rome and brushing off the stone faces on the Arch of Constantine and calls it the usual inspection of historic monuments. In Paramount's showing of the same subject Gabriel Heatter gives a lugubrious discussion of Hitler's forthcoming visit to Mussolini and makes an oratorical effort to create an international incident out of the fact that a flock of pigeons has been roosting on an archway.

In a lighter vein socialites learn to ski at North Conway, N. H., and Joseph P. Kennedy demonstrates he knows about film technique as he starts to board a ship for England.

Snow on a fruit tree in Texas is made properly catastrophic by the commentator, and the launching of the *Louis Pasteur,* French liner, gets a fine vocal sendoff.

Senators Nye, Ellender and Bone, Representative Maverick, Dr. Mann, an exiled German author, and William Dodd, former German ambassador, discuss international relations.

The two most entertaining clips are Shirley Foster, a little girl, skating at Rockefeller Center, and the amateur boxing bouts at Madison Square Garden. Running time, 9 mins. J.

RKO Pathe News
Vol. 9, No. 63
(RKO)

Paul V. McNutt is photographed surrounded by a crowd of reporters with note paper and pencils in hand. He screens like a matinee idol, but all he has to say is that he is not "a candidate for any office." This is good for a laugh.

The three principal action shots include tests of chemical warfare apparatus at Edgewood Arsenal, Md., the skating of eight-year-old Shirley Foster at Rockefeller Center, and the amateur boxers in the Golden Gloves Tournament. Those amateurs put on more exciting fights than do the professionals.

The other five clips are interesting but not particularly exciting. One shows the re-enactment of the raising of the first British flag in Australia, the results of a landslide at Rio de Janeiro, a train wreck at Worth, Ill., and honors being paid Jack Knight, one of the original air mail flyers. Running time, 9 mins. J.

Universal Newsreel
No. 644
(Universal)

There are 14 events in this reel, which is something of a record in the quantity of material that generally goes into an issue. A regular release usually averages eight or nine events. The makeup has a number of timely news events. The coverage given each sequence is adequate and the narration by Graham McNamee is lively and to the point.

The lead offers scenes of a train wreck at Worth, Ill. It is followed by a dog sled race in Quebec, bathing girls taking a wild duck census at Miami for sweet publicity, tea tasters doing their noisy tasting, Trubee Davison exhibiting the largest star ruby in the world at the American Museum of Natural History, the havoc caused by a sleet storm in Ohio, Joseph P. Kennedy and Anthony Biddle sailing on the *Manhattan,* the winner of the Old Gold cigarette contest the former Empress of Ethiopia embarking at Calais for Palestine, an upstate New York cat on its 23rd birthday, spring hat fashions cleverly presented with a dissolve effect and th finals of the Golden Gloves boxin matches, an exciting bit.

The varied material should hol audience attention.

Running time, 9 mins. F

Seek Joint Trial in Laboratories Actio

Lima Pictures Corp. and Gustave Schwab, who brought suit against H E. R. Laboratories, Inc., Garriso Film Distributors, Inc., and Alladi Pictures Corp., will ask Justice Aaro J. Levy in the N. Y. Supreme Court today to consolidate their action an order a joint trial for both suits. A the same time the defendants will ask the dismissal of Schwab's suit beca[illegible] of "unreasonable neglect" in failing [illegible] bring the case to trial.

Both complainants allege conversion of negatives and distribution an exhibition rights by the defendant o the picture "Girl From Reeperbahn." The answer contends that the film was sold by H. E. R. Laboratories i a foreclosure on a lien for unpai charges.

Seeks to Examine Books

International Projector Corp., defendant in a $250,000 breach of contract suit brought against it by Sentry Safety Control Corp., will ask Justice Aaron J. Levy in the N. Y Supreme Court today for an inspection of the plaintiff's books.

Sentry claims that a license agreement was made in 1930 under whic International agreed to manufactur Sentrolas, a sound picture projecto for home use. The agreement allegedly provided for a $65,000 guarantee, plus $2.50 royalties on eac machine. Sentry contends that th defendant breached the contract b refusing to fill orders. Trial has bee set for March 25.

Appeal Decision Reserved

Decision was reserved by the U. S Circuit Court of Appeals yesterda in the appeal by Ralph A. Freundlich president of Freundlich, Inc., do manufacturers, from a conviction fo perjury by a Federal Court jury before Judge John W. Clancy.

The alleged perjury was committe during hearings before a special master in connection with an infringemen suit brought by Fleischer Studio against Freundlich, Inc., for allege infringement of Betty Boop dolls.

Council Bluffs Asks First Run Booking

COUNCIL BLUFFS, Ia., Feb. 24.—Th Chamber of Commerce has started movement to secure the booking first run pictures for local theatre at the same time they are shown i Omaha, just across the Missou River. An arrangement of sever years' standing allows Omaha to sho the films 28 days before they may b shown in Council Bluffs.

Free on Lottery Charge

TULSA, Feb. 24.—V. L. Chandler operator of the Rex in the Negro section, is free without bond after pleading not guilty to a lottery charge i connection with Bank Night.

;anada Houses Not Helped by Ausic Tax Law

Toronto, Feb. 24.—Theatre companies and exhibitors are disappointed the Dominion Parliament did not ovide relief for the film business in e statute curbing the privileges of e Canadian Performing Rights Soety, Ltd., which was adopted withit a dissenting vote and amid genal applause in the House of Combns yesterday.

The measure, sponsored by W. K. ling, prohibits the society from colcting its annual fee from restaurants, tels, stores and other minor places business for the use of radio or amophone instruments in such prems, whether public or not. Further, e society cannot now collect a fee the use of music in skating rinks sport structures, but the situation th respect to theatres has been left before, which means that the soty can impose a levy on a seat basis ch year for stage or screen music.

The Esling act also requires the ciety to register or list all of the 00,000 musical works on which it s claimed copyright control and bids the society to collect a perming rights fee for any composition listed. This long has been a sore nt in the musical royalty situation the Dominion because the society viously had listed only such comitions as it desired, other works ng "claimed" with respect to nership. The Canadian Government rges a fee of $2 for the registra1 of copyright on each musical comition and the sum involved for the cial registration of all rights by society would reach a huge total.

Phonograph Discs Excluded

)f interest to theatre owners is that new act disallows the claim of the ety to collect royalty on phonoph records on the ground that mu1 copyright for discs has been sat-d by the manufacturers of records re the marketing of the product. s is exactly the argument of the tre men—that the imposition of erforming rights fee is a duplicaof the score charge paid by extors and that film producers had music royalty in the making of s. The theatres will have to cone to pay the impost to the Perning Rights Society unless the legion is amended before the close of present session of Parliament.

eputations representing theatre cirand independent exhibitors aped last December before the Ap Board of the Dominion Govern to protest against the schedule ees for 1938 filed by the society, here was no result for the theatre ness.

'ara. Dividend Voted

ie Paramount board of directors s monthly meeting yesterday ded the regular quarterly dividend 1.50 per share on the company's anding first preferred stock and nts per share on the outstanding d preferred. Dividends are pay April 1 to holders of record on h 15.

Overseas Preview

"Housemaster"

(Associated British)

London, Feb. 24.—This quiet but very human adaptation of Ian Hay's play is as placid and as sentimental as the country of its inspiration, and although it boasts an American star in Otto Kruger, it is the pure dramatic metal of England. A sympathetic study in character, with a background of tradition and ivy clad antiquity, it is, despite the excellence of its supporting portrayals, and alternately robust and sinister movements of its background, a one-man film with its backbone a character to whom one warms and in whom one believes.

Kruger's role as the aging and loyal housemaster who finds himself in conflict with his deliberate dehumanized headmaster (a gem of characterization this by an English actor, Kynaston Reeves) leads him through a battle for his boy's rather than his own good name, kindles briefly a smouldering romance of yesterday, but brings him to the top at last as head of his beloved school. It is a refreshing creation.

There are, of course, details of public school life which provide laughs and a sob or two, athletic form masters and impulsive boys, and a background of old stone and stained glass. There is Phillips Holmes as a bespectacled science master and some charming girls, notably Diana Churchill and an engaging youngster, Rosamond Barnes. There is polish in production and a nicely knit script. It should please the better class American audience even if it does not thrill them.

Running time, 95 minutes. "G." Flanagan

New York Preview

"Port of Missing Girls"

(Monogram)

The innocent fugitive from justice theme is again offered in "Port of Missing Girls." It is standard melodrama and probably will find a place in subsequent runs and on double bills. The featured players, Harry Carey, Judith Allen, Milburn Stone, Betty Compson and Jane Jones do their best with uninspiring roles and an unconvincing story. The production, atmosphere and color of the yarn will make fairly good exploitation material with which to sell it.

Miss Allen plays a night club singer who is implicated in a murder. She hides on Harry Carey's freight ship and is discovered later, when the vessel is at sea. Her story convinces Captain Carey and Wireless Operator Stone and the pair agree to help her. Arriving at an Oriental port, Miss Allen is placed in the care of Jane Jones. Her beauty attracts William Costello, the villain of the piece. In order to insure her safety Carey agrees to take Costello, a batch of native deck passengers and a cargo of arms and ammunition to Amoy. En route Costello and his gang try to storm the ship, but Carey is informed by Miss Allen in time and beats them at their game. Miss Allen, however, must return to the States. She embarks on Carey's ship and en route word comes clearing her of any connection with the killing, which, of course, leaves her free to complete her romance with Stone.

Karl Brown directed. The supporting cast includes Matty Fain, George Cleveland, Sandra Kortina and Lyle Moraine.

Running time, 65 minutes. "G."

To Open Salina House

Kansas City, Feb. 24.—Fox Midwest will reopen its rebuilt and remodeled Strand at Salina, Kan., March 2. The circuit has been using the Jayhawk to fill in the Strand spot, and the Jayhawk will close when the Strand is reopened. Fred Glass, who is at the Jayhawk now, will manage the Strand.

Billy Waers to Build

Kansas City, Feb. 24.—Billy Waers and his associates will start building a 700-seat theatre, the Uptown, in Cameron, Mo., March 1. The $25,000 house will be of brick and concrete construction, will show double bills first run on a straight 10 and 15 cent policy.

Bren Goes to Coast

Milton H. Bren, executive producer for Hal Roach, left for the coast yesterday accompanied by Eddie Moran and Jack Jevne, writers. While here they worked on the script of "There Goes My Heart," which will go into production soon. The film probably will be directed by Norman Z. McLeod, who left yesterday with Mrs. McLeod for a two-week vacation in Miami Beach, following which they will return to the studio.

Sol Lesser Signs Seff

Hollywood, Feb. 24.—Manny Seff has been signed by Sol Lesser as writer-producer, drawing as his first production assignment supervision of the next Bobby Breen vehicle.

Short Subjects

"The Sneezing Weasel"

(Vitaphone)

The reliable ingredients of barnyard cartoon comedy are present in this one. The action concerns a family of chickens terrorized by a weasel, and their ultimate disposal of the would-be assassin. The film is in Technicolor and should have an all-around pleasant reception. Running time, 7 mins. "G."

"In the Swim"

(RKO)

Fencing and high diving, always dependable for audience attention, are featured in this exhibition by Olympic champions, and others as skilled, in various Florida scenic spots. Underwater camera shots catching the divers as they finish their dives, add further interest. Aquaplane riding furnishes a thrill finish. Running time, 10 mins. "G."

"Stranger Than Fiction No. 45"

(Universal)

Here is another geographically well-scattered assortment of oddities that entertainingly lend themselves to popular attention. The audience will have little difficulty in becoming intersted in scenes of the manufacture of "break-proof" eyeglass lenses, an ostrich feather "plantation," and girl butchers at work in their father's store, among others. The comment is enlightening although some of the gags are painful. Running time, 9 mins. "G."

"Down on the Barn"

(Mentone-Universal)

Save for its location in a typical country barn, this is just another routine two-reel musical film. Such reliable entertainment as eccentric dancing, a hill-billy orchestra, a French songstress and the inanities of Ernie Hare and Billy Jones will manage to entertain in a lesser degree. Running time, 17 mins. "G."

Wall Street

Small Changes on Board

	Open	High	Low	Close	Net Change
Col.	14	14½	14	14¼	— ⅛
Cons.	1⅝	1¾	1⅝	1¾	+ ¼
E. K.	157¼	158	157¼	158	+1
Loew	50⅜	50⅜	50	50	—1
Para.	10½	10½	10¼	10⅛	— ⅛
Para. 2.....	10⅜	10½	10¼	10¼	— ¼
Pathe	5⅞	5⅞	5⅞	5⅞	+ ¼
RKO	3⅞	3⅞	3¾	3⅞	+ ⅛
20th Fox ...	22¾	23	22½	22¾	— ⅛
W. B.	6⅜	6⅜	6	6	— ¼

Curb Moves Fractionally

	Open	High	Low	Close	Net Change
G. N.	⅝	⅝	9/16	9/16	+1/16
Monogram	2¼	2¼	2⅛	2⅛	— ¼
Sonotone ..	1⅞	1⅞	1¾	1¾	— ⅛
Tech.	20	20	19⅝	19⅞	— ½
Trans-Lux .	2¾	2¾	2¾	2¾	— ⅛

Warner Bonds Gain a Point

	High	Low	Close	Net Change
Loew 3½s '46.....	98⅝	98⅝	98⅝	+ ⅜
Para. B'way 3s '55	58	58	58	— ½
Para. Pict. 6s '55	92	91¾	91¾	— ¼
Para. Pict. '47...	74	74	74	.....
W. B. 6s '39.....	69	68	69	+1

(Quotations at close of Feb. 24)

Hint CBC May Confine Work To Regulation

(*Continued from page 1*)

policy of the CBC in placing restrictions on socalled local studios.

By limiting its actual broadcasting features and the discarding of plans for the erection of further costly high powered stations, the corporation would not require a higher license fee from radio owners nor would it be necessary to draw upon the public treasury for "loans" of a half a million dollars or more.

The campaign against the increased fee and the importation of commercial network programs from the United States has been sponsored largely by the Danforth Businessmen's Association of Toronto, which took a ballot poll through the medium of coupons, the result being an overwhelming total of votes against the fee increase and also opposing the continuance of the broadcasting corporation in its present form. The ballots have been presented to the Government.

Parliament has authorized an investigation into the broadcasting situation in the Dominion when private radio station operators, radio manufacturers, national advertisers, newspaper publishers and others will be given an opportunity to register their views and complaints, after which the authorities are expected to reorganize the whole broadcasting setup.

Plea for High Court Ruling Refused CBC

Montreal, Feb. 24.—The Canadian Broadcasting Corp. today was refused permission to go to the Supreme Court of Canada to establish the fact that it is a Government department rather than a separate company. The question arose out of a minor salary seizure action in which CBC was ordered into court to reveal the salary earned by one of its employes. The corporation refused on the grounds that as a Government department its employes were exempt from having their salaries seized.

Judgments in both Superior Court and the Court of Appeals had previously gone against the corporation.

Juneau New KYA Manager

San Francisco, Feb. 24.—Clarence B. Juneau has been named new manager of KYA, succeeding Bob Roberts, according to Murray B. Grabhorn, vice-president of Hearst Radio. Juneau has been in west coast radio for 14 years, has managed KTM and KEHE in Los Angeles, KGB in San Diego, and KTAB (now KSFO) in San Francisco. More recently he has been in charge of operations for KYA and KEHE. Roberts will reenter the agency business.

Ed. Sprague Goes to WWVA

Pittsburgh, Feb. 24.—Ed Sprague, former sports announcer at WCAE, has joined the staff of WWVA, Wheeling, W. Va., where he will handle all broadcasts of athletic events. Sprague left here several months ago to take a post at WLW, Cincinnati.

Warners Drop Series

Hollywood, Feb. 24.—Warners have decided to drop the radio series, "Your Hollywood Parade," broadcast Wednesday nights over the NBC-Red network. No explanation was given in a short statement issued tonight as follows:

"By mutual agreement between the American Tobacco Co. and Warner Bros. Pictures, Inc., it has been decided to terminate the radio program known as 'Your Hollywood Parade' as of Wednesday, March 23. This was in accordance with the 16-week commitment between the two parties which became effective Wednesday, Dec. 9, 1937."

WDBO, Orlando, Is Given Power Raise

Washington, Feb. 24.—Issuance of a license authorizing WDBO, Orlando, Fla., to increase its day power from 1,000 to 5,000 watts was ordered by the Federal Communications Commission.

The commission also announced that it had ordered examiner's hearings held on the applications of WSAN, Allentown, Pa., for increase of power to 1,000 watts; KSFO, San Francisco, for increase of night power from 1,000 to 5,000 watts, and KMED, Medford, Ore., for change of frequency from 1,410 to 1,320 kilocycles and increase of power to 1,000 watts.

Republic, Network in Tieup

Boston, Feb. 24.—Arrangements have been completed between the Colonial network and Republic Picture Corp. of New England for a 100-word spot announcement immediately following the half-hour air show on Republic's picture version of "The Lone Ranger," and its playdates, in return for Republic's plugging of the air show of the same name. The deal was promoted by David B. Whalen, publicity director for Herman Rifkin, Republic franchise owner in New England.

In Tieup With Music Store

San Diego, Feb. 24.—KGB, local Mutual-Don Lee outlet, has promoted a tieup with the Southern California Music Store for 13 musical programs to be broadcast weekly from the store's show windows. The programs, featuring Fred King in a series of electric organ and piano recitals is being handled by David Young and is aired Tuesdays at 12:30 P.M.

Stove Firm Takes KGO Show

San Francisco, Feb. 24.—"Hollywood Food Secrets," a weekly transcribed program for Magic Chef Stoves, will start on KGO, March 17, sponsored by American Stove Co. Other new KGO accounts include Dayton Tires, McKesson and Robbins, Inc., The Armand Co., and RCA.

Bradley Signs M-G-M Pact

Chicago, Feb. 24.—Truman Bradley has signed an acting contract with M-G-M and will leave next month for New York for a series of screen tests. Al Altman made the deal for M-G-M.

KHJ National Time Increased Sundays

Hollywood, Feb. 24.—The importance of KHJ and the Don Lee regional chain will increase in the Mutual Broadcasting setup, with KHJ originating two and a half hours of coast-to-coast programs each Sunday starting Feb. 27.

The times and programs are: 6:30 P. M., "Three Brown Sisters"; 6:45 P. M., "Hollywood Whispers," bringing back to the Mutual air lanes George Fischer, Hollywood commentator; 7 P. M., the Hancock Ensemble, concert group; 7:30 P. M., "The Old Fashioned Revival Hour," sponsored by the Gospel Revival Association; 8:30 P. M. to 9 P. M., Ozzie Nelson's orchestra from Beverly Hills. Also starting Sunday will be a 6 to 6:30 P. M. program, "Hawaii Calls," from KGMB, Honolulu.

New programs originating at KHJ for the Don Lee chain of 26 stations on the coast are: "Women's News Parade," conducted Tuesdays by Agnes McKaye and containing suggestions about clothes, styles, homes and news of women active in the business world, and "Third Alarm," presented by the Fire Chiefs' Association of the Pacific Coast, as a sustaining public service program designed to aid listeners in removing fire hazards from their homes. The program also is presented on Tuesdays.

To Enlarge CBR Studios

Vancouver, Feb. 24.—Renovation for CBR, coast outlet of the Canadian Broadcasting Commission, is planned for the near future.

When the work is completed there will be two new studios, enlargement of "A" studio, a new rehearsal room for dramatic sketches and larger accommodation for the public and office staff. J. R. Radford, station manager, said more and longer programs will originate here.

Amateurs to Air Weather Data

Mexico City, Feb. 24.—The offer of amateur radio stations in Mexico to cooperate in broadcasts of its weather bulletins has been accepted by the Ministry of Agriculture. This will assure a wider broadcast of these bulletins.

WJZ Continues "Dog Heroes"

"Dog Heroes," sponsored by the Modern Food Process Co., will continue as a local program over WJZ after closing its current network run Sunday. The same period, 4:45 to 5 P. M., will be used. The I. W. Clements Co. of Philadelphia is the agency.

Install System for Broadcasts

Chicago, Feb. 24.—A new public address system has been installed in the Eighth St. Theatre by Western Electric for the Saturday night "Barn Dance" broadcasts over WLS.

Mutual Signs Fitzgerald

Ed Fitzgerald will begin a new series on Mutual March 7, from 2 to 2:15 P. M., and Mondays through Fridays thereafter. It will be a variety show.

Perles Atlas Promotion Chief

Arthur Perles, formerly with the New York *Journal-American*, has been appointed promotion manager of the Atlas Radio Distributing Corp.

Broadcasters Are Silent on Boylan's Bill

(*Continued from page 1*)

that a tax on wattage, such as pro posed by Representative Boylan, justified, but he added that the pres rate of the proposed tax, amountin to $1 a watt, was much too high. H said that if the tax were lowere "considerably" the tax might be born without too much discomfort by th stations. He would not specify hov much lower, in his estimation, th rate of taxation should be.

F. B. I. Head in Air Series

Birmingham, Feb. 24.—The hea G-Man in Alabama, John Bugas, i presented in a special series of broad casts over WSGN, The *New-Ag Herald* station, each Friday. The 15 minute programs deal with the meth ods employed by the G-Men in stamp ing out crime, and several cases fro the records are discussed. The con tinuities for this series is prepared i Washington and personally inspecte and released by J. Edgar Hoove Danny Danenberg, of the *Birmingha News* staff, assists Bugas in present ing this series, acting as interviewer.

Purina Sponsors Disc Show

Oklahoma City, Feb. 24.—Purin Mills is sponsoring "Sing, Neighbo Sing," a transcription, over the Okl home Network of seven stations fro KTOK, Oklahoma City, key statio Chick Martin is "em cee" of the tra scription. The Oklahoma Associati for Old Age Security is sponsoring half-hour on Sundays at 2:30 P. over KTOK and the Oklahoma Ne work. KTOK is feeding Ralph Wel ster's orchestra, currently playing the Blossom Heath night club in Okl home City, to the Oklahoma Netwo as a sustainer.

Framer Develops Show Contest

Pittsburgh, Feb. 24.—Walt Fr mer, originator of many of Pitt burgh's original ideas in radio, h worked out a new contest for "Hollywood Show Shopper" progra on WWSW. He has started "Amateur Picture Reviewer" stu with contestants writing 150-wo criticisms of a selected picture. first is on "Non Stop New York."

DeMoss Takes WOW Post

Lincoln, Feb. 24.—Lyle DeMo KFAB's program director, has left t station after eight years to j WOW, Omaha, as production manag and assistant to program direct Harry Burke. DeMoss, a music will take care of production on musical shows and guide the new acquired $25,000 orchestra.

Kemper Gets Post at KWK

St. Louis, Feb. 24.—Gene Kemp has been named director of public lations for KWK. He was w Skouras Brothers Enterprises, Inc., St. Louis as treasurer, assistant m ager and manager of the Misso Ambassador and Grand Central various times between 1927 until first part of 1932.

MOTION PICTURE
DAILY

Radio Personals

ICHARD O'DEA, vice-president of WNEW, will sail today for a ree-week South American cruise. . . phannes Steel, WMCA commentator, supplementing his radio work with a ure tour. . . Alexander Kirkland June Walker have been added to e cast of "Big Sister." . . After a udeville tour of Ohio and Pennsylnia, Tim and Irene are back rearsing the new "Royal Crown Re-e." . . Alistair Cooke will do a series transcriptions for broadcast over adio Luxemburg in Europe. . . Felix night has been booked for two aparances with Walter Damrosch in "Music Appreciation" hour.

+

Jimmy Scribner of the WOR-Mual "Johnson Family" has been oked into the Capitol, Washington, week of March 18. He probably ll do his broadcast from the stage the theatre. Henry Frankel of the OR artists bureau handled the book-. . . . Kathleen Coughlin, in charge fan magazine publicity for Paraunt, will be interviewed in the x "Radio Theatre" Monday beeen scenes of "Forsaking All hers," starring Bette Davis and el McCrea. . . . Jean Harper Campl, head of WHN's copyright detment, received her check for $250 m Old Gold yesterday, a contest nner. . . . Karl Swenson, who plays title role in "Lorenzo Jones," will urn to the legitimate stage next nth as a member of the Episcopal tors' Guild production of Shakeare's "King John." . . .

---

orris Plan to Have ew Series on WEAF

he Morris Plan Industrial Bank signed for a new series to appear WEAF Tuesdays from 7:30 to 5 P. M. beginning March 1. The tract is for 13 weeks, through the ham Advertising Co.

he programs will consist of mys- dramas, and will be titled "You, Unseen Jury."

Hersholt to Celebrate

ean Hersholt, now appearing on air in the serial, "Dr. Christian," celebrate his 25th year in Hollyd with a program March 10 on S, from 10:30 to 11 P. M.

ppearing with Hersholt in the ial program will be Mary Pick-, Edward G. Robinson, Henry g, Robert Montgomery, Tyrone ver and officials of the Danish govnent. The series will emanate n Hersholt's home in Beverly s.

Mutual Gets Shirley Temple

hirley Temple will make her sec- radio appearance exclusively on ual March 4 from 11:30 P. M. to nidnight when her latest picture, becca of Sunnybrook Farm," is iewed at Grauman's Chinese The- in Hollywood. Others who will eard with the child star will be ia Stuart, Randolph Scott, Jack y and Bill Robinson. George her will "em cee" the program Mutual.

Coast Leaders Pay a Tribute To L. B. Mayer

(Continued from page 1)

Jack L. Warner. Schenck, presiding, introduced George Jessel, Hollywood's favorite M of C, who presented Archbishop John J. Cantwell of the Diocese of Los Angeles. He was followed by Gov. Frank F. Merriam of California, who said of the guest of honor:

"You—his associates—know him as a genius who has already achieved, while comparatively a young man, a shining and permanent place in the history of the motion picture world. You are here, as I am, to pay spontaneous tribute to that genius, but I know him not only as a thoughtful and kindly friend and a wise and far-seeing counsellor, I have likewise encountered him as a public spirited American whose faith and courage and devotion have been dedicated generously and energetically to the welfare of his country, his state and his community. We know he possesses so wide a range of capabilities, and his capacity for hard work is so remarkably developed that he can direct his energies and his attention tirelessly to all phases of his own complex business, and at the same time maintain a keen and compelling interest in practically every aspect of national, state and local public affairs. We are proud of the fact that Louis B. Mayer is known among us and throughout the nation as one of California's truly great citizens. He is a tower of strength to all of us in time of need."

Hays Stresses Service

Will H. Hays, president of the M.P.P.D.A., parent organization of the A.M.P.P., spoke in intimate, glowing terms of Mayer's untiring service during the most trying period in the history of the organization.

Cecil B. DeMille dipped back into his long career as producer for anecdotes and incidents, bringing out sidelights on Mayer's professional genius and faculty.

Mayer closed with an address of response deprecating the praises heaped upon him but expressing manifestly deep gratitude.

Outstanding on the entertainment program was the singing of the "Italian Street Song," one of Mayer's favorite numbers, by Jeanette MacDonald. Allan Jones, Edgar Bergen, Bob Burns and others contributed their diversified talents to the lighter side of the exercises with Edward Ward in charge of the orchestral accompaniment.

Dignitaries Present

Among city and state officials present were: Gov. Frank F. Merriam, U. S. District Judge Harry A. Hollister, U. S. District Attorney Ben Harrison, Mayor Angelo Rossi of San Francisco, Lieut. Gov. George Hatfield, State Treasurer Charles G. Johnson, District Attorney Buron Fitts of Los Angeles, Sheriff Eugene Biscailuz and Superior Court Judges Edward R. Brand and Ben S. Scheinman.

Representing the clergy were: Archbishop John J. Cantwell, Rabbi Edgar F. Magnin, Dr. Gustav A. Briegleb and Mons. M. C. Keating.

The long list of prominent personalities attending included Norman Chandler, Harlan G. Palmer and Manchester Boddy, publishers of Los Angeles newspapers; Martin Quigley, Henry Morgenthau, Sr., Dr. Rufus B. Von Kleinsmid, Byron Hanna, Joseph Scott and Matt Brady.

Universal's Year Loss $1,084,998

(Continued from page 1)

year continued to show a substantial loss and, until their amortization is completed, they will have an adverse effect on the company's operating results."

The statement said that depreciation and amortization of fixed assets for the period amounted to $370,286 and that state and federal taxes for the year 1937 amounted to $234,509.

United Amusements 1937 Net $246,125

TORONTO, Feb. 24.—United Amusements Corp., Ltd., subsidiary of Famous Players Canadian Corp., has reported net earnings of $246,125 for the calendar year 1937, before depreciation charge, as compared with $254,268 for the previous year. Net profit was figured at $1.24 on each of the 80,629 outstanding shares, as compared with $1.33 for 1936.

An interesting revelation in the annual statement just released was that no less than 22 per cent of gross receipts during 1937 were absorbed by taxes and licenses paid to municipal, provincial and Federal Governments. The balance sheet showed current assets of $307,524 against liabilities of $142,570. United Amusements, which operates a circuit of 26 theatres in the Montreal territory acquired a substantial cash interest in the six theatres of Greater Montreal owned by Confederation Amusements, Ltd. A new theatre, the Savoy, will be opened within a few weeks at Verdun, which is a short distance from Montreal.

N. Y. Film Tax Move Believed in Discard

(Continued from page 1)

eliminate the two per cent gross income utility tax.

Transportation lines of both the trucking and passenger types are understood to have made strong efforts to block continuance of the impost.

At the same time, the Assembly Taxation Committee reported favorably all of Governor Lehman's taxation measures except the utility levy, on which there may be some debate in the House before passage.

The four per cent gas tax was put over until Monday night's calendar in the Senate to give Democrats a chance to muster the necessary 26 votes for this controversial issue.

Asks Operator Licenses

RICHMOND, Feb. 24.—Senator A. L. Bivens of Newport News today introduced into the Virginia legislature a bill requiring projectionists to be licensed, and to undergo examination before a board.

Film Measure Gets Approval Of Commons

(Continued from page 1)

law from five to 15 per cent for exhibitors and from 10 to 20 per cent for distributors. The feature quota for both distributors and exhibitors under the current law is 20 per cent. The present exhibitors' quota will expire Sept. 30, 1938. The new law is expected to go into effect April 1, 1940.

The first amendment today proposed by Capt. Euan Wallace, Parliamentary Secretary of the Board of Trade, who appeared in place of Stanley, who is ill, was aimed to exclude Canadian, Indian and Australian films from the quota. To this the House of Commons agreed. The clause has the effect of concentrating British quota film production within the United Kingdom.

The labor motion to permit the operation of booking combines was withdrawn on the Government assurance that the matter would be referred to the Films Council later.

Amendments Withdrawn

Opposition efforts to increase the distributor quota were averted and amendments proposed by Captain Evans, Conservative, after a lengthy discussion, finally were withdrawn. Wallace pointed out that the bill followed the suggestions of the Moyne Committee, which issued its report and recommendations on new film legislation last year.

Wallace declared the American market could be attained only by large scale films, and said he was unwilling to overburden the exhibitors. That concluded the report stage, and the bill, as finally amended, was read formally for the third time.

Wallace pleaded the cause of the bill, which is aimed at assisting the industry to produce films for the world market, with the United States its especial aim. He declared, "We believe we have done our best, and the matter ultimately is up to the industry itself." Various speakers expressed the need for spreading the English viewpoint via the screen.

Exhibitor interests are watching the progress of the measure, and have organized resistance to any attempt to increase the quota schedules. The House of Lords is expected to act on the measure next week.

"Royalty Payments" Held to Be Taxable

(Continued from page 1)

old-age pension return for the period within which actually or constructively paid and in the unemployment compensation return for the year in which the services are performed.

With respect to the latter, the employer may make a "fair estimate" of all royalty payments that will ultimately be paid with respect to services performed during the year and, if it calculates less than is actually paid, the tax on additional payments will be subject to interest charges; if overcomputed, a claim for credit or refund may be filed.

ROBERT TAYLOR
"A YANK AT
OXFORD"
HOWARD CLOTHES
OWARD
Jewelers M. Rosenthal & Son Silversmiths
ROBERT TAY
"A YANK
OXFORD

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THE YANKS ARE COMING!

And the records are going!

(on New York's Broadway and on every Main Stem of America)

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MOTION PICTURE DAILY

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Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 46 NEW YORK, SATURDAY, FEBRUARY 26, 1938 TEN CENTS

. F. M. Disc rder Awaits Veber Return

ll Decide Monday on Recording Deadline

nding the arrival here of Joseph Weber, president of the American ration of Musicians, who is ex d back from Florida on Mon the federation will not demand its members cease to play for ding or transcription purposes as he license deadline date, which reached yesterday.

l locals of the federation had notified on Jan. 24 to order mem to cease to play for manufactur of electrical transcriptions and ograph companies on Feb. 25 un such companies held a license the A. F. of M.

the offices of the union yester it was stated that a considerable er of transcription and record ompanies had availed themselves

(Continued on page 4)

Farlane Hits at Air Probe Delays

By BERTRAM F. LINZ

ASHINGTON, Feb. 25.—Adminis n leaders and members of the e Rules Committee, despite gen nowledge that conditions in the casting industry are close to poly, have done nothing to er the proposed investigation of tuation, it is charged by Repre ive McFarlane (Dem., Tex.), in *ongressional Record* today.

seems strange that a private as ion, the American Society of osers, Authors and Publishers, evy and collect yearly a tax of $5,000,000 or more on these hold f radio licenses, and yet these radio licenses do not pay

(Continued on page 4)

clines to Explain d of Warner Show

LYWOOD, Feb. 25.—Tom Mc- head of the local Lord & as office, declined to state the for the cancellation of the ers-American Tobacco Co. Hollywood Parade" program, will fade March 23. Reliable

(Continued on page 4)

ore Radio—P. 4

Studio Unions Request Work Be Staggered

IATSE Proposes Plan to Cover Slack Period

Hollywood, Feb. 25.—On the heels of drastic retrenchment in film production today came a move for staggering the work of studio technicians by limiting working time to four days per week per man. The proposal comes from the I. A. T. S. E. It would, in addition to limiting work, reduce considerably the studio preferential lists.

Harold V. Smith, international representative of the I. A. T. S. E. in charge of the local offices during temporary absence of Harlan Holmden, proposed in a letter to Pat Casey, producer labor contact man, that the procedure be instituted immediately "in an effort to bridge the present low production period." The move will affect approximately 12,000 I. A. T. S. E. members and may possibly be used by producers for crafts outside of the alliance, with the exception of talent. Studio managers at a meeting

(Continued on page 3)

RCA Net for 1937 Up to $9,024,858

RCA showed a net profit for the year 1937 of $9,024,858.13, according to the company's annual report to stockholders, issued yesterday. The preliminary estimate of profits, published Feb. 9, was $9,000,000.

The net represents a profit of eight per cent on gross income of $112,639,497.78, up in dollar volume by 11.3 per cent from the 1936 figure of $101,186,309.90. Opening costs increased 8.4 per cent. The net profit increase

(Continued on page 4)

Para. Lab Workers Vote for I. A. Unit

Technicians at the Paramount News laboratory yesterday voted more than nine to one in favor of the Motion Picture Laboratory Technicians' Union, Local 702, as its collective bargaining representative. The vote involved about 100 employes and the tally reported was 91 for the union and eight against.

The election was held under the direction of the National Labor Relations Board and will be followed on Monday by a similar election for the

(Continued on page 4)

U. A. Has Icebox

They have an electric refrigerator at United Artists now, and the office staff has been informed that it is "for preservation of milk only and not for any other purpose or foods."

It seems that many of the girls are dieting and the morning milk deliveries have been cluttering up the corridors.

Some of the boys are wondering whether it would be against the rules to use a couple of cubes in case of emergency.

Film Bill Is Read In House of Lords

By AUBREY FLANAGAN

London, Feb. 25.—The Films Bill, which was passed on third reading by the House of Commons yesterday, went to the House of Lords today where it was formally read.

It is expected that the second reading of the measure, and the debate on it, will take place in the upper chamber on next Tuesday or Wednesday.

Appeals have been made to the Government by the Premier of New South Wales in Australia to reconsider the clause, inserted in the measure virtually at the last moment by Oliver Stanley, president of the Board of Trade, that films designed for quota eligibility must be produced in the United Kingdom. The clause has the effect of banning for quota purposes all films produced in the British Dominions of India, Canada or Australia.

Meanwhile, the Warner studios at Teddington will resume production on March 28, according to studio officials.

"Follies" Zooms to $40,000 at Rivoli

Prosperity was in evidence at the Rivoli this week, "The Goldwyn Follies" zooming the theatre's gross to $40,000 for its initial week, ending last night. The film is set for two more weeks.

"Gold Is Where You Find It," in its second week at the Strand, garnered $16,400, as compared with the first week's $28,000. The second week of "The Girl Was Young" at the Criterion took $9,500. The first week's gross was $13,500. "Dangerous to Know" will start at the Criterion March 3, following the completion of the current run of "She Married an Artist."

Further Delay On RKO to Be Asked Monday

Creditors Not Agreed on Proposed Amendments

A further postponement of hearings on the RKO reorganization plan appeared inevitable yesterday following a meeting of representatives of some of the company's largest creditor groups at which no agreement on proposed amendments to the reorganization plan was achieved.

A hearing on the plan is scheduled for Monday before Federal Judge William Bondy. It is believed that attorneys for Atlas Corp., proponent of the plan, will again petition the court for a further adjournment of the hearing at that time. Indications are, however, that only a short postponement will be asked in order to provide the creditors time in which to complete their study of the possibilities of devising amendments to the plan which would expedite the reorganization. Inasmuch as the postponement involves an effort to hasten the reorganization of RKO it is not believed likely that serious objections will be advanced by either the court or smaller creditors.

The basic amendments to the plan which have been considered include

(Continued on page 3)

K.C. Women Oppose Duals by Telephone

Kansas City, Feb. 25.—A group of influential women representing several organizations is carrying out a program of developing sentiment for single bills.

Each of the women is calling by telephone a large list, said to be 50, of friends and acquaintances, and asking them what they think about double bills. The answer may be for or against, following which the

(Continued on page 4)

Walker Report Urges A. T. & T. Drop W. E.

Washington, Feb. 25.—The Federal Communications Commission is engaged in a study of a lengthy report on the A. T. & T., prepared by Commissioner Paul A. Walker, which recommends, among other things, that the corporation sever itself from Western Electric, which supplies it

(Continued on page 4)

MOTION PICTURE
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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Issue Big "Chicago" Book

The 20th Century - Fox advertising and publicity department has turned out a striking pressbook for "In Old Chicago." The book measures 22 x 17 inches, contains 28 pages and is enclosed in a red cover that opens gatewise. The frontispiece is a composite picture in multicolor of the highlights of the film, with screen credits printed in the lower right-hand corner. Inside there are pictures of the premieres in various cities, more credits, ad layouts and accessories, advance newspaper color stories, picture mats, an order blank for the selling aids, lobby display ideas, broadcast hints, and a serialization.

Lawrence Goldwyn Aide

Hollywood, Feb. 25.—Jock Lawrence, Samuel Goldwyn publicity director, has been promoted to production assistant to Goldwyn, effective today. Al Vaughn, assistant to Lawrence, is the new publicity director.

Pair Fairbanks, Gaynor

Hollywood, Feb. 25.—Douglas Fairbanks, Jr., has been signed by David O. Selznick to play the lead opposite Janet Gaynor in the forthcoming "The Young in Heart."

Hollywood Preview

"Sally, Irene and Mary"

(20th Century-Fox)

Light and lively musical fare, "Sally, Irene and Mary," which, incidentally, was merely suggested by the original stage musical of that name, is tuneful, popular screen material, which should find a wide audience.

The film is handsomely mounted and contains a cast of names which should serve a useful box-office purpose. Alice Faye, who is rapidly becoming 20th Century-Fox musical lead, fills the top spot, more than satisfactorily assisted by Fred Allen, known to radio, who turns in a neat performance. Other assistance is rendered by Tony Martin, who is a personable singer of good voice; Gregory Ratoff, who is his usually engaging self; Jimmy Durante; Joan Davis and Marjorie Weaver, who are the "Irene and Mary" to Miss Faye's "Sally," and Louise Hovick, who wears clothes attractively.

William Seiter directed for pace and laughs, and succeeded for the most part. The screenplay of Jack Yellen and Harry Tugend, from an original by Karl Tunberg and Don Ettlinger, is simple enough and ingenious enough to keep out of the way of the music and the comedy, while a handful of new tunes by Bullock and Spina, Gordon and Revel and Raymond Scott appear to strike the bell for a fair "hit" average.

Sally, Irene and Mary are a trio of manicurists who have a pining for the musical stage and a manager, Fred Allen. He is long on words and promises, but short on performance. Sally meets and falls in love with Martin, club singer, and Allen promotes a bankroll to back a show because Miss Hovick would like to do something for Martin. But when Sally and Martin indicate their mutual attraction she ducks out until the new roll, Ratoff, arrives, filled will noise and love of Sally. Eventually the show goes on, but only after Sally has promised Ratoff and Martin has promised Miss Hovick. But, with song and dance and general entertainment, Allen fixes everything—with the help of Durante.

Running time, 82 minutes. "G."

F. & M. to Produce 13 Commercial Musicals

Fanchon & Marco is entering the commercial film field, with a deal set for production of 13 musical one-reel shorts in Technicolor. The pictures will be distributed through Caravel Films, which was recently formed to handle product of this type. Stanley Neal, Caravel's managing director, said the films will be made for a sponsor, but did not disclose the company's identity.

The deal was set by Arthur Dreifuss who has returned to F. & M.'s Hollywood studio to get production under way. Neal said the company's plans will be revealed at an "open house" to be held at Caravel's offices in the Heckscher Building next Friday.

Set 2 RCA Dividends

Two quarterly dividends have been declared by Radio Corp. of America. The first will pay 87½ cents on the cumulative convertible first preferred for the period from Jan. 1 to March 31 and is payable April 1 to holders of record March 9.

The dividend on the "B" preferred for the same period amounts to $1.25 per share. It is payable to holders of record March 16.

Declare K-A-O Dividend

The board of the Keith-Albee-Orpheum Corp. has declared a dividend out of capital surplus of $1.75 per share on the seven per cent cumulative convertible preferred stock, for the quarter ended March 31, 1935, payable April 1, 1938, to stockholders of record at the close of business March 15.

Kent, Clark Return North Over Weekend

S. R. Kent, president of 20th Century-Fox, and John D. Clark, general sales manager, will arrive this weekend from Florida and are due to go to the coast about the middle of March to set the new season program with Darryl F. Zanuck. On April 18 Kent will start his sixth year as head of the company.

William Sussman, eastern division manager, plans meetings on sales of 1938-'39 product with his district and branch managers and staffs at most of his offices, starting late next week.

W. J. Kupper, western division manager is due to return Monday from a trip to Memphis, Atlanta and Dallas.

Hatrick Has Close Call

Hollywood, Feb. 25.—It was disclosed here today that the Hearst plane which crashed Thursday night at San Simeon, killing Lord and Lady Plunkett and Pilot Tex Phillips, had carried E. B. Hatrick, of Cosmopolitan, and his aide, Billie Williams, from the Hearst ranch to attend the Mayer dinner just prior to the crash. The plane was on its way back from Los Angeles after Hatrick and Miss Williams debarked for the Mayer fete.

Pick Paramount Judges

Neil F. Agnew, vice-president and general sales manager of Paramount; Robert Gillham, advertising and publicity director, and A-Mike Vogel, editor of Motion Picture Daily, will be the judges of campaigns submitted for the "Paramount Around the World" competition. The contest for cash awards will open Feb. 27 and will close May 28.

Purely Personal

George J. Schaefer, vi
president and general manager
United Artists, will arrive Tues
from Miami where he attended
premiere of "The Adventure
Marco Polo." He will be acc
panied by Mrs. Schaefer.

•

Wallace and Mrs. Beery, w
flew in from the coast on Thursd
will leave today on the *Rex* for
vacation on the Continent. Also s
ing are Elsa Merlini, Italian st
and screen star, and Tito Schipa

•

John Primi and Herman
Weinberg have completed the titl
of "Life Dances On," known
France as "Un Carnet de Bal."
film will open at the Belmont Ma
11.

•

Edward Golden, Monogram sa
manager, left for Chicago yesterday
attend the city council hearings th
Monday on the proposed ordina
prohibiting double featuring.

•

J. J. Sullivan, film buyer
Fox West Coast, is scheduled
arrive Tuesday from Los Angeles
start film buying negotiations
1938-'39 product.

•

Ben A. Simon, 20th Century -
branch manager in New Haven,
returned there following home of
conferences with Division Mana
William Sussman.

•

James Clark, manager of acc
sory sales at RKO, left yesterday
a tour of exchanges. He will v
Denver, Los Angeles, Portland, S
Lake City, San Francisco and Seat

•

Jack Moranz, president of Advi
graph, makers of advertising films
projectors, has returned to his C
cago headquarters following a co
trywide business tour.

•

Derrick de Marney, English pl
er, will leave by train for Hol
wood on Monday. He will return
two weeks to sail on the *Norman*
March 30 for London.

•

Arthur A. Lee, G. B. vice-pre
dent and general manager, will le
San Francisco tomorrow by pl
for a Chicago sales conference.

•

Y. Frank Freeman, Paramo
vice-president, has arrived on the co
for studio conferences.

•

Harry Goldberg, Warner thea
ad chief, left yesterday on a two-we
cruise to the West Indies.

•

Phil Friedman, in charge of tal
at the RKO studio, will sail
Europe late in March for a vacati

•

Mrs. Eddie Cantor and her daug
ter, Marjorie, are at the Sher
Netherland.

•

Michael Clofine, editor of Ne
of the Day, is suffering with the gr

•

Harry Goetz is expected in N
York from the coast early next we

tudio Unions equest Work e Staggered

(*Continued from page* 1)

er in the week expressed them- es as receptive to the plan for ggering work.

Conferences of representatives of e other labor organizations and as- ations are being held on the un- loyment problem, but nothing defi- has developed. Smith in a com- ication to Casey urged: Reduction he preferential lists of each studio minimum so as to handle present ation requirements; submission by ios to the I. A. T. S. E. of lists preferential employes now work- and lists of preferential employes e called according to production irements; limitation to four days k per man on a relay system to ad employment, except for key , during the present emergency; ing all calls for preferential em- es through I. A. T. S. E. locals ng the slack production period a minimum of 30 days; making additional calls other than prefer- l through I. A. T. S. E. locals.

modified procedure is now be- followed at M-G-M and 20th ury-Fox following the discovery Smith that some I. A. T. S. E. kers have been doubling up and king a shift at each studio in one

Under the Smith plan, adoption hich is regarded as virtually cer- I. A. T. S. E. officers can elimi- the doubling practice.

ctures in work this week number A year ago 47 were shooting.

A. McGuire Honor Guest at Luncheon

out 60 projectionists, operator heads and others attended a nonial luncheon at the Lincoln l yesterday in honor of P. A. uire, advertising manager of In- tional Projector Corp., who is ving his 20th year with the com- and its predecessor, the Nicho- ower Co.

H. Richardson, who conducts the ological department in *Motion re Herald,* was one of the speak- nd praised McGuire for his con- ions to projection. Richardson ed that he coined the slogan, er Projection Pays." Other ers were Harry Openheimer and Kaufman, officials of Local 244, rk, in which McGuire recently made an honorary member; Ruddock, vice-president of 306; James J. Finn, editor, *ational Projectionist,* and Wally , president of the American ctionists Society and business of Local 306. The luncheon sponsored by the society. Al was toastmaster.

egrams were received from L. ompson, RKO; Nate J. Blum- president of Universal; C. C. owitz and Marvin Schenck, s; Joseph D. Basson, president, 306; Lester B. Isaacs, Loew's; Barrows, president of the Bos- cal; Lou Krouse, I. A. T. S. E.; Bernhard, Warners, and James an, I. A. T. S. E. vice-presi-

Decision Reserved On Time Injunctions

Decision was reserved by Justice Ferdinand Pecora in the N. Y. Supreme Court yesterday on a motion for a temporary injunction made by the district committee of the National Maritime Union and three members of the crew of the *Algic,* to restrain Time, Inc., from further exhibition of the March of Time reel which deals with conditions at sea.

The union is suing for $200,000 damages for alleged slander, and the individual plaintiffs ask $50,000 each. It is claimed that the trial of the seamen who are under indictment in the Brooklyn Federal Court for alleged mutiny will be prejudiced by the continued exhibition of the film.

Seeks Judgment Against Metro

Basil Kibalchich, as director of the Russian Symphonic Choir, will ask Justice Samuel I. Rosenman in the N. Y. Supreme Court on Monday to strike out the answer of M-G-M and grant him summary judgment in his $250,000 libel suit. Kibalchich claims that the choir was hired in 1935 to make six choral recordings for use in the picture "Anna Karenina." The six recordings were made but the defendant substituted three others by another choir, which were found more satisfactory.

It is alleged that the screen credit indicated that all six songs heard in the picture were rendered by the plaintiff. He claims slander, disparagement of reputation, unfair competition, piracy and trespass on the use of the organization's name.

Set Local 802 Trial Date

March 7 was set yesterday as the date for trial of the injunction suit brought in the N. Y. Supreme Court by 11 members of Local 802, American Federation of Musicians, against the local to restrain enforcement of a bylaw which prohibits members earning more than $54 weekly from holding more than one job. The plaintiffs contend that the regulation violates the union's constitution. The test suit was brought with the consent of the union.

Files Test on Sale of Rights

Eugene Pauker, agent, filed a test suit against the Federal Government in the U. S. District Court here yesterday to determine whether sale of film rights by foreign authors and publishers residing abroad are subject to United States income taxes. Pauker seeks the return of $3,600 which he paid under protest.

The petition alleged that he arranged the sale of world film rights on the plays "Hotel Imperial" and "The Light That Failed" by Lajos Biro for $21,500; on the play "Great Love" by Ferenc Molnar for $17,000, and on the play "Silent Knight" by Eugene Heltai for $26,000. He was ordered to retain $3,600 for taxes and he paid under protest. Pauker contends that he acted only as agent and that the contracts were consummated abroad. Biro is said to reside in London, and the others in Budapest.

The Show Goes On

San Francisco, Feb. 25.—Kenneth Udell, manager of the Harvey Amusement Co. McCloud at McCloud Cal., used five skiis to bring his film 25 miles through the snow to his theatre. He used three skiis as a sled for the film and used two himself. The entire journey to Shasta and back to McCloud took 24 hours. He wired the office that he had not been forced to close his theatre.

Set "Live" Showings

A series of trade showings for "Merrily We Live" will be sponsored by M-G-M branches, beginning with one in Atlanta tomorrow. The New York showing will be at the Astor at 11 A. M., Tuesday, and others are set as follows: Melrose, Dallas, and Loew's State, Houston, March 2; Majestic, San Antonio, March 4; Waco, Waco, March 8; Paramount, Abilene, Tex., March 8; State, Amarillo, Tex., March 10.

West Record in Chicago

CHICAGO, Feb. 25. — Mae West opened at the Palace today to record business, breaking the mark held by Eddie Cantor. Today's gross is expected to be $5,000.00 for six shows. Saturday and Sunday Miss West will do seven shows and a gross near $40,000.00 for the week is expected.

Plan Altec Warehouse

A Los Angeles warehouse to serve the western area will be established by Altec Service Corp., making a total of 45 shipping points established throughout the country. More than $100,000 of sound equipment parts and testing equipment will be stocked, the company said.

Open an Export Office

Automatic Devices Co. of Allentown, Pa., has opened an export office at 220 West 42nd St.

And Sleepy Fell Asleep

Montreal, Feb. 25.—The crowd of more than 500 persons waiting at the Windsor Station today for the arrival of "Snow White and the Seven Dwarfs" had reason to change the expected chuckles to a wholehearted laugh when the characters arrived.

"Sleepy" took his part too seriously. A small local youngster, wearing a three-foot *papier-mâché* head of the cartoon character, through which he could barely see, staggered down the platform toward the door into the concourse, missed completely and crashed into the wall.

Palace Manager James O'Loghlin and Henry Moss, publicity man, met the group as they were handed down from the baggage car in which they rode from Westmount, a suburb.

Further Delay On RKO to Be Asked Monday

(*Continued from page* 1)

the possibility of reducing the fixed charges of reorganized RKO and revising underwriting provisions for the new company so as to overcome unfavorable market conditions. If there is a prospect of an early agreement among creditors on these matters, it is believed likely that the proponents of the plan will ask the court to return the reorganization plan to Special Master George W. Alger for hearings on the amendments.

Meanwhile, all RKO home office executives have deferred their planned trips to the studio to confer here with Pandro S. Berman, who is scheduled to arrive from the coast early next week. Formal designation of Berman as production head of the company is expected during his conferences here with Leo Spitz, president, and representatives of the Irving Trust Co., RKO trustee. J. R. McDonough, newly elected vice-president, is slated to accompany Berman to the studio on the conclusion of the conferences here.

Tribute to McCarthy

A group of friends of the late J. J. McCarthy visited his grave in Gate of Heaven Cemetery, Mt. Pleasant, N. Y., yesterday. McCarthy, a veteran showman and head of the Advertising Advisory Council of the M. P. P. D. A., died in Hollywood a year ago yesterday.

Bader, Pal Coming Here

Dave Bader and George Pal are en route to New York and Hollywood on the *Berengaria* with the intention of discussing future plans for Pal's Technicolor puppet films. They may be in Hollywood for three months.

Before going to the coast Bader will speak before a special class at Columbia on his puppets.

Wall Street

Mixed Trading on Board

	Open	High	Low	Close	Net Change
Col.	14¼	14¼	14¼	14¼	.....
E. K.	157¼	160	157¼	160	+2
G. T. E....	12	12	12	12	— ½
Loew	49⅝	50⅞	49⅝	50½	+ ½
Para.	10⅛	10⅜	10⅛	10¼	— ⅛
Para. 1.....	87½	87½	87½	87½	—1¾
Para. 2.....	10½	10½	10⅜	10⅜	+ ⅛
Pathe	6	6⅛	6	6⅛	+ ¼
RKO	3⅞	3⅞	3¾	3¾	— ⅛
20th Fox ...	22⅝	22⅝	22¼	22¼	— ½
W. B.	6	6¼	5⅞	6	.....

Technicolor Up on Curb

	Open	High	Low	Close	Net Change
G. N.	9/16	9/16	½	9/16	.....
Monogram	2⅛	2⅛	2⅛	2⅛	.....
Sonotone ..	1⅞	1⅞	1¾	1¾	.....
Tech.	19⅞	20⅝	19⅞	20¼	+ ⅜
Trans-Lux	2¾	2¾	2¾	2¾	.....
Univ. Corp.	2¾	2¾	2¾	2¾	— ¼

Small Bond Changes

	High	Low	Close	Net Change
Loew 3½s '46.....	98¾	98⅝	98¾	+ ⅛
Para. Pict. 6s '55	91⅞	91¾	91⅞	+ ⅛
Para. Pict. '47....	73½	73½	73½	— ½
W. B. 6s '39......	68¾	68⅛	68½	— ½

(Quotations at close of Feb. 25)

A. F. M. Disc Order Awaits Weber Return

(Continued from page 1)

of the opportunity to obtain the license form, and that many have been signed and returned.

It is believed that Weber on Monday will extend the deadline for at least two weeks. The licensing measure was determined upon by the federation in order to compel transcription and recording companies to cease practices deemed unfair by the A. F. of M., and is part of the general drive instituted by the federation to bring about a reemployment of union musicians in the radio and allied industries.

McFarlane Hits at Air Probe Delays

(Continued from page 1)

one dollar in tax or license fee for the right to operate these Governmental grants, from which they yearly derive $140 million for advertising," he said.

Unless the broadcasting tax is included in the pending tax revision bill, it will not be acted upon, McFarlane held.

Attacking the failure to adopt resolutions providing for an investigation of the radio industry, the Texas Congressman said, "We have heard the admission of the chairman of the Rules Committee on the House floor that he knew that there was a monopoly in radio. Yet nothing has been done."

Decline to Explain End of Warner Show

(Continued from page 1)

sources here, however, say the difficulty arose between the sponsor and the studio over production of the program, with the studio wanting the entire control of the program without sponsor strings.

Another reported sore spot was the agency's action in bringing in outside film talent for the program, instead of using Warner players exclusively.

Bob Taplinger, Warner studio publicity director and coordinator between the agency and studio, said yesterday that the studio program idea will lie dormant at present, but that a deal would be made with another sponsor "if the studio is given control of the show."

Defer Pepsodent Decision

Hollywood, Feb. 25.—The decision by Pepsodent concerning the continuance or discontinuance of the Mickey Mouse Sunday program beyond March 27 has been delayed for two weeks, it was stated today by Tom McAvity of Lord & Thomas. The decision was expected today.

Tennessee Ramblers on WCKY

Cincinnati, Feb. 25.—The Tennessee Ramblers is the newest early morning program over WCKY, broadcasting the entire range from hillbilly to classical music at 7:45 A. M. They recently came east from Hollywood, where they were featured with Gene Autry in two Republic releases.

▸ *Radio Personals* ◂

Eddie Cantor will arrive tomorrow morning on the Century accompanied by his regular cast, Deanna Durbin, Jimmy Wallington, Bert Gordon and Jacques Renard. Cantor will broadcast from New York March 2 and 9 and then will embark on a personal appearance tour in the east. . . . Ralph A. Nordberg, formerly with NBC, has joined the sales staff of WOR. . . . Alexander Woollcott and Orson Welles will be guests when the Hamilton College Glee Club broadcasts on CBS March 6.

✚

Chicago

Willie and Eugene Howard are headlining the new show at the Hotel Sherman's College Inn. . . . Virginia Clark, CBS-WGN actress, will leave for a month's trip to Florida on March 1. . . . Harold Stokes, Jack Pearce and Tom Foy are also Florida-bound. . . . Freddie Martin and Ted Weems will return to local airlanes next week. Martin will broadcast from the Aragon ballroom and Weems from the Trianon ballroom. Both will be heard over WIND. . . .

Resume Cincy School Series

Cincinnati, Feb. 25. — "Young Cincinnatus at School," which has been off the air for 60 days, will be resumed over WSAI next Monday. Teachers, pupils and others identified with all grades from kindergarten up will give their own interpretation of school work.

A mobile unit will visit a different school each week for the programs, which is conducted under supervision of the WLW-WSAI educational department.

Fredda Gibson on Nehi Program

Fredda Gibson, vocalist, has been signed for the forthcoming Nehi, Inc., program, which will feature Tim and Irene and George Olson's band. Jimmy Stirton of the Saphier office handled the contract. Miss Gibson will continue to be heard on the Lucky Strike programs.

Cincy Baseball Team on Air

Cincinnati, Feb. 25.—The WSAI mobile unit, parked alongside the train at the local terminal today, broadcast interviews with members of the Cincinnati Red's, baseball team, as they departed for their training camp at Tampa.

Starting Monday, a series of electrical transcriptions made by Red Barber at the Tampa training quarters will be aired over WSAI at 5:45 P.M., Monday through Friday.

Otis Heads Universal Radio Sales

Barnet Otis has been appointed sales manager of Universal Radio Programs, Inc., effective March 1. Otis has been active in various branches of entertainment and as a publicity counsel.

Garrett Signs for WHN Spot

Spot announcements for eight weeks have been taken on WHN by Garrett & Co. for Virginia Dare Wines, starting March 1. The contract was placed by the United States Advertising Corp.

Time Marches On

"March of Time" will enter its eighth consecutive year on the air with the broadcast of March 3. The company's first network venture was March 6, 1931, but its radio affiliation goes back even beyond that date. *Time's* first broadcast was in 1924 on WJZ, before the networks had been formed. The first program was a "pop" question forum conducted by Briton Haddon, co-founder of the magazine with Henry Luce. The man who bonged the chimes that night was Roy Larsen, then circulation manager of *Time*.

Asks F. C. C. Permit For Denver Station

Washington, Feb. 25.—Application for authority to construct a new broadcasting station to operate on 1,310-kilocycles with 100 watts power night, 250 watts day, has been filed with the Federal Communications Commission by F. W. Meyer, Denver.

Other applications received by the commission included petitions of WIP, Philadelphia, for increase of power from 1,000 to 5,000 watts; WEMP, Milwaukee, for increase of power from 100 to 250 watts; KGFJ, Los Angeles, for increase of day power from 100 to 250 watts, and KSAL, Salina, Kan., for change of frequency from 1,500 to 1,120 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

Rogers Peet Extends Contract of Heatter

Rogers Peet Co. has signed a new one-year contract with Gabriel Heatter, who is heard under their sponsorship five nights each week on WOR. The present contract with Heatter had until August of this year to run, but the sponsors added another 12 months to the original deal.

To Broadcast on Edison

Cincinnati, Feb. 25. — A new weekly series of programs, titled "The Magician of Menlo Park," dramatizing the life of the late Thomas A. Edison, will form part of the Nation's School of the Air over WLW beginning Feb. 28. The series will be based on Edison's life as written by Francis Jehl under name of "Menlo Park Reminiscences." The programs will be aired from 2 to 2:15 P.M., E.S.T., Mondays.

Sterling Programs Extended

Two Sterling Products programs now on NBC networks will add seven stations each, effective March 22, extending coverage of the programs to the coast. They are the "Easy Aces" series for Anacin, and "Mr. Keen, Tracer of Missing Persons," for Bisodol. Blackett-Sample-Hummert handle both programs.

Arthur Godfrey Married

Alexander, Va., Feb. 25.—Arthur Godfrey, network entertainer, was married here last night to Mary Frances Bourke, former NBC employe. Arch McDonald, sportscaster with WJSV, Washington, was best man.

K.C. Women Oppos Duals by Telephon

(Continued from page 1)

woman then suggests that they su port the single feature policy.

Knowing that first runs must le in any movement away from double the women naturally are aiming t recommendations in the directio first runs. All five first runs occ sionally run singles. The Fox Towe of course, shows only a single featu with its stage show. Occasionally t Uptown, Mainstreet and Midland r singles, though for the most part the policy has been to double.

The Newman, however, has fo lowed a policy of single bills for mo than two months, and has found it su cessful.

RCA Net for 1937 Up to $9,024,85

(Continued from page 1)

over the previous year's figure of $ 155,936.72 was 46.6 per cent.

Total dividends paid by RCA du ing the year amounted to $6,409,226. The earned surplus at the close of t year was $16,528,905.02 as compar with $15,334,648.92 at the close 1936.

The report included a report of t corporation's activities in radio, d scribing advances in television, fa simile and network broadcasting.

RCA's annual stockholders' me ing will be held April 5 in New Yo

Walker Report Urge A. T. & T. Drop W.

(Continued from page 1)

with practically all of its telepho equipment. Western Electric rece ly disposed of its film sound equ ment business, operated through t subsidiary, Erpi.

Closer regulation by the Gove ment of the huge corporation is r ommended by Walker, whose rep is based on an extensive inquiry i the affairs of the company conduct in New York some time ago.

Para. Lab. Workers Vote for I.A. Un

(Continued from page 1)

approximately 100 technicians at Paramount Pictures Long Isla laboratory. The elections follow month of unsuccessful negotiations tween the local and the company.

The laboratory union, affiliated w the I. A. T. S. E., has jurisdict over about 1,500 eastern film tech cians.

Cohn a Columnist

Hollywood, Feb. 25.—Alfred Cohn, in addition to his writing signments at 20th Century-Fox wh start March 1, will conduct a d column in the *Los Angeles Exami* The initial column will appear n Monday.

Jersey City House Ope

The Bergen, at Bergen and Gl wood Aves., Jersey City, opened night. The house will be opera by Maurice Fleischman.

Alert.
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to the Motion
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Industry

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Film and
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L. 43. NO. 47 NEW YORK, MONDAY, FEBRUARY 28, 1938 TEN CENTS

Would Ban All Air Ads from Liquor Firms

ongress Gets Measures To End Practice

WASHINGTON, Feb. 27.—Amendent of the Communications Act so as prohibit radio advertising of alcolic beverages is sought by Senator hnson of Colorado and Representa- re Culkin of New York in bills in- oduced in Congress.

The legislation would carry out the ggestion of the Federal Alcohol Adnistration and the Federal Comnications Commission that such adrtising be abandoned.

At the recent annual convention re of the National Association of oadcasters, Chairman Frank R. Ninch of the F.C.C. urged the oadcasters to decline to accept concts from manufacturers of intoxiing beverages.

The commission chairman urged the oadcasters to adopt a policy that uld deny radio facilities completely

(Continued on page 7)

atholic Hour Will Celebrate 8th Year

he Catholic Hour program will erve its eighth anniversary on the March 6 from 6 to 6:30 P. M. on NBC-Red with a special broadcast uring John McCormack as guest oist.

Iollywood and New York will be ed for the anniversary broadcast, h McCormack singing from NBC's lios on the coast. Right Reverend nsignor Fulton J. Sheen will obe his eighth year as a speaker on anniversary program.

he Catholic Hour programs are luced and arranged by the National ncil of Catholic Men in coopera- with the network.

ombine Announcers, roduction at WMCA

merger of the announcers' depart- t with the production department been effected at WMCA. The ger eliminates the post of chief an- ncer and provides for a committee hree in judging the merits of ap- ants for announcers at the station. eading the new setup will be rles Capps, present director of

(Continued on page 7)

More Radio—Pp. 7-9

Plan 6 in Color

M-G-M will make several pictures in Technicolor for its 1938-'39 program, marking the company's first extensive use of color, under a contract to be signed in a few days with Technicolor, Inc. The last time the company made an all-color feature was in 1929 and for the last two years has been using tint tones. The contract provides for six films in color, it was said.

Labor Acute Worry For Mexican Trade

By JAMES LOCKHART

MEXICO CITY, Feb. 27.—If much more labor trouble, particularly the demands of local film workers' unions, beset them, many Mexican producers and independent distributors will be driven out of business, trade circles here have indicated. Demands for increases in wages, which are already at a high level for this class of work in this city, and augmented personnel, have become a plague for this branch of the industry, it is said. Some wage demands are so high that they call for jumping weekly pay of an employe receiving from $14 to $16.80 to $36.65. Several employers have granted wage increases of nearly as much as these figures, for the sake of peace. But it is obvious that they cannot afford to continue making such liberal concessions.

Another thorn is the union's demand for larger staffs. Higher pay and more workers is a very heavy burden for small members of the industry,

(Continued on page 6)

Delay in RKO Plan Affects Bondholders

See Debenture Owners' Position Endangered

Continued delay in the reorganization of RKO again brings to the fore the question of whether or not the company's $11,600,000 of debentures outstanding will continue to have a secured position following the final retirement of the $6,000,000 prior issue of secured gold notes, reorganization principals pointed out on Saturday.

The final $50,000 payment on the gold notes held by the Bank of America is due May 1. Virtually all of RKO's assets are pledged to secure the gold notes. The $11,600,000 of debentures have a second lien on the

(Continued on page 6)

Louisiana Governor To Seek Sales Levy

BATON ROUGE, Feb. 27.—Gov. Richard W. Leche is understood planning to submit to the Louisiana legislature, when it reconvenes in May, recommendations for the enactment of a two per cent general sales tax to finance social security and relief.

Enactment of the levy, which the Governor estimates will bring $7,000,000 to $8,000,000 annually, would release one cent of the gasoline tax now paid to social security and relief. The proposed sales tax would replace the luxury tax, which produced total revenue of $3,538,786 in 1937.

Myers Going West to Aid Dakota Fight

Fargo Hearing Put Over Until March 8

MINNEAPOLIS, Feb. 27.—Abram F. Myers, Allied States board chairman, is expected here this week to aid the North Dakota attorney general and Allied resident attorneys in this area with final preparations for the defense of the North Dakota affiliated theatre "divorcement" law against the temporary injunction petitioned by Paramount and its theatre operating affiliates here.

A hearing on the injunction action scheduled for March 1 before a Federal statutory court at Fargo has been postponed to March 8 at the request of Allied and North Dakota attorneys upon the agreement that the effective date of the law also be postponed one week, from March 15 to March 22.

Paramount and its theatre affiliates affected by the North Dakota statute, the Minnesota and American Amusement companies, have petitioned the temporary injunction for the purpose of restraining North Dakota from enforcing the law against Paramount theatres in the state until the company's basic action to determine the constitutionality of the state law has been tried on its merits. This action, already filed, is expected to go to trial in about six weeks.

Will Need 500 'Snow White' Prints for Domestic Runs

Holdovers on "Snow White and the Seven Dwarfs" and the consequent shortage of prints for quick circulation will result in a total of 500 prints to be made for United States distribution, it was said by a Walt Disney spokesman over the weekend. This is said to be a record order, 260 being the usual number of prints on a film for domestic distribution. The printing is being done by Technicolor on the coast.

The film will be dubbed in a record number of languages, it was said. Roy Disney, business manager for Walt, is due here this week and plans to leave for Europe March 9 or 11 to make a survey of the extent to which dubbing will be needed. Several foreign versions are already under way at the Disney studios and others are planned, with a worldwide circulation in view. Disney will be abroad several weeks.

The deal on the cartoon feature set by Phil Reisman, RKO foreign head, with the Gaumont British circuit in the British Isles will bring a total rental of more than $500,000. This contract includes a minimum run of 20 weeks at the New Gallery in London, where "Snow White" opened Thursday night. This was the European premiere. A contract calling for a run of this period is said to be unprecedented.

The five-week run of the film at the Music Hall brought a rental revenue to RKO and Disney of $175,000.

Allied Busy on New Units for New York

BOSTON, Feb. 27.—Allied has been carrying on a quiet organizing drive in Albany and has it developed to the point where officers are to be elected next month, declared Arthur K. Howard, business manager of Independent Exhibitors, Inc., yesterday.

The new organization has been char-

(Continued on page 6)

Latin America Films Crowd U. S. Product

That Spanish language films are offering increased competition to American product in Latin America has been confirmed by W. J. Hutchinson, foreign manager of 20th Century-Fox, on his current tour of South and Central America, he has advised the home office. He is due back March 8 from a seven-week trip.

The domestic product has cut so

(Continued on page 6)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Warners to Conduct Sam E. Morris Drive

Warners is reviving the Sam E. Morris Drive in foreign territories for the month of May, which had been a fixture for many years until two years ago when it was discontinued in favor of a year-round drive. This year's campaign will be in celebration of Morris' 30th anniversary in the film business, and will be under the direction of J. S. Hummel, general foreign sales manager.

Karl Macdonald and Jerry Keyser will supervise from the home office. Branches are being supplied with one-sheet posters and other material bearing Morris' likeness.

"Jezebel" Set for N. O.

Warners plan a "Hollywood opening" for the Southern premiere of "Jezebel" which will be held at the Paramount, New Orleans, March 19, it was said Saturday by Gradwell L. Sears, general sales manager. With the locale of the film set in pre-Civil War days in the South, the company will put on a big campaign in that territory. Allen Glenn, exploitation man at Dallas, left last night to get it under way.

Purely Personal

WILLIAM A. SCULLY, Universal general sales manager, is expected back from an extended tour of Universal exchanges in the south and midwest tomorrow or Wednesday. Present plans provide for his leaving for the studio and a visit to far west exchanges in about 10 days.

•

ROBERT E. SHERWOOD and HARRY KALMINE, the latter manager of the Warner exchange in Pittsburgh, will arrive today on the *Virginia* from California.

•

MRS. LOUIS B. MAYER returned yesterday on the *Normandie* from a cruise to South America. HARRY BRANDT also returned on the same ship.

•

JOSEPH D. BASSON, president of Local 306, is on the *Pilsudski* for a South American cruise, to return in two weeks.

•

IRVING SHAPIRO of World Pictures plans a trip to Europe soon to survey the market for possible imports.

•

JACK COHN, ABE MONTAGUE and A. SCHNEIDER are expected back from the Columbia studio this week.

•

BARRETT C. KIESLING of M-G-M's studio publicity department is in town and plans to stay a month.

•

WILL H. HAYS will arrive in New York today after a four-week stay in Hollywood.

•

TOM GERETY of M-G-M's ad department is in Florida recuperating from the flu.

•

JOHN HAY WHITNEY has postponed his return to the coast for about a week.

•

LOUIS D. FROHLICH and HERMAN FINKELSTEIN, attorneys for Ascap, and E. C. MILLS, Ascap general manager, left for New Orleans yesterday for the Federal statutory court hearings there Thursday on the Florida law barring Ascap from operating in the state.

•

DAVE WEINSTOCK is in charge of the entertainment for the I. T. O. A. ball at the Hotel Astor April 2. MAURICE FLEISCHMAN is handling the souvenir journal.

•

JACK THALL, assistant to ARCH REEVE, 20th Century-Fox advertising manager, is vacationing. RODNEY BUSH is pinch-hitting for him.

•

EDWARD K. BAILEY has been named New York district exploitation director for the Jam Handy sales training film, "Selling America."

•

EUGENE W. CASTLE, president of the Castle Film Co., arrived Saturday aboard the *Conte di Savoia,* following a six-week stay in Europe.

•

JOSEPH N. WEBER, president of the American Federation of Musicians, is due in New York from a Florida vacation today.

•

DEANNA DURBIN arrived from the coast yesterday with her parents and tutor. She will be around a while.

•

HUGH STRONG of the 20th Century-Fox home office has returned from a Florida vacation.

•

GLADYS SWARTHOUT will arrive from the coast Wednesday.

Usher Plugs Songs

St. Louis, Feb. 27.—Manager Harold Evens of Loew's State here has no trouble getting exploitation for his musical pictures. There is an usher on his staff, J. R. Quillan, who visits music counters, night clubs, restaurants and similar places, singing hit songs from the musicals booked for the theatre.

Legion Approves 8 Of 9 New Pictures

Of nine new pictures reviewed and classified for the current week, the National Legion of Decency has approved eight, five for general patronage and three for adults, and classified one as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Cassidy of Bar 20," "La Damincella di Bard" (Italian), "Rendezvous in Wien" (German), "Sara La Sig Folkvett" (Swedish), "Who Killed Gail Preston." Class A-2, Unobjectionable for Adults—"Dangerous to Know," "A Slight Case of Murder," "The Wife of General Ling." Class B, Objectionable in Part—"Let's Make a Night of It."

Para. Sales Drive Starts

Paramount's international sales drive, which offers prizes to exhibitors for the best exploitation as well as salesmen's awards, gets under way today and continues for the next 13 weeks.

Jersey Paper Scores Talk of Film Censor

ASBURY PARK, N. J., Feb. 27.—A political maneuver is seen by the *Asbury Park Press* in a reported move to establish state film censorship in New Jersey.

"Now they are talking of a state board of censors to decide what motion pictures we may view," the paper says. "Patently, of course, a high-minded zeal for decency on the silver screen is the motivating force behind the movement to censor entertainment. Probably more accurate, however, is the assumption that a group of politicians sees an opportunity to exert a profitable regulatory power over the motion picture industry and its patrons."

Cooper Party This Week

LINCOLN, Feb. 27.—Joe Cooper, head of the Lincoln Theatres Corp. here, will have his annual party this week for all youngsters in his Nebraska, Colorado and Oklahoma situations honoring his nine-year-old son's birthday.

20th-Fox Customers Figured at 11,74

Sales possibilities of 20th Centur Fox in the United States and Cana now number 11,747, including 10,9 in this country and 779 in the D minion, according to a compilation the sales department. The Unit States total represents 60 per cent the 17,000 theatres recently report by the Department of Commerce

New York has the most possibil 801, and Dallas is second with 577. S John, with 59 possible situations, tra the list.

Official figures on the total poss bilities for the 31 branches in t United States and six in Canada, tabulated by the company late la week, are as follows:

Albany, 196; Atlanta, 512; Bosto 540; Buffalo, 234; Charlotte, 324 Chicago, 550; Cincinnati, 464; Cleve land, 320; Dallas, 577; Denver, 271 Des Moines, 245; Detroit, 386; India apolis, 311; Kansas City, 410; L Angeles, 389; Memphis, 230; Milwa kee, 253; Minneapolis, 524; N Haven, 144; New Orleans, 290; N York, 801; Oklahoma, 228; Omah 248; Philadelphia, 541; Pittsburg 367; Portland, 142; St. Louis, 351 Salt Lake, 258; San Francisco, 311 Seattle, 190; Washington, 361; Ca gary, 149; Montreal, 116; St. Joh 59; Toronto, 241; Vancouver, 78, an Winnipeg, 136.

Finish Kent Drive Audit

The audit of standings in 20th Ce tury-Fox's S. R. Kent Drive has bee completed and will be given to Joh D. Clark, general sales manager, th week by James P. O'Loghlin, Cana dian district manager and drive lead Clark will return to his office toda having arrived Saturday with Ke from Florida.

O'Loghlin, who went back to To ronto over the weekend, will prese the prizes to the district and bran managers at the company's sales con ference in Kansas City, April 1 and

No Montreal Salesman

MONTREAL, Feb. 27.—For the firs time in 15 years the local 20th Cen tury-Fox exchange is operating wit out a salesman. No successor ha been named to the late Walte O'Hara. Edward English, manage and J. F. Pearson, booker, have bee handling the accounts formerly super vised by O'Hara.

Mayer En Route Here

Charles Mayer, 20th Century-Fo manager in Dutch East Indies, is e route here and will arrive in Sa Francisco on March 21 for his firs vacation since joining the oversea forces. He formerly was a salesma in Boston. Keith Goldsmith, forme Albany salesman, is in charge a Batavia while Mayer vacations.

Col. Names Drive Heads

J. A. McConville, Columbia foreig sales manager, has made several ap pointments from the home office sta for the company's "International Goo Will Campaign," which will run fro Feb. 28 to May 28. The home offic contacts will be: Charles Robert Latin America; Jack Segal, Europe Arnold Picker, Far East. Herma Golden will be chief tabulator. Simo Bell will be coordinator for home ac tivities.

—O. O. McIntyre . . . ***"They can have all the modern singers if they'll leave me Bobby Breen" . . . and***

HERE COMES BOBBY IN . . .

Thrills of the High C's! Adventure in the South Seas!

Romance and danger ride the tra
winds—and Bobby sings as ne
before! ... They'll love him
the stowaway waif on
steamer Honolulu bound .
and as the daredevil "dete
tif" who bares a kidnap a
spy plot in an Island Parad
ringing with song and as
with laughter and thrills!

Hear him sing: "Down Where The Trade Winds Blow"—"Hawaii Calls" and other swell numbers!

BOBBY BREEN

IN

Hawaii Calls

NED SPARKS ★ IRVIN S. COBB
RAYMOND PAIGE and his ORCHESTRA
DIRECTED BY EDWARD F. CLINE · PRODUCED BY SOL LESSER
A PRINCIPAL PRODUCTION
SCREEN PLAY BY WANDA TUCHOCK

MOTION PICTURE
DAILY

"Snow White" Shatters All Denver Marks

DENVER, Feb. 27.—"Snow White d the Seven Dwarfs" broke all the ey and attendance records at the rpheum on the week and it is claimed hat it broke all the records for all ne first runs here. The $22,000 gross as just about three times the normal ake for the house.

In the face of this competition Happy Landing" took $3,500 at the roadway following a week each at ne Aladdin and Denver. "Gold Is Vhere You Find It" was strong at 9,000 in the Denver. Business was ood all along the line except at the laddin where "You're a Sweetheart" layed following a week at the Denver.

Total first run business was $50,500. verage is $33,250.

Estimated takings for the week endg Feb. 24:

"YOU'RE A SWEETHEART" (Univ.)
ALADDIN—(1,400), 25c-40c, 7 days, after week at the Denver. **Gross:** $2,500. verage, $3,500)

"HAPPY LANDING" (20th-Fox)
BROADWAY—(1,500), 25c-40c, 7 days, llowing a week each at the Aladdin and enver. **Gross:** $3,500. (Average, $2,500)

"ROMANCE IN THE DARK" (Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days. ross: $6,000. (Average, $5,500)

"GOLD IS WHERE YOU FIND IT" (W.B.)
DENVER—(2,525), 25c-35c-50c, 7 days. ross: $9,000. (Average, $8,500)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. ross: $22,000. (Average, $7,500)

"WIDE OPEN FACES" (Col.)
OME BLONDES ARE DANGEROUS" (Univ.)
PARAMOUNT—(2,096), 25c-40c, 7 days. ross: $4,000. (Average, $4,000)

"THE HURRICANE" (U.A.)
"CHANGE OF HEART" (20th-Fox)
RIALTO—(878), 25c-40c, 3 days. Holder. **Gross:** $2,000. (Average, $1,750)

OY OF THE STREETS" (Monogram)
"PENITENTIARY" (Col.)
RIALTO—(878), 25c-40c, 4 days. "Boy of e Streets" following a week at the Paraount. **Gross:** $1,500. (Average, $1,750)

etitle 'Wooden Wedding

HOLLYWOOD, Feb. 27.—The First undred Years" has been chosen by -G-M as the final title for the film rmerly called "Wooden Wedding."

"Her Man" Is Renamed

HOLLYWOOD, Feb. 27.—"He Was r Man," 20th Century-Fox, starg Gracie Fields and Victor Mcglen, has been retitled "We're Go- to Be Rich."

Open at Minneapolis

MINNEAPOLIS, Feb. 27.—The new h Century-Fox exchange building ll be officially opened today. Wilm C. Gehring, central division maner, and M. A. Levy, district maner, are here for the house-warming. Negotiations are on for new exnge structures in New Orleans, bany and Indianapolis, and plans shaping up for a branch building Seattle.

Guizar Pact Extended

HOLLYWOOD, Feb. 27.—Paramount extended the contract of Tito izar, Latin singing star.

Out Hollywood Way

HOLLYWOOD, Feb. 27.—Warners are grooming JANE BRYAN, GLORIA DICKSON, PATRIC KNOWLES, PRISCILLA and ROSEMARY LANE and MARIE WILSON for stardom, under orders from JACK L. WARNER.

GEORGE HAIGHT, assistant producer on the Goldwyn lot, and SAM MARX, studio story editor and producer, have left the studio. . . Warners have changed the title of "Lovely Lady," KAY FRANCIS vehicle, to "The Woman Habit." . . Paramount is planning "Illegal Traffic," expose story of methods of distributing stolen goods on a national basis. ROBERT YOST and STUART ANTHONY wrote the original, for which JOHN HOWARD, MARY CARLISLE, LLOYD NOLAN, J. CARROL NAISH and LYNNE OVERMAN have been tentatively cast.

WAYNE MORRIS will be starred in Warners' "Glitter." . . "The Return of Dr. X," in color, is being planned by Warners as a BORIS KARLOFF vehicle and sequel to "Doctor X." . . Paramount has borrowed JOAN BENNETT from WALTER WANGER for "The Texans." She will play opposite RANDOLPH SCOTT, taking the role originally scheduled for FRANCES DEE.

✚

Casting—OLIVIA DE HAVILLAND and ANITA LOUISE in "Sister Act," Warners. . . FRANK MCHUGH in "Three Cheers for the Irish," and "Up She Goes," Warners. . . LOUIS HAYWARD, JONATHAN HALE, CHARLES HALTON, SIG RUMANN, JACK CARSON, BEN WELDON and MURRAY ALPER in "The Saint in New York," RKO. . . GEORGE IRVING, RICHARD LANE, GRANVILLE BATES, TOM KENNEDY and FRANK M. THOMAS in "Go Chase Yourself," RKO. . . WALTER ABEL, PAUL GUILFOYLE, EDDIE ACUFF, FLORENCE LAKE and DIANA GIBSON to "Law of the Underworld," RKO.

✚

Contracts—Paramount has signed to players' contracts JOHN HART, JANET WALDO, MARY PARKER and ZOE DELL LANTIS, the latter "the Theme girl" of the Golden Gate Exposition. . . Bonita Granville's contract with Warners has been approved by the Los Angeles Superior Court.

✚

Writers—HAL YATES is working on the script of Paramount's "Give Me a Sailor." . . JOHN HUSTON has been assigned the screenplay of "The Phantom Crime," formerly known as "The Patriots," at Warners. . . ROBERT BUCKNER has been given the screenplay task of "Glitter," Warners.

✚

Directors — WILLIAM DIETERLE draws the direction assignment on "The Phantom Crime," Warners.

"Snow" Cracks $25,000 Mark At Cleveland

CLEVELAND, Feb. 27.—"Snow White and the Seven Dwarfs," chalking up an attendance record at Warners' Hippodrome and a gross of $25,000, made the other first run takes look sick by comparison. An extra morning show daily made possible this record. It was held.

"The Buccaneer" made a good showing at Loew's Stillman, playing a second week downtown. The $5,500 take came within $500 of the average. "Happy Landing" held up for the third week. It took $4,000 in five days at the Allen where it was moved following two big weeks at Warners' Hippodrome.

The weather was unpleasant.

Total first run business was $60,500. Average is $58,500.

Estimated takings for the week ending Feb. 18:

"HAPPY LANDING" (20th-Fox)
ALLEN — (3,000), 30c-35c-42c-55c, 3rd week, 5 days. **Gross:** $4,000. (Average, $6,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
WARNERS' HIPPODROME — (3,500), 30c-35c-42c-55c, 7 days. **Gross:** $25,000. (Average, $12,000)

"BOY OF THE STREETS" (Monogram)
RKO PALACE—(3,100), 30c-42c-60c-75c, 7 days. Stage: Seven acts of vaudeville headed by Tim and Irene. **Gross:** $16,000. (Average, $17,000)

"MAN-PROOF" (M-G-M)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $11,000. (Average, $15,000)

"BUCCANEER" (Para.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $5,500. (Average, $6,000)

GoodmanBand With "Artist" Detroit Smash

DETROIT, Feb. 27.—Benny Goodman's orchestra on the Fox stage with "She Married an Artist" on the screen set a four-year record. The $41,200 gross was more than twice the normal take.

"Goldwyn Follies" turned in a handsome profit on a take of $14,000 at the Madison, and "Gold Is Where You Find It," with a stage show at the Michigan, pulled a strong $24,300.

Total first run business was $96,500. Average is $70,000.

Estimated takings for the week ending Feb. 24:

"WOMEN IN PRISON" (Col.)
"PRESCRIPTION FOR ROMANCE" (Univ.)
ADAMS—(1,770), 10c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"SHE MARRIED AN ARTIST" (Col.)
FOX—(5,100), 25c-65c, 7 days. Stage: Benny Goodman's orchestra. **Gross:** $41,200. (Average, $20,000)

"GOLD IS WHERE YOU FIND IT" (F.N.)
MICHIGAN—(4,100), 25c-65c, 7 days. Stage, Dave Apollon Varieties, Cass Daley, Bob Ripa, Maxine Lewis, LaConga, the Digitanos, 5 Hollywood Co-eds, Max and his gang. **Gross:** $24,300. (Average, $20,000)

"THE BUCCANEER" (Para.)
(3rd Week)

"YOU'RE ONLY YOUNG ONCE" (M-G-M)
STATE—(3,000), 15c-50c, 7 days. **Gross:** $4,800. (Average, $5,000)

"OF HUMAN HEARTS" (M-G-M)
UNITED ARTISTS—(2,070), 25c-65c, 7 days. **Gross:** $7,200. (Average, $10,000)

"GOLDWYN FOLLIES" (U.A.)
MADISON—(2,000), 25c-65c, 7 days. **Gross:** $14,000. (Average, $10,000)

"Oxford" Sets San Francisco Pace in Slump

SAN FRANCISCO, Feb. 27.—"A Yank at Oxford," on a dual with "Love Is a Headache," stood out like a beacon light in a dull week. It went $2,000 over par on a take of $15,000 at the Warfield.

"The Hurricane" was the only other attraction to get into the money. It was $250 up on a take of $7,250 at the United Artists in its third week. "The Buccaneer" slipped to $9,000 in its second week at the Paramount. "Wide Open Faces" and "Boy of the Streets" grossed a par $8,500 at the Orpheum.

Total first run business was $71,150. Average is $87,800.

Estimated takings:

Week Ending Feb. 15:

"RADIO CITY REVELS" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $13,500. (Average, $16,000)

Week Ending Feb. 16:

"STAND-IN" (U. A.)
"MURDER ON DIAMOND ROW" (U.A.)
EMBASSY — (1,400), 15c-35c-40c-55c, 7 days. **Gross:** $6,000. (Average, $5,000)

"INTERNATIONAL SETTLEMENT" (20th-Fox)
"PARADISE FOR THREE" (M-G-M)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $6,000. (Average, $17,000)

"WIDE OPEN FACES" (Col.)
"BOY OF THE STREETS" (Monogram)
ORPHEUM—(2,440), 15c-35c-40c-55c-75c, 7 days. **Gross:** $8,500. (Average, $8,500)

"THE BUCCANEER" (Para.)
"THE KID COMES BACK" (W. B.)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days, 2nd downtown week. **Gross:** $9,000. (Average, $13,000)

"HAPPY LANDING" (20th-Fox)
"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
ST. FRANCIS — (1,400), 15c-35c-40c-55c-75c, 7 days, 3rd downtown week. **Gross:** $4,500. (Average, $7,000)

"HURRICANE" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 3rd week. **Gross:** $7,250. (Average, $7,000)

Week Ending Feb. 17:

"A YANK AT OXFORD" (M-G-M)
"LOVE IS A HEADACHE" (M-G-M)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $15,000. (Average, $13,000)

Week Ending Feb. 18:

"MAYERLING" (Pax)
CLAY—(400), 15c-35c-40c, 7 days, 3rd week. **Gross:** $1,400. (Average, $1,300)

Wall Street

Little Change on Board

	Open	High	Low	Close	Net Change
Col.	14	14	14	14	— ¼
E. K........	159	160	159	159	—1
Loew	50¼	50¼	50¼	50¼	— ¼
Loew, pfd..	106½	106½	106½	106½	+ ½
Para.	10¼	10¼	10⅛	10¼	.....
Para. 1.....	87½	87½	87½	87½	.....
Para. 2.....	10	10	10	10	— ⅜
Pathe	6⅛	6⅛	6⅛	6⅛	.....
R. K. O....	3¾	3¾	3¾	3¾	.....
20th Fox....	22⅝	22¾	22⅝	22¾	+ ½
W. B.......	6	6	6	6	.....

Small Curb Movement

	Open	High	Low	Close	Net Change
Monogram..	2¼	2¼	2¼	2¼	+ ⅛
Sonotone....	1⅞	1⅞	1¾	1¾	— ⅛
Technicolor.	20½	20⅝	20⅛	20⅛	— ⅜

Warner Bonds Decline

	High	Low	Close	Net Change
W. B. 6s '39......	67	67	67	—1¼

(Quotations at close of Feb. 26.)

Delay in RKO Plan Affects Bondholders

(*Continued from page* 1)

same assets while the gold notes are outstanding and unpaid. At present, only $150,000 of the original $6,000,000 issue of secured notes remain unpaid, and these are being retired at the rate of $50,000 monthly. Presumably, the question of whether or not the debentures will be entitled to a secured position after May 1 will have to be determined in the near future.

The question was raised 18 months ago when Irving Trust Co., RKO trustee, petitioned the Federal court for permission to retire the $850,000 of gold notes outstanding at that time on the ground that retirement of the notes would effect an appreciable saving of interest. The principal RKO debenture holders, Atlas Corp. and RCA, opposed the petition at that time and Federal Judge William Bondy deferred action on the trustee's proposal, which is still pending before the court. In the meantime, however, the monthly payments toward the retirement of the notes have continued and the question originally raised by the trustee's petition will again confront the debenture holders when the final payment comes due in about 60 days.

Postponement Plea Likely

The general assumption among reorganization committees when action on the trustee's petition was deferred 18 months ago was that the question of the secured position of the debentures would not arise again, as all indications pointed to completion of the RKO reorganization prior to the due date of the final payment on the gold notes. Obviously, however, this can no longer be viewed as a possibility. A further postponement of the Federal court hearing on the RKO reorganization plan appears likely to be asked by proponents of the plan today. Indications are, therefore, that the RKO trustee will petition the court for instructions on the procedure to be followed in connection with the final payments on the gold notes in the near future.

Pandro S. Berman arrived from Hollywood yesterday for final conferences here with Leo Spitz, RKO president, on the former's scheduled designation as production head of the company. His stay here is expected to be a brief one and, on his return to Hollywood, he will probably be accompanied by J. R. McDonough, newly elected vice-president, and Jules Levy, sales manager, who will confer at the studio with Ned E. Depinet on forthcoming product and new season's plans. Depinet left for the studio over the weekend.

Plan Dinner for Badamo

BRIDGEPORT, Feb. 27.—Friends of Sam Badamo, recently transferred from the Globe here to the College, New Haven, will tender him a testimonial dinner at Lenny's Wagon Wheel Restaurant Tuesday. Badamo has been with Loew's, Inc., since its establishment in the Poli chain in this state.

Labor Acute Worry For Mexican Trade

(*Continued from page* 1)

those who only handle from two to 10 pictures a year. The unions demand that every producer or distributor, no matter how small his business, must have the same number of employes and at the same wage rates.

These small operators have sought to remedy the situation by establishing a central distribution service. But the unions are vigorously opposing this proposition. Some small operators plan to propose to American distributors operating in Mexico that they handle their products.

The entire industry here, including Americans, noted with concern the statements in the speech of President Cardenas delivered to the Confederation of Mexican Workers and Farmers, the nation's most powerful labor organization, in which he declared that the Government will continue to favor the workers.

Labor conditions in Mexico at the present time require that all workers shall belong to a union. The Government seeks to cooperate and urges labor elements to forget internal differences and work for the common good.

The unions deny that they are making exorbitant demands upon these producers and distributors, saying that they are merely protecting the interests of their members and are not making a racket of syndicalism. They deny charges that they are coercing the industry into increasing wages to an inordinate extent or that they are trying to overload the employers with workers.

The unions have voted to boycott producers, distributors, exhibitors and players of all pictures that make fun of labor or spoof the proletarian movement.

Latin America Films Crowd U. S. Product

(*Continued from page* 1)

deeply into the revenue of foreign distributors that some arrangement will have to be made whereby the playtime situation can be better controlled, Hutchinson feels.

There has been a considerable growth in the independent distribution of films made in Mexico and South America which, while sold on low terms, are doing outstanding business, due to the public's increasing support of films with a domestic flavor and in the native language, and this is making the market more difficult for the foreign companies, it was said.

Owen McKivett Dead

MILWAUKEE, Feb. 27.—Owen McKivett, 51, veteran Racine exhibitor, died suddenly yesterday morning. McKivett had been in charge of Warner houses at Racine. He celebrated his 25th anniversary as an exhibitor last month. He is survived by his widow and son.

RKO Signs June Travis

HOLLYWOOD, Feb. 27.—June Travis, dropped from the Warner contract list, has been signed by RKO for a role in "Go Chase Yourself." She replaces Vicki Lester, ill with influenza.

Allied Busy on New Units for New York

(*Continued from page* 1)

tered as Allied Theatre Owners of New York, Inc., he says, and has 120 members.

An effort was made last week to extend the organization to New York City at a meeting held in the Hotel Lincoln.

Howard says he plans to extend his organizing efforts to Buffalo and hopes to open Allied offices in Albany, New York City and Buffalo.

Harry Brandt Critical

"Allied's attempt to organize a unit in New York City is Abram F. Myers' way of retaliating against the Independent Theatre Owners' Association for our opposition to Allied's policies and tactics," said Harry Brandt, president of the I. T. O. A., on Saturday. He claimed that there were only four exhibitors at the organization meeting at the Lincoln Hotel here last week.

To Name Mirror Test Winners at ITO Fete

The "king and queen of the films" to be selected by the *Daily Mirror* readers will be crowned at the annual ball of the Independent Theatre Owners' Association at the Hotel Astor on April 2. The newspaper will cooperate in the sale of tickets and, in return, the theatres will run a trailer boosting the poll. Tickets also will be available at the agencies. There will be two orchestras, a marimba band and a floor show. Tickets are $10 a person. The affair will be formal.

The *Mirror* contest, which also will seek to ascertain the readers' preferences for the 10 best pictures of the year, will begin on March 1. Coupons will be published in the newspaper daily for 30 days, and votes will be deposited in boxes in the lobbies of I. T. O. A. and circuit houses in the city.

Caution on Clippings

Circuit heads here are cautioning their managers to make sure that when reproducing newspaper clippings and other material for publicity purposes, there is nothing in them which might be made the basis of a damage suit. These instructions result from the filing of a $500,000 action against Balaban & Katz in Chicago by a man whose name and photo appeared in a blowup of newspaper clippings used on a poster to plug "Torture Money."

Cast Rogers Drive Short

HOLLYWOOD, Feb. 27.—Set to appear in the Warner short boosting the Will Rogers Memorial Hospital Fund are Dick Powell, Pat O'Brien, Rudy Vallee, Johnny Davis, the Schnickelfritz Band, Allen Jenkins, Frank McHugh, Hugh Herbert, Mabel Todd, Bonita Granville, Marie Wilson, the Dudley Chambers Singers and Leo Forbstein and his orchestra.

Two Join Advitagraph

CHICAGO, Feb. 27.—Hugh J. Burras, formerly sales manager of Western Equipment Co., has accepted the same post with Advitagraph, maker of advertising films and projectors. Earl W. Hanley has joined Advitagraph as sales promotion manager.

Variety Club

Pittsburgh

PITTSBURGH, Feb. 27.—JOHN H. HARRIS may go to Hollywood next month and accompany his wife and son, who have been out there all winter, back home.

C. J. LATTA's daughter, PEGGY, has the lead in "Fly Away Baby," the senior class play at the Winches[illegible] Thurston school.

HARRY GOLD and BERT STEARN were CLARENCE EISEMAN's guests at the regular Monday night dinner.

Those who will be honored at birthday celebrations next month include SAM KLEBAN, MIKE GALLAGHER, DAVE BROWN, MARK BROWAR, DR. PITLER, KIVIE WOLFE, DR. WISE, EISEMAN, R. WEHRLE, STEVE COX, JAKE SOLTZ, DR. BEINHAUER, G. KRIMM, BEN BROWN, IKE BROWARSKY, JOE HILLER, ANDY SHERIDAN, H. BURGER, IRA COHN, L. REICHBLUM and B. GARDNER.

HARRY FELDMAN is on the coast fo his annual winter visit. He'll be bac in April.

Frozen Italian Cash Pays Traveling Cos

A way to "export" some of the embargoed currency from Italy has bee found by the foreign departments o the film companies. They buy transportation, both ways, for trips abroa for foreign representatives.

Mario Zama, Warners' genera manager in Italy, arrived three week ago accompanied by C. L. Conradse manager for Warners in Scandinavi Passage for both was bought in Ita and Conradsen went from Stockhol to Naples where they embarked fo the United States.

After their first visit here, whic included five days in Hollywood, bot foreign men left Saturday on th *Rex* for the return trip, which wa bought with Italian money before the sailed from Naples. Conradsen will g from Italy to Paris, thence to Stockholm. Buying transportation in th manner is a common practice amon American companies who cannot tak their funds beyond the boundaries Italy, it was said.

Cosentino Closes Deals

John Cosentino, for Spectrum, h closed deals with Ann O'Donne Monarch Pictures Corp., Detroi American Films, Inc., Kansas Cit Adams Film Exchange, Inc., Dalla and Tom Brannon, Affiliated Producers, Inc., Atlanta, Charlotte a New Orleans, for distribution of t Fred Scott musical westerns.

Dress Industry Film O

WASHINGTON, Feb. 27. — T Women's Department of the U. Department of Labor has released film, "What's In a Dress," deali with methods of meeting problems the dress industry. It is obvious designed to enlist the aid of all co cerned in bringing about better wor ing conditions in the industry.

Pathe to Pay $1.75

Pathe Film Corp. has declared regular quarterly dividend of $1. per share on the $7 convertible p ferred payable April 1 to stockhold of record March 23.

'CC Details Hearings for Current Week

-WASHINGTON, Feb. 27.—The Fed-ral Communications Commission has 'e public its calendar of hearings the current week, as follows:

Feb. 28, before an examiner: Ap-ication of WMBS, Uniontown, Pa., or increase of time from day to un-mited, with 100 watts night, 250 atts day.

March 2, before an examiner: Ap-lications of Anne Jay Levine for a ,370-kilocycle station at Palm prings, Cal., with 100 watts night, 50 watts day, and WGDM, Stockton, al., for change of frequency from ,100 to 1,150 kilocycles, increase of me from day to limited, and in-rease of power from 1,000 to 5,000 atts.

To Hear Contesting Pleas

March 3, before the commission:)ral argument on contesting applica-ions of Louisville Times Co. for a ,210-kilocycle, 100-watt unlimited ime station, and Louisville Broadcast-ng Co. for a 1,210-kilocycle, 250-watt aytime station, both at Louisville; ontesting applications of West Texas 3roadcasting Co. for a 1,380-kilocycle, ,000-watt station at Wichita Falls, Tex.; Wichita Broadcasting Co. for a 20-kilocycle station at Wichita Falls vith 250 watts night, 1,000 watts day; aith Broadcasting Co., Inc., for a ,380-kilocycle station at Wichita alls with 1,000 watts night, 5,000 vatts day, and KFPL, Wichita Falls, or change of frequency from 1,310 to ,500 kilocycles and increase of day ower from 100 to 250 watts; contest-ng applications of Columbia Radio Co., Inc., for a 1,200-kilocycle, 100-vatt station, and Carolina Advertis-ng Corp. for a 1,370-kilocycle station vith 100 watts night, 250 watts day, oth at Columbia, S. C.

Application from Porto Rico

Also applications of Juan Piza for 1 1,500-kilocycle station at San Juan, P. R., with 100 watts night, 250 watts day; KADA, Ada, Okla., for exten-sion of time from day to unlimited; KROY, Sacramento, for change of requency from 1,210 to 1,340 kilo-cycles, extension of time from day to unlimited and increase of power from 100 watts to 250 watts night, 1,000 watts day, and WKOK, Sunbury, Pa., for extension of time from specified hours to unlimited.

March 4, before the commission: Oral argument on contesting applications of Southwest Broadcasting Co. for a 1,500-kilocycle station with 100 watts night, 250 watts day, and W. P. Stuart for a 1,500-kilocycle, 100-watt station, both at Prescott, Ariz.; contesting applications of WFNC for a 1,210-kilocycle, 250-watt daytime station at Fayetteville, N. C., and Capitol Broadcasting Co., Inc., for a 1,210-kilocycle station at Raleigh, with 100 watts night, 250 watts day, and applications of KQV, Pittsburgh, for increase of power from 500 to 1,000 watts, and WSMK, Dayton, for increase of power from 200 watts to 250 watts night, 500 watts day.

Also applications of WBZA, Springfield, Mass., for change of frequency from 990 to 550 kilocycles, requesting facilities of WDEV, Waterbury, Vt.; Clark Standiford, L. S. Coburn and A. C. Sidner for a 1,370-kilocycle, 100-watt station at Fremont, Neb.; Standard Life Insurance Co. of the South for a 1,420-kilocycle station at Jackson, Miss., with 100 watts night, 250 watts day, and Arthur Lucas for a 1,310-kilocycle, 100-watt station at Savannah.

March 5, before an examiner: Application of United States Broadcasting Co. for a 1,310-kilocycle, 100-watt station at Washington.

Hague Okayed It

Fred Allen the other night arrived at the studio late, and just in the nick of time to go on the air. As he walked to the "mike" he told the studio audience:

"Sorry to be late, folks, but I was over to Jersey City to see Mayor Hague to get his permission to broadcast."

It drew a bigger howl than any line in the script.

Recommend Approval For 2 New Stations

WASHINGTON, Feb. 27.—The granting of applications of Martin R. O'Brien for a new 1,250-kilocycle, 250-watt daytime station at Aurora, Ill., and Carl Latenser for a new 1,420-kilocycle, 100-watt daytime station at Atchison, Kan., has been recommended today by Examiners Robert L. Irwin and George H. Hill, respectively, in reports submitted to the Federal Communications Commission.

Other reports submitted to the commission by its examiners, however, recommended denial of the new station applications of the Voice of Detroit, Inc., Detroit; Cadillac Broadcasting Corp., Detroit; WWPO, Inc., Pittsburgh; Times Printing Co., Chattanooga, and Young People's Association for the Propagation of the Gospel, Philadelphia.

Delay Decision on Warner Show

Decision as to what show will replace the Warner program, "Your Hit Parade," has not yet been made, it was said at the offices of Lord & Thomas on Saturday. The Kay Kyser program, of course, is being considered seriously for the spot, but nothing definite will be known for at least another week or 10 days.

Lucy Monroe Is Re-Signed

Lucy Monroe has been reengaged as guest soloist with Eugene Ormandy and the Philadelphia Orchestra for the bank-sponsored broadcast of March 14 over the NBC-Blue, from 9 to 10 P. M. The concert will mark Miss Monroe's ninth appearance in Philadelphia with the orchestra.

Ruth Leslie Joins Schneider

Ruth Leslie, formerly with the *Philadelphia Record* and radio script writer for L. C. Gumbinner, has joined the staff of A. M. Schneider & Co., advertising agency, as writer.

Mutual to Take "Jesters"

Effective this week, Mutual will broadcast the "King's Jesters" several times weekly, taking the program from WCAE in Pittsburgh.

Would Ban All Air Ads from Liquor Firms

(*Continued from page* 1)

to the liquor interests, but the convention adjourned without taking action on McNinch's suggestion.

In Canada, radio facilities have been barred to liquor interests. United States networks have not accepted advertising for hard liquor, but beer programs are broadcast regularly.

Brewer Program Starts March 7

Details have been worked out and a full complement of sponsors has been obtained for the program for the Brewers' Association, and, starting March 7, the series will be presented on CBS Mondays from 8 to 8:30 P. M. The talent will include Lou Holtz, Ted Husing, Richard Himber's orchestra and the Kay Thompson trio.

A number of advertising agencies cooperated with the U. S. Advertising Corp. in the development of the plan.

Eleven brewing companies will participate in the sponsorship. Locally, the sponsor will be the John F. Trommer Co., on WABC.

Pictorial Review to Sponsor WOR Show

Pictorial Review Pattern Co., through the Franklin Bruck Advertising Corp., begins participation in the Allie Loe Miles and Sedley Brown program on WOR Fridays from 10:45 to 11 A. M.

Beginning March 4, the Armstrong Cork Co. will sponsor "The Heart of Julia Blake," a transcribed serial, on WOR. Batten, Barton, Durstine & Osborn is the agency.

Procter & Gamble, effective today, will switch from "Pepper Young's Family" to "The Wifesaver."

Combine Announcers, Production at WMCA

(*Continued from page* 1)

WMCA's production department. The audition committee, in addition to Capps, includes Phil Barrison, dramatic director, and Alfred Hall, program director.

Adoption of the new policy follows the resignation of Bob Carter as chief announcer. He will take over commercial assignments on a free lance basis.

Fay Francis Has KROW Series

SAN FRANCISCO, Feb. 27.—After six years as commentator on items of interest to women, on New York and New England stations, Fay Francis has started a new series on KROW. Accompanied by a musical background, the show is heard each afternoon, except Sunday.

Under O'Keefe Management

Frank Cooper, who recently joined the radio department of Rockwell-O'Keefe, Inc., has placed Pat Barnes and his "Barnstormers" program; Thornton Fisher, sports commentator, and Floyd Sherman under the personal management of the agency.

▸ *Radio Personals* ◂

KATE SMITH will make one of her infrequent guest appearances on the Whiteman cigarette show next week. . . Her stipend for the one shot, we understand, is terrific. . . Five of the feminine members of the Whiteman family are down with illness—Mrs. Paul with the grip, Mrs. Mike Pingatore with an operation, at the French Hospital; Mrs. Bob Lawrence and Mrs. Roy Bargy with the flu, and Irving Strouse's mother with tonsil trouble. . . Lawson Zerbe is making a series of transcriptions for a dramatic serial. . . Maureen O'Sullivan and Mischa Auer will be the guests in the Kraft "Music Hall" Thursday. . . Lee Sullivan has completed a 30-week supply of transcriptions for Twenty Grand Cigarettes.

AGRAP Charge to Be Heard March 21

A charge filed some time ago with the National Labor Relation Board by the American Guild of Radio Announcers and Producers, alleging violation of the Wagner Act by WMCA, will come up for hearing before Mrs. Eleanore F. Herrick, regional director of the N. L. R. B. on March 21.

A. G. R. A. P.'s complaint charges that the station management discharged one production man and two announcers, allegedly for their activities in behalf of the announcers' and producers' union. The men were discharged May 14, June 7 and Oct. 4, respectively, 1937.

WMCA signed a contract with the guild June 1, covering announcers and producers employed at the station, on wages, hours and other points. The contract was for six months, expiring Dec. 31, 1937, but according to the guild offices here, the contract is still in effect because of its stipulation that it be considered so until another contract has been effected.

Guild officers here state that a new contract is now in preparation, and may be signed sometime next week. Under no circumstances, however, states the guild, will the charges against the station be dropped, unless the men involved are either reinstated or compensated with back salaries.

WBAL Staff Shifts Made

BALTIMORE, Feb. 27.—Changes at WBAL include the resignation of Brad Bradley, who has been doing continuity and production, to go to NBC in New York on special work; Rex Reynolds, producer and master of ceremonies, who has resigned to return to his home in Asbury Park; Bettie Roberts, home economics, resigned to do lecture work in women's clubs throughout Maryland, and Francis Dice, announcer, resigned to go over to WCAO as announcer.

To Start New Program March 7

Caeser Searchinger, who resigned last summer as European representative of CBS, will begin a series of weekly commentaries titled "Stories Behind the Headlines" March 4 from 7:15 to 7:30 P. M. over the NBC-Blue.

Radi

★RADIO GOES TO COLLEGE... *published January, 1938 by CBS. We will be glad to mail you this study on request.*

oes to College

TURN *where we may, investigate whom we will, radio is discovered an intimate and important and active part of daily living!*

College investigators, last Spring, at the request of the COLUMBIA BROADCASTING SYSTEM, studied the radio habits of college students. They found that over 95% of the students listen *regularly* to radio. Even more interesting is the amount of college-time spent listening to radio. The average male student reports listening 3 hours *each day* The average woman student listens 2 hours and 52 minutes *each day*. This is remarkable when you consider what a busy person the undergraduate is! And conclusive evidence, once again, of how well radio reaches *everybody:* young and old—and class-markets as well as mass-markets.

The complete study* shows that America's million-odd undergraduates are remarkably like everyone else where radio is concerned. They are today's leaders of young people everywhere; tomorrow's leaders in business and society. And radio—*without special effort—without extra cost* reaches them *at the same time* it reaches the rest of the country. For *everybody* likes to listen!

But this is no surprise. It confirms the findings of radio advertisers—and other radio research. (A year ago the CBS study of "THE VERY RICH—AND RADIO" arrived at much the same conclusion as the college-study. Like everybody else, the Very Rich also like to listen—and do!)

Yet, in the cloistered halls of learning we unearthed fresh material on a fine point. Everyone knows a few people who habitually do more than one thing at a time. Such people read while they eat, write while they telephone and—if they're at college—they study while radio-listening. But not *all* people double-up their activities. If we take the undergraduate as a guide, we find that *most* people prefer doing *one* thing at a time. Of the 2,487 college students interviewed, 61.3% stressed the fact that they do *not* listen to their radios while studying. But there's another simpler way of determining *how well* people concentrate when they listen to radio. Make a deliberate mistake of any kind on the air. Or make an offer. You will then quickly learn, from billowing bags of mail, just how intently the average listener listens when his radio is tuned-in! And *that* is a basic reason for radio's brilliant record of success.

THE COLUMBIA BROADCASTING SYSTEM

IT'S A NEAT TRICK

and we doubled it_

☆ Ideas . . . performance . . . service . . . National Screen Pre-vues . . . real showmanship . . . sincere copy . . . quick selling . . . welding story, punchlines, dramatic climax into short, breathtaking . . . quick selling . . . fast moving "sell-the-picture" screen ads . . . topped off with service as constant as the sun . . .

☆ A neat trick and we've doubled it with National Screen Accessories . . . Lobby-Displays with the "magic touch of showmanship" . . . barely three years old and already with a reputation stretching across the country as a seat-selling go-getter . . . Full of color . . . life . . . compelling power . . . a twin to Pre-vues as a box-office builder-upper . . . a twin to Pre-vues when it comes to service . . .

☆ Yes sir . . . it's a neat trick but we've done it . . . doubled your theatre advertising punch with

National Screen Service
. . . prize baby of the Industry!

National Screen Accessories
. . . the magic touch of show

ert.
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dispensable
the Motion
cture
dustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 48 NEW YORK, TUESDAY, MARCH 1, 1938 TEN CENTS

C. C. Policy n High Power o Be Studied

aring Set for May 16 By Chairman

By BERTRAM F. LINZ

ASHINGTON, Feb. 28.—The policy e Federal Communications Com on with respect to super-power be discussed at a hearing called by Chairman Frank R. McNinch Iay 16.

e meeting is the outgrowth of 1 taken some weeks ago, setting enewal application of WLW, Cinti, for rehearing, but also to be dered are the applications of 15 stations which are seeking rity to operate with 500,000 watts r.

til the Commission reaches a de following the hearing, it was ined, WLW will be permitted to te as at present.

lney Returns Here ut Does No Talking

uis K. Sidney, M-G-M executive left New York five months ago sume charge of the M-G-M - Gen Food Corp. "Good News of 1938" am, returned Saturday for a brief "to confer on home office mat-

ked to comment on the status of

Additional developments in dio yesterday on pages 6-7.

adio program, Sidney said it was pinion that the program was a actory one to the studio and or. He would not discuss the r of a renewal, stating that such nation must come from Benton

(*Continued on page* 6)

Nobody Home

Reporters who visited the fices of the American Fed ration of Musicians yester ay to check the status of e union's drive against the nfair" practices of record g and transcription com nies, found the union prem es shut.

The elevator operators in e building, 1450 Broadway, ad gone out on strike, and e A. F. of M. had closed wn for the day. The offices e on the 41st floor.

RKO Plan Amendments Aim To Hasten Reorganization

Amendments to the RKO plan of reorganization designed to hasten the rehabilitation proceedings are expected to be agreed upon by principal creditors of the company by the end of this week. Hamilton C. Rickaby, attorney for Atlas Corp., proponent of the reorganization plan, told Federal Judge William Bondy yesterday in petitioning a postponement of the scheduled reorganization hearing to March 11.

Rickaby explained that following the anticipated agreement attorneys would require an additional week in which to put the amendments to the reorganization plan in form for submission to the court. The Atlas attorney attributed the need for the proposed amendments to changes in RKO's financial status which have occurred since the plan was first proposed about 18 months ago.

Judge Bondy not only agreed to the further postponement of the reorganization hearing, but took to task a Boston creditor of the company, Nathan Berenson, for entering the sole objection to the adjournment. Judge Bondy pointed out that the favorable report

(*Continued from page* 8)

British Say U. S. Films Caused Loss

By AUBREY FLANAGAN

LONDON, Feb. 28.—The failure of Hollywood to produce a sufficient number of outstanding pictures during the year is blamed for the fact that English patronage did not increase during the 1937-'38 season, it was declared in the annual report of the Cinematograph Exhibitors' Association, released over the weekend.

The organization expressed confidence that if producers supply good pictures, greater patronage than ever will be attracted. Rentals now stand at a peak level and are endangering the whole structure of the industry, the report declared.

The report contended that the inclusion in the Films Bill of provision for a Films Council, was the result of C. E. A. efforts in complaining to the Board of Trade over the attempt of the distributors to grade films. Elsewhere the report suggested that in the future the Films Council may be of value in settling such trade problems.

The report criticized the overbuilding situation, pointing out that 228 new theatres have been registered with

(*Continued on page* 8)

Sees 20th-Fox '37 Net at $8,500,000

LOS ANGELES, Feb. 28.—A net profit after all charges and taxes of between $8,500,000 and $9,000,000 will be shown by the annual report of 20th Century-Fox, Joseph M. Schenck, chairman of the board, declared here today.

The estimated net would equal, after preferred dividends, between $4 and $4.30 per share on the common stock. The net income for the fiscal year of 1938 of $7,722,955 was equal to $3.55 per common share.

Selznick-U. A. Deal Unchanged: Whitney

The status of Selznick International's negotiations for a new releasing deal with United Artists and for acquisition of the controlling stock ownership in the company in conjunction with Samuel Goldwyn was not altered during John Hay Whitney's ten-day visit here, the Selznick International chairman stated yesterday just prior to his departure for the coast by plane.

Whitney stated that negotiations on both deals were still in progress and would be continued on his return to Hollywood.

"There is nothing further that I can say on either subject at this time," he said.

The deal for acquisition of a controlling interest in United Artists involves the purchase by Selznick International and Goldwyn of the three-fifths stock interest in the company held by Mary Pickford, Douglas Fairbanks and Charles Chaplin.

Miss Pickford told MOTION PICTURE DAILY recently that a deal was "imminent" but that tax problems involved in the transaction loomed as the most important obstacles remaining to be overcome.

Start Hearings on License Bill Today

WASHINGTON, Feb. 28.—Hearings on the new Borah-O'Mahoney licensing bill will open tomorrow before a subcommittee of the Senate Judiciary Committee.

The new bill, which would apply to corporations in the film industry as well as in other industries, is more comprehensive than the original draft and would cover film producers as well as industrial organizations generally.

Under the measure every organiza-

(*Continued on page* 7)

ITOA Hits at Neely Measure As 'Headache'

"Not 10 Exhibitors" Are Interested, Is Claim

Expressing the opinion that the Neely-Pettengill bill "will never become a law," the Independent Theatre Owners Association yesterday came out in flat opposition to the proposed anti - block booking legislation.

A statement in *The Independent*, organ of the association, which was circulated to members yesterday, said: "There is more legislation pointed at the motion picture industry this year than ever before in the history of our business. Added legislation will do nothing more than to add cost and give us headache in a business already overridden with headaches."

The I. T. O. A. believes that "there are not 10 exhibitors in the United States, independent or otherwise, who are interested in block booking" and that every exhibitor "is satisfied to buy pictures more than one or two at a time." With respect to the blind buying features of the bill, the I. T. O. A. believes that exhibitors "want to buy a known quality," but finds the provisions as written impractical.

"Whoever wrote this bill could not

(*Continued on page* 7)

Anti-Dual Hearing In Chicago Fizzles

CHICAGO, Feb. 28.—"The bride didn't show up," said Edward Golden, sales manager of Monogram, as the hearing on the legislation to eliminate duals proved a fizzle today, when the agitators against duals offered no comment against them. Alderman Lindell called the meeting to order.

Mrs. Louis Perlman, militant Parent-Teacher Association leader, when

(*Continued on page* 4)

Kill Censor Bill

Topeka, Feb. 28.—The Committee on Federal and State Affairs of the Kansas Senate has killed by a vote of 70 to 2 the censorship bill which would have given the state censor power to eliminate sweepstakes and gambling scenes from newsreels. The special session of the legislature will adjourn March 4.

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LONDON: 4 Golden Square, W. 1; Cable address, Quigpubco, London; Hope Williams, Manager.
MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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RCA Declares Dividend

RCA has declared a quarterly dividend of 87½¢ on outstanding first preferred stock, payable April 1 to stockholders of record March 9. The company has also declared a dividend of $1.25 for the period January 1 to March 31, on the "B" preferred stock, payable March 16.

Jack Warner Honored

Hollywood, Feb. 28.—Jack L. Warner has been elected to the board of directors of the All Year Club of California.

MITCHELL MAY, Jr.
CO., INC.
•
INSURANCE
Specializing
in requirements of the
Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Purely Personal

LEON SCHLESINGER, cartoon producer for Warners, has deferred his return to the coast because of an illness he developed during his recent South American cruise. He hopes to get away at the end of the week.

•

William A. Scully, Universal general sales manager, returned yesterday from a tour of exchanges and plans to leave at the end of the week on a visit to Universal branches in the southwest.

•

Ed Shanberg and Martin Finkelstein of Globe Prod., distributing "The Spirit of Youth" through Grand National, are now making their headquarters at the G. N. Exchange.

•

Leo Malchin, French distributor, has arrived from Europe to arrange deals in this country and Latin America. He is staying at the Ansonia Hotel.

•

J. Don Alexander, president of Alexander Film Co., has returned to his headquarters in Colorado Springs, Colo., after four weeks in New York.

•

William Phillips, executive of the United Artists Theatre Circuits, is due to return from a Mediterranean cruise the middle of this month

•

Joseph S. Hummell, Warners foreign sales manager, is now in Bombay en route from Australia to Java, Singapore, China and Japan.

•

George J. Schaefer decided in favor of an extended run on his Florida sojourn. He is expected in New York in another day or two.

•

Joseph N. Weber, president of the American Federation of Musicians, returned to New York yesterday from a Florida vacation.

•

Joseph R. Vogel, Marvin Schenck and Oscar A. Doob of Loew's returned from Florida vacations yesterday.

•

Jimmie Carrier, working on advertising tieups for the past two years, is in New York, and will set new plans shortly.

•

Ben Cohen will sail on the *Conte di Savoia* tomorrow to take up his new duties as manager of the Metro in Calcutta.

•

Louis Pollock, Universal advertising manager, has completed an original story for pictures entitled "Prison Widows."

•

Henry Armetta will arrive on the coast tonight from New York. He will have a spot in a 20th Century-Fox film.

•

Harry Engel of Fanchon & Marco has set screen tests by Republic tomorrow for Kurt Katsch of the cast of "Brothers Ashkenazi," Thelma White, Gene Morgan and Mitzi Gould.

•

Arthur Greenblatt, G. B. eastern division manager, returned yesterday from a brief Florida vacation.

•

Alexander G. Kenedi's and Irwin Shapiro's "Make a Play for Love" has been acquired by M-G-M.

•

Milton Bren, executive producer for Hal Roach, and Brian Aherne have gone back to the coast.

•

Neil F. Agnew is planning a trip to Hollywood but doesn't expect to get away for about a week.

•

Nat Saland of Mercury Film Laboratories returned yesterday from a business trip to the coast.

•

David Bernstein, vice-president and treasurer of Loew's, has returned from a vacation in Florida.

•

Norman Z. MacLeod, director of "Merrily We Live," has left for a short stay at Miami.

•

Douglas Fairbanks, Jr., left yesterday on his return trip to Hollywood.

•

Harry Goetz is scheduled to leave Hollywood today for New York.

•

Will H. Hays arrived in New York yesterday from the coast.

•

Harold B. Franklin has returned to the coast.

He'll Show 'Em

London, Feb. 28.—*The* G.B.S. (George Bernard Shaw, to you) intends to teach Hollywood how to make a film when his play, "Pygmalion," is produced.

He said so himself today.

He will supervise the film from beginning to end, he said, and, "Every word will be written by me. Not the least regard will be paid to American ideas except to avoid them as much as possible."

He'll larn 'em, by cracky.

Issue "Jezebel" Album

The first of a planned series of photograph albums containing stills from Warner productions was issued yesterday by the home office advertising and publicity department. The substantially bound brochure contains 17 stills from "Jezebel," the photos showing Bette Davis, George Brent and Henry Fonda in various scenes from the picture. The photographs accentuate the authenticity of the costuming in the production which is set in Louisiana during the early 19th century.

Voight Leaves Republic

Hollywood, Feb. 28.—Hubert Voight, for the past several months publicity director at Republic, today left the company lot upon the expiration of his contract. He will start for New York tomorrow. A deal for a successor is in the process of negotiation.

Kaufman to F. & M.

Les Kaufman has resigned from the Columbia exploitation staff to return to his former advertising post with Fanchon & Marco theatres in St. Louis. He will leave New York this week to begin the new association.

Paramount Lists 8
Sales Drive Fil

National dates for the first gr of pictures to be released during first eight weeks of the 13-w "Paramount on Parade Around World" international sales drive w listed yesterday by Neil F. Agr vice-president in charge of distr tion.

The scheduled films, together their release dates, are: "Roma the Dark," March 4; "Danger Know," March 11; "Bulldog D mond's Peril," March 18; "Col Swing," March 25; "Tip-off Gi April 1; "Her Jungle Lover," A 15; "Heart of Arizona," April and "Doctor Rhythm," April 29.

"Chicago" Grosses
$10,980 7th We

"In Old Chicago" grossed $1 in the seventh week of its two-a run at the Astor. Twentieth Cent Fox will give the special a genera lease during Easter Week, sta April 15, which is two weeks fol ing the termination of the 12- roadshow at the Astor at $2.20 Whether the film will open at Roxy Easter Week has not been termined.

"No Time to Marry" did $5,1 six and a half days at the Rialto.

A switch in bookings will "Prison Nurse" to the Criterio Thursday, to be followed by " gerous to Know" on March 10.

20-Fox Payrolls
Total Up to 6,

Including studio workers, 20th tury-Fox employs more than persons weekly, according to fi compiled by J. H. Lang, assistant retary of the company.

There are about 500 persons ployed in the home office and 1,200 in the 37 branches in the U States and Canada, with more 900 in the overseas' 132 offices agencies. The New York home of Movietone News employs 150, but three times that numbe resent the newsreel in other pa the world.

Bernhard on N. J. B

Joseph Bernhard, general ma of Warner theatres, has been by Gov. A. Harry Moore of Ne sey as an advisory member New Jersey Council, a body will direct the expenditure of $1 to advertise the advantages state in an effort to stimulate in and employment. In addition to ernor Moore and Bernhard, the includes former Governor Hoffman, State Labor Commis John J. Toohey, Jr., and Finance missioner Bernard L. Lamb.

To Report at Am

The Ampa committee head Vincent Trotta, which has bee sidering changes in the annual tising awards, will report group's meeting at the Intern Casino on Thursday. The meeti be devoted to a discussion changes and plans for the annu ner-dance. Members will also a nominating committee to na slate of officers for the forth election.

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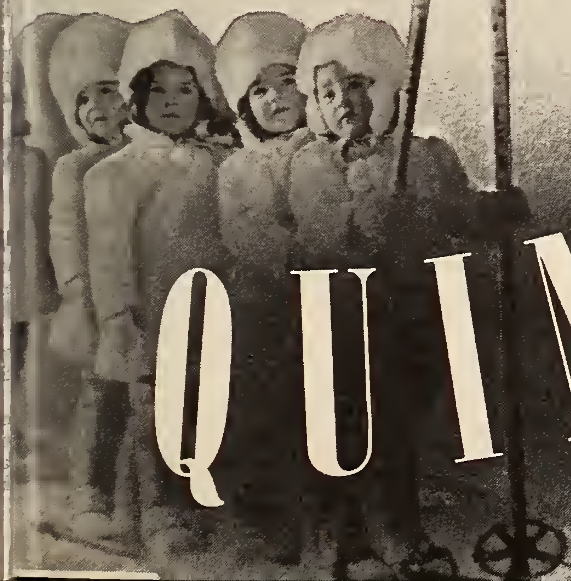

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DIRECTED BY FRANK DONOVAN
ORCHESTRAL ACCOMPANIMENT BY NATHANIEL SHILKRET

Distributed by RKO-RADIO PICTURES

"Oxford" Dual Tops Seattle; Gets $8,650

SEATTLE, Feb. 28.—"A Yank at Oxford," on a dual with "City Girl," proved the best grosser of the week with a take of $8,650 at the Paramount. This was $2,650 over average. The bill was held.

"Goldwyn Follies" turned in an excellent $8,300 at the Fifth Avenue and was moved to the Music Box for an extended run.

Total first run business was $37,300. Average is $36,500.

Estimated takings for the week ending Feb. 26:

"WISE GIRL" (RKO)
"CRASHING HOLLYWOOD" (RKO
BLUE MOUSE — (950), 25c, 7 days. **Gross:** $3,200. (Average, $4,000)

"GOLDWYN FOLLIES" (U.A.)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $8,300. (Average, $7,000)

"PENITENTIARY" (Col.)
"NO TIME TO MARRY" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 7 days. **Gross:** $4,200. (Average, $5,000)

"HAPPY LANDING" (20th-Fox)
"BULLDOG DRUMMOND'S REVENGE" (Para.)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 4th week, extended run from Paramount. **Gross:** $3,550. (Average, $4,000)

"EVERYBODY SING" (M-G-M)
"THANK YOU, MR. MOTO" (20th-Fox)
ORPHEUM — (2,450), 30c-40c, 7 days. **Gross:** $4,100. (Average, $6,000)

"TIME OUT FOR LOVE" (20th-Fox)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Major Bowes' Amateurs. **Gross:** $5,300. (Average, $4,500)

"A YANK AT OXFORD" (M-G-M)
"CITY GIRL" (20th-Fox)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $8,650. (Average, $6,000)

Interstate Plans Two

DALLAS, Feb. 28. — With work started on a new Houston suburban theatre which will seat 1,300, Interstate Circuit plans the erection of new houses in Austin, Tex., and Albuquerque, N. M. Interstate already has six theatres in Austin and the new structure will be erected in South Austin to seat 1,100. The Alburquerque house will seat 1,000 and will be known as the Lobo.

Michel's Testimony Is Ordered in Suit

William C. Michel, executive vice-president of 20th Century-Fox, was ordered to appear on March 4 for an examination before trial in connection with the $50,000 "piracy" suit brought by Grosby George, author, against 20th Century-Fox by Justice Bernard L. Shientag in N. Y. Supreme Court yesterday. George had asked for an examination of either Frank Underwood, present head of the scenario department, or Joseph C. Shea, former story editor.

George alleges that he submitted his story, "Little Miss Nobody," which was published in the February, 1931, issue of *Modern Romances,* to Shea, and that it was rejected. Subsequently 20th Century-Fox produced a film of the same name based on an original story by Frederick Hazlitt Brennan. George claims $50,000 for use of the title and also seeks an accounting of the profits.

Paine-Erpi Suit Dated

The $211,743 breach of contract suit brought by John G. Paine, as agent and trustee for approximately 100 music publishers, against Erpi was ordered to trial in April by Federal Judge John C. Knox in the U. S. District Court here yesterday.

At the same time, Judge Knox permitted Homer H. Breland, attorney for Erpi, to withdraw his motion for summary judgment dismissing the complaint.

The publishers claim that certain royalties remain unpaid under a licensing contract with Erpi for the reproduction of their music in films exhibited in foreign countries. Erpi contends that the publishers did not own the international copyright and that nothing is due under the contract.

Coyne Writes Governors

BOSTON, Feb. 28.—Representative Francis X. Coyne said today that he was writing letters to every Governor asking for the introduction of bills requiring screen and stage players to file their real names. Coyne has such a bill in the Massachusetts House. A hearing is to be held next week.

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Anti-Dual Hearing In Chicago Fizzles

(*Continued from page 1*)

asked to comment, declared she "came only to listen." Theatre executives and women's club leaders were present but no one offered to take the stand against duals, and the meeting lasted only three minutes. There was considerable comment to be heard afterwards, but it was unofficial. As a result, the meeting was a victory for those backing double bills. Golden had three doctors present to build a strong case in support of duals. It has been indicated that plans for an ordinance banning duals will be dropped following a meeting of the City Council committee in charge of the matter.

Milwaukee Officials Study Duals' Effect

MILWAUKEE, Feb. 28.—In response to a request from the local Parent Teachers' Association, Mayor Daniel W. Hoan has placed in the hands of Dr. John P. Koehler, Health Commissioner, the task of determining whether double feature programs are causing physical harm to children.

Dr. Koehler has named Dr. Claude S. Beebe, eye specialist, as chairman of a committee to conduct a survey. The Independent Theatres Protective Association of Wisconsin has sent a committee to Chicago to study the proposed ordinance banning duals in that city. The association has indicated it will cooperate with the P.T.A. in its campaign.

Circuits have voiced their opposition to a proposed ordinance prohibiting double features. H. J. Fitzgerald, general manager of Fox-Wisconsin, declared that attempts at single feature policies at the circuit's Downer and Varsity had resulted in decreased business. Both Fitzgerald and Jack Keegan, district manager for Warners, declared that the public demands double features.

Sparks to Test Single Bills

ST. PETERSBURG, Fla., Feb. 28.—The Sparks circuit has started a single feature policy at one theatre and will go to a single feature policy in other theatres later, in an effort to ascertain the wishes of the public in St. Petersburg regarding double feature programs. If it is found that the public does not want double features they will be discontinued. The Roxy will be used to make the first test of the drawing power of single features of the best type.

National Group Plans No Action

WASHINGTON, Feb. 28.—"Our organization will act on the matter when it is brought up by a member group," Mrs. J. L. Pettengill, President of the National Congress of Parents and Teachers, told MOTION PICTURE DAILY when queried on the double bill question.

Baker Still President

KANSAS CITY, Feb. 28.—George Baker, who recently resigned as manager of the Electric in Kansas City, Kan., called a meeting of the Theatre Owners Association of Kansas City, Kan., for the purpose of resigning as president. The T.O.A. refused to accept his resignation.

"Follies" Is $30,000 Wo On the Loo

CHICAGO, Feb. 28.—"Goldwyn lies," aided by extra advertising exploitation, opened a two-week at the Oriental to terrific bu The gross for the week was $30, which was $12,000 above normal

"In Old Chicago" continued to heavily, and the fourth week f the gross at $13,500, $5,000 to good.

The State-Lake with "Beg, Bor or Steal" did well and grossed $14, Judith Allen in person helped.

Snow and rain cut into busines the weekend and unsettled wea prevailed throughout the week.

Total first run business was $1 900. Average is $122,500.

Estimated takings:

Week Ending Feb. 24:

"IN OLD CHICAGO" (20th-Fox)
APOLLO—(1,400), 75c-$1.50, 2 shows 7 days, 4th week. **Gross:** $13,500. (Ave $8,000)

"GOLD IS WHERE YOU FIND I (W. B.)
CHICAGO—(4,000), 35c-55c-75c, 7 Stage: Evans Ballet and Revue. G $29,000. (Average, $32,000)

"HURRICANE" (U. A.)
GARRICK—(900), 35c-55c-65c, 7 days week. **Gross:** $5,000. (Average, $6,500)

"GOLDWYN FOLLIES" (U. A.)
ORIENTAL—(3,490), 35c-55c-75c, 7 Stage: Sylvia Clark and Revue. G $30,000. (Average, $18,000)

"STAGE DOOR" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days week. Stage: Cinda Glen and R **Gross:** $17,000. (Average, $19,000)

"BEG, BORROW OR STEAL" (M-
STATE-LAKE—(2,776), 20c-40c-55c days. Stage: Judith Allen and R **Gross:** $14,400. (Average, $13,000)

Week Ending Feb. 25:

"I MET MY LOVE AGAIN" (U.
ROOSEVELT—(1,500), 35c-55c-75c, 7 **Gross:** $7,500. (Average, $11,000)

"EVERYBODY SING" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55 7 days. **Gross:** $11,500. (Average, $1

Gianni Bettini Dies

Gianni Bettini, 78, one of the s tists who helped Edison in the de opment of the phonograph, and recently has been working on tography and television, died Su in San Remo, according to word ceived here.

Wall Street

Board Issues Decline

	Open	High	Low	Close
E. K.	157	157	156¾	156¾
Loew	50⅝	50⅝	49⅝	49⅝
Para.	10⅛	10⅛	9⅞	10
RKO	3¾	3¾	3½	3⅝
20th Fox ..	22½	22¾	22½	22¾
W. B.	6	6	5⅞	5⅞

Monogram in Curb Rise

	Open	High	Low	Close
G. N.	9/16	9/16	½	½
Monogram	2⅜	2⅜	2⅜	2⅜
Tech.	20	20¼	19¾	20⅛

Para. Bonds Increase

	High	Low	Close
Loew 3½s '46.....	98⅝	98⅜	98⅜
Para. B'way 3s '55	59	58	59
Para. Pict. 6s '55	92	91¾	91¾
Para. Pict. '47....	73⅛	73	73
W. B. 6s '39......	66½	65½	66

(Quotations at close of Feb 28)

Baby" Hits $22,000, Top Frisco Gross

San Francisco, Feb. 28.—"Bring-
Up Baby" turned out to be an out-
ding attraction at the Golden Gate.
. $22,000 gross passed par by $6,000
a week when every other first run
s below normal.
'The Hurricane" held up to $6,000
its fourth week. "The Buccaneer"
d "The Kid Comes Back," in a third
ek at the Paramount, took $5,200.
Total first run business was $72,300.
erage is $87,600.
Estimated takings:

Week Ending Feb. 22:

"BRINGING UP BABY" (RKO)
OLDEN GATE—(2,850), 15c-35c-40c-55c,
ays. Stage: Vaudeville. **Gross:** $22,000.
verage, $16,000)

Week Ending Feb. 23:

"STAND-IN" (U. A.)
URDER ON DIAMOND ROW" (U. A.)
MBASSY—(1,400), 15c-35c-40c-55c, 7
s, 2nd week. **Gross:** $4,000. (Average,
00)

"THE BIG BROADCAST OF 1938" (Para.)
"DAREDEVIL DRIVERS" (F. N.)
OX—(5,000), 15c-35c-40c-55c-75c, 7 days.
oss: $14,500. (Average, $17,000)

"WIDE OPEN FACES" (Col.)
OY OF THE STREETS" (Monogram)
RPHEUM—(2,440,) 15c-35c-40c-55c-75c, 5
s. 2nd week. **Gross:** $4,600. (Average,
00)

"THE BUCCANEER" (Para.)
"THE KID COMES BACK" (W. B.)
ARAMOUNT—(2,740), 15c-35c-40c-55c-
, 3rd downtown week. **Gross:** $5,200.
verage, $13,000)

"VIVA VILLA" (M-G-M)
(Re-issue)
"MAMA RUNS WILD" (Republic)
T. FRANCIS—(1,400), 15c-35c-40c-55c-
, 7 days. **Gross:** $3,800. (Average,
00)

"HURRICANE" (U. A.)
NITED ARTISTS—(1,200), 15c-35c-40c-
-65c, 7 days, 4th week. **Gross:** $6,000.
verage, $7,000)

"A YANK AT OXFORD" (M-G-M)
LOVE IS A HEADACHE" (M-G-M)
VARFIELD—(2,680), 15c-35c-40c-55c-75c,
lays. **Gross:** $11,000. (Average, $13,000)

"MAYERLING" (Pax)
LAY—(400), 15c-35c-40c, 7 days, 4th
k. **Gross:** $1,200. (Average, $1,100)

Boy of Streets" Big Buffalo Draw

Buffalo, Feb. 28.—"Boy of the
reets" developed into a surprise
ash here. Linked with "Thank You,
. Moto" in its second week at the
fayette, it took $9,300, beating par
$2,800.
'A Yank at Oxford," with the help
Ferde Grofe as guest orchestra con-
ctor, drew $16,200 to the Buffalo.
Total first run business was $44,800.
erage is $42,300.
Estimated takings for the week end-
Feb. 19:

'A YANK AT OXFORD" (M-G-M)
UFFALO—(3,000), 35c-60c, 7 days. **Gross:**
200. (Average, $14,000)

"BUCCANEER" (Para.)
REAT LAKES—(3,000), 30c-50c, 7 days,
week. **Gross:** $6,600. (Average, $8,000)

"HAPPY LANDING" (20th-Fox)
(2nd Run)
IPPODROME—(2,500), 30c-50c, 7 days.
ss: $7,000. (Average, $7,500)

INTERNATIONAL SETTLEMENT" (20th-Fox)
'THE JONES FAMILY" (20th-Fox)
ENTURY—(3,000), 25c-35c, 7 days. **Gross:**
00. (Average, $6,300)

OY OF THE STREETS" (Monogram)
HANK YOU, MR. MOTO" (20th-Fox)
AFAYETTE—(3,300), 25c-35c, 7 days,
week. **Gross:** $9,300. (Average, $6,500)

Variety Club

Buffalo

Buffalo, Feb. 28.—Elmer Lux of RKO-Radio and Joe A. Schuchert Jr., of Columbia, were kings-for-a-day at the second luncheon.

They had as court guests Mickey Walker, former boxing king, and Garnett Williams, who talked to the boys on army and navy preparedness.

The club endorsed a proposal to stage an annual charity and set March 13 as the date. At present, the plan is to solicit local professional and amateur talent for the affair and also to use a big chorus backed by the Buffalo Civic Ballet singing the last act of "Faust."

Kansas City

Kansas City, Feb. 28. — Leon Abrahms of M-G-M won Variety Club's annual ping-pong tournament. Sixteen men participated: W. W. Sherrill, Frank Kiefer, Jack Gregory, George Friedele, M. G. Shackelford, Ken Force, Ken Levy, Sam Martin, Leonard Abrahms, Bob Garrett, Norris Cresswell, Jr., O. K. Mason, Harold Lux, Joe Lysowski, James Nelson and. Martin Stone.

Variety will dine March 7, and thereafter every two weeks. Dick Biechele, chief barker, will name kings for a day to plan the alternate luncheon and dinner. Kings will cooperate with the entertainment committee.

Select LeRoy's First

Hollywood, Feb. 28.—Mervyn LeRoy's first assignment under his three-year contract with M-G-M, which will start tomorrow will be "The Devil With Love," based on Noel Coward's "Private Lives," which was made in 1931. Fernand Gravet, who will star in the film, is expected back from Switzerland early in April and shooting is expected to get under way shortly thereafter. While the studio says LeRoy's plans are indefinite, it is expected that he will make three or four pictures a year.

Take Up Novarro Option

Hollywood, Feb. 28.—Republic has taken up Ramon Novarro's option, and two stories, the first of which will start March 15, are in preparation for him. The first will be "As You Are," written by Hans Kraly. The second will probably be "One Romantic Night," based on an original by Darrell and Stuart McGowan.

To Sell Trailer Assets

All the physical assets of Theatre Trailer Corp. will be sold at auction today in the Federal Court Building by Referee in Bankruptcy John E. Joyce. One bid already has been submitted by Harry Schwartz.

New Manila Taxes Loom

Manila, P. I., Feb. 28.—The Philippine legislature is considering four bills incorporating tax proposals affecting the industry.

Files Rock Petition

London, Feb. 28.—Eastman Kodak has filed a petition to close the Rock studios at Elstree, and Leslie Fuller Pictures, Rock subsidiary.

"Snow White" Gets $7,800, Oklahoma

Oklahoma City, Feb. 28.—"Snow White and the Seven Dwarfs" skimmed the cream off the first run business here for the week with a gross of $7,800 at the Criterion. This was $2,600 over normal.

The only other first run to get into the profit column was the Tower where a return engagement of "The Bad Man of Brimstone" went $200 over the line on a gross of $2,700.

Total first run business was $19,400. Average is $19,200.

Estimated takings for the week ending Feb. 26:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
CRITERION—(1,500), 15c-35c-40c, 7 days. **Gross:** $7,800. (Average, $5,200)

"BORDERTOWN" (W. B.)
(Re-issue)
"BLONDES AT WORK" (W. B.)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $2,100. (Average, 7 days, $2,700)

"THEY WON'T FORGET" (F. N.)
"A GIRL WITH IDEAS" (Univ.)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $600. (Average, 7 days, $2,700)

"EVERY DAY'S A HOLIDAY" (Para.)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $3,700. (Average, $4,600)

"SHE MARRIED AN ARTIST" (Col.)
STATE—(1,100), 10c-25c-40c, 7 days. **Gross:** $2,500. Average, $4,200)

"BAD MAN OF BRIMSTONE" (M-G-M)
(Return engagement)
TOWER—(1,000), 10c-20c-35c, 7 days. **Gross:** $2,700. (Average, $2,500)

Open New Detroit Office

Detroit, Feb. 28. — Advitagraph Corp. of Chicago has opened a branch office here with Alban J. Norris in charge. Norris had been with the Michigan Film Library since 1915.

"Brimstone" Hits $7,500, Montreal

Montreal, Feb. 28. — "The Bad Man of Brimstone" took first place on a double bill at the Princess with $7,500. Par is $7,000.

"Mannequin," topping the dual at the Capitol, grossed $8,500. "The Hurricane" carried on at the Orpheum for its eighth week with $3,000. Average is $5,000. It was held for a ninth week, thus approaching the local long-distance record established by "Wings of the Morning."

Total first run business was $31,500. Average is $40,500.

Estimated takings for the week ending Feb. 19:

"MANNEQUIN" (M-G-M)
"SHE LOVED A FIREMAN" (W.B.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,500. (Average, $9,500)

"MANHATTAN MERRY-GO-ROUND" (Republic)
"DANGER PATROL" (Republic)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $6,500. (Average, $8,000)

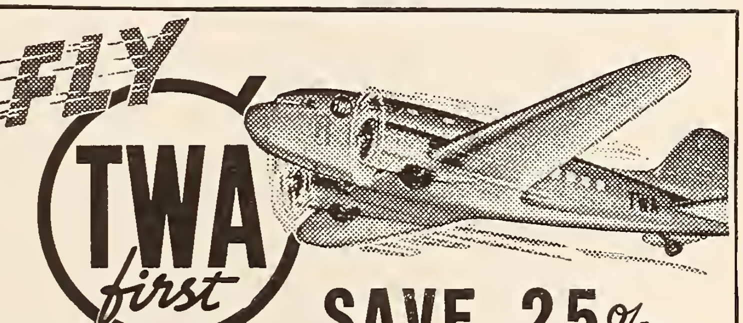
"THE HURRICANE" (U.A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 8th week. **Gross:** $3,000. (Average, $5,000) Held over for ninth week.

"THE BUCCANEER" (Para.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $7,000. (Average, $11,000) First week: $13,000.

"THE BAD MAN OF BRIMSTONE" (M-G-M)
"LOVE IS A HEADACHE" (M-G-M)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $7,000)

Melliott in New Job

Altoona, Pa., Feb. 28.—Douglas Melliott has been named manager of the Blair at Hollidaysburg, Pa.



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SHORTEST-FASTEST TWA first COAST TO COAST

Around the Country

Cincinnati

Jane Withers, heading the current RKO Shubert stage bill, and Lina Basquette, appearing on the same bill, gave air blurbs over WSAI during their local engagements. . . . John McCormick, general manager, and Bill Williamson, sales manager of WKRC, have returned from a trip to New York. . . . Ruth Lyons, music director of WKRC, has written a number of hit tunes.

Lincoln

Roy McGeorge, Lonnie Robertson and John Montgomery, the "Pine Mountain Boys," formerly with KFEQ, St. Joseph, Mo. and WAAW, Omaha, have been signed for a series on KFAB. . . . Jack Hanssen, KFOR special events announcer, had Ray Mertz on the air. Mertz, uncovered quite by accident, is an associate of Burton Holmes and has been around the world 14 times, in 42 countries and has a pipe collection valued at $30,000. . . . Jettabee Ann Hopkins, WOW continuity writer, spends her weekends here, which is all right with John Shafer, KFOR's program director.

New Haven

Representatives from all local radio stations are sitting on the joint radio committee for New Haven in connection with planning the air schedule for the Connecticut tercentenary celebration next summer.

New Haven Symphony and Civic Orchestra programs for young people at Woolsey Hall are now fed by WICC to Mutual coast-to-coast. The programs are carried locally by WBRY. The evening symphony concert series is fed by WICC to Colonial and carried partially by the station.

The Socialist Labor Party has purchased time on WICC Sundays at 12:15.

Los Angeles

George Jessel has left his post as production adviser and writer on the M-G-M air show, "Good News of 1938," to make a personal appearance tour with his Mutual air show troupe. He will open April 15 at Detroit.

Eddie Albright and his "Bookworm" program, reviews of current books, have returned to KNX and the Columbia Pacific chains Thursdays at 4:45 to 5 P. M. (P. S. T.). . . . The Euclid Candy Co., sponsoring Know Manning's "Headlines on Parade," on KNX and KSFO, will add, effective March 1, KOIN, Portland; KIRO, Seattle, and KVI, Tacoma, for 52 weeks.

W. C. Fields' return to the air after months of absence is scheduled March 7 on Lux in "Poppy." . . . Lord & Thomas on March 21 will start a new NBC Pacific Coast show for Pepsodent, to be called "Career Woman," a Monday-through-Friday script show, from 3:15 to 3:30 P. M. (P. S. T.).

"Oomph," Plus

When Toscanini wants a drum with sufficient "oomph," he gets it. Or need one be told that the maestro gets *anything* he wants?

The other afternoon, during a rehearsal of the NBC Symphony Orchestra, Toscanini decided that the drum in use did not roar sufficiently loud. NBC fervently searched New York for a drum big enough to please the maestro but such a one could not be found. Then a heroic-minded NBC official recalled the drum owned by Chicago University and used at football games. It is now rolling New York-ward aboard a special car. It is eight by four feet in size and, reputedly, can roar as loud as Toscanini.

The new drum will be used at the Carnegie Hall concert Friday night.

Oklahoma City

Bill Honeycutt, KADA, Ada, Okla., engineer, has just returned from Greenville, Tex., where he visited the home town. . . . Lieland Seay, KADA'S chief engineer, is the father of a 7-pound baby girl. . . . Bob Donley, announcer for WKY, here, has resigned to join the staff of WCAE, Pittsburgh. . . . John Blatt, radio promotion man for WKY, has returned from a business trip to Denver and Colorado Springs. . . . M. H. Bonebrake, WKY commercial manager, has returned from a business trip to New York. . . . Walter Cronkhite, WKY newscaster, is vacationing in Kansas City.

Pittsburgh

Tom Wilmot, who wrote Joe Penner's scripts three years ago, has joined the cast of "Under Western Skies," Derby Sproul's dramatic serial on KDKA. . . . .Darrell V. Martin, radio editor of the *Post-Gazette,* is on his annual two-week vacation, his brother, Ken Martin, the band leader, substituting for him. . . . Jack and Margaret Orriston, who do "The Newlyweds" sketch on KDKA, are writing and acting in a new comedy-mystery series, "Mr. and Mrs. Detective," on the same station. . . . Dan Munster has resigned his announcer's post at WCAE to accept a similar job with a Philadelphia station.

Carl Dozer, the WCAE announcer, and Helen Jane Douthitt have set June 28 for their marriage. . . . The WCAE studios have been completely soundproofed from top to bottom. . . . Chet Boswell, late of WOR in Newark, has become featured vocalist with Luke Riley's staff orchestra at WJAS.

San Francisco

The Titan studios have concluded arrangements to wax a series using union talent exclusively. . . . Pat Kelly is writing and producing a new interview series, heard each Wednesday on "Feminine Fancies," KFRC afternoon variety show. . . . Ernie Smith recently broadcast his 5,000th sports program over KYA, local Hearst station. . . . Johnny O'Brien, his "Harmonica High Hats," and Vocalist Lora Tringali, heard on the Red network shows via KPO, have been booked for four weeks with Carl Ravazza's band at the Hotel Sir Francis Drake.

KFRC Business at 3-Year High Point

San Francisco, Feb. 28.—Eighteen new accounts during the first two months of the year have lifted KFRC business to its highest level in three years, according to Manager Wilbur Eickelberg. Programs added to the schedule by the local Mutual outlet include "Ma Perkins," "Lone Ranger," "Listen," radio review; "Such Is Life," skit, thrice-daily newscast by John B. Hughes and "Morning Hostess."

Insurance Firm Sponsors Show

Des Moines, Feb. 28.—The Service Life Insurance Co. has assumed sponsorship of Herb Plambeck's farm news program on WHO, Mondays, Wednesdays and Fridays at 6:30 A.M. The agency is Presba, Fellers & Presba, Inc. Other new business at WHO includes: Grocers Wholesale Co., 13 periods of 15 minutes each, Saturdays, 9 A.M. through R. J. Potts & Co., Kansas City; Central National Bank & Trust Co., 26 periods of 15 minutes each, Saturdays, 6:45 P.M., through R. J. Potts & Co., and Oneida, Ltd., beginning April 7 for 13 periods of 15 minutes, Thursdays, 10:45 P.M., through Batten, Barton, Durstine & Osborn.

To Repeat Baseball Series

Columbus, Feb. 28.—WBNS, local CBS outlet, again will carry the broadcasts of the Columbus Red Birds' baseball games, with Johnny Neblett at the mike, as in former years. Neblett will go to Winter Haven, Fla., March 18, where the team is in training. General Mills and Socony Vacuum Oil Co., will cosponsor the broadcasts. They also sponsored last year's broadcasts.

Spitalny Program Bought

Pittsburgh, Feb. 28.—Maurice Spitalny's orchestra, featuring Billy Sherman, vocalist, has been sold by KDKA to the Fort Pitt Brewing Co. for a Monday night half-hour show over a 13-week period. The program will get under way March 21. Spitalny became the station's musical director just a few weeks ago and this is his first direct commercial here.

Signs for Baseball Scores

Pittsburgh, Feb. 28.—The Pittsburgh Brewing Co. has placed an order with both WCAE and WWSW for complete baseball score coverage twice daily during the coming season. The accounts were completed through the A. P. Hill Advertising Co. James Murray will handle the returns for WCAE and Joe Tucker for WWSW.

Store Buys Answer Program

Pittsburgh, Feb. 28.—A feature called "Answer," a new version of the question-and-answer game, has just been sold to the May-Stern Co., here by WCAE. It will be assigned to a half-hour spot every Friday night for the next 13 weeks. The broadcasts will originate from May-Stern's downtown store.

Marjorie De Vore to Wed

Cincinnati, Feb. 28.—Marjorie De Vore, member of the De Vore Sisters, featured on the "Moon River" program over WLW for more than two years, will be married tomorrow to James J. Braddick.

New Schedules Set On CBS Short Wav

Complete new time and operatir schedules for W2XE, CBS short wa station, will be effected March 7. Bo the European and South Americ directional antennas will continue be employed.

The new schedule follows:

Daily: 7:30 to 10 A. M., 21,520 kil cycles, 13.94 meters, European antenn 1 to 6 P. M., 15,270 kilocycle 19.646 meters, European anten 6:30 to 11 P. M., 11,830 kilocyc 25.36 meters, South American a tenna; 11 P. M. to 12 midnight, 6,1 kilocycles, 49.02 meters, South Amer can antenna.

Saturdays and Sundays: 8 A. M. 1 P. M., 21,520 kilocycles, 13. meters, European antenna; 2:30 to P. M., 15,270 kilocycles, 19.646 mete European antenna; 6:30 to 11 P. M 11,830 kilocycles, 25.36 meters, Sou American antenna; 11 P. M. to midnight, 6,120 kilocycles, 49. meters, South American antenna.

Sidney Returns Her But Does Not Tal

(Continued from page 1)

& Bowles, the agency handling t series.

At the agency it was said that t present contract still has about month to continue, and that a discu sion of a renewal would be prematu at this time.

However, it was pointed out at t agency that the rising C. A. B. rati on the program was encouraging. T program has shown a consistent ri in popularity, according to this repo especially during the past two mont

Sidney will remain in New Yo until the end of the week and th will return to Hollywood.

Aids U. S. Radio Policy

The government's efforts strengthen U. S. relations with Ce tral American and South Americ countries has spurred Atlas Rad Corp. to cooperate with the P American Union. Atlas yesterday se a special message to all its franchi holders and all stations featuring A las "Ports of Call" travel plays observe Pan American Day April with a program based on the tra tions, music and viewpoints of t other Americans.

Attend Albany Hearing

John J. Anthony, conductor of "T Good Will Hour," and Leon Gol stein, director of publicity of WMC are in Albany today to attend he ings on the Desmond-Breitbeit b with which Anthony and "The Go Will Hour" are identified.

Kidnapped Boys' Father on Ai

WHN, WMCA and WNEW w among the local stations which y terday broadcast a message from father of kidnapped Peter Levine New Rochelle, the youngster who d appeared some days ago.

Program to Add 2 Stations

"True or False," which will broadcast coast-to-coast on Mut shortly, will add two additional s tions, KWK and WFIL, at the sa time. J. C. Williams Co. is the sp sor, and J. Walter Thompson is agency.

Radio Personals ◀

RSON WELLES is sought as the radio director and writer to suc- d Charley Martin at the Biow ency. A matter of money is holding the deal. . . . Mrs. Phil Baker and children left Hollywood for New k last night, to be followed shortly Phil. . . . The Philadelphia Or- stra bank-sponsored series has the st subdued commercials in radio, l this program should serve as a de to other sponsors. Credit for fine restraint goes to Jim Sauter Airfeatures and the Wessel agency. bby Breen will return to the Can- show for three or four broadcasts, ginning this week. . . . Myron znick, Ltd., New York, has booked b Benchley on the Chesterfield hour rch 18. . . . Dick Bard will sail for 18-day southern cruise tomorrow.

✚

eggy Morgan, niece of Russ, is ging on WOV. . . . Esther Sand- married Jack Schiff last week. e bride is secretary to Martin ck of WNEW; the groom is sales motion manager for a local firm. . . . e Erskine Hawkins orchestra has n set for Brunswick recordings by A. . . . Martin Block, with Joe nes' orchestra and various guests, completed a lengthy series of nscriptions for Twenty Grand cig- ttes.

usicians Fight on Outside Work

KLAHOMA CITY, Feb. 28.—Consid- ble wrangling has been going on e between studio staff orchestras l other union musicians over the stion of whether or not studio or- stras should play outside of the tion. Musicians not affiliated with io stations recently signed a peti- n seeking to prevent radio staff hestras from accepting outside en- gements. Studio orchestra mem- s feel that they also should be wed to accept engagements else- ere.

To Speak at Theatre Meeting

NORMAN, OKLA., Feb. 28.—William Robson, New York, director of "Columbia Workshop," will be of the three principal speakers on program of the Southwestern gional Theatre Conference at the iversity of Oklahoma here March nd 5. Delegates from eight states luding Oklahoma, Texas, Arkansas, uisiana, Missouri, Kansas, Colorado l New Mexico are expected to end.

Business of KMTR Spurts

HOLLYWOOD, Feb. 28.—KMTR, ned and operated by Vic Dalton, experienced the greatest spurt of iness in its history. Since Jan. 1, station has doubled the amount time sold, and is almost completely ked, except for two spots in the evening.

KFOR Quits Air Earlier

INCOLN, Feb. 28.—KFOR now s off the air a half-hour earlier htly except Saturday, which is a l hour shorter, in order to keep vn overtime to the engineers. It o takes to the air an hour later ndays.

ITOA Hits at Neely Measure As 'Headache'

(Continued from page 1)

have been a motion picture exhibitor," the statement reads. "Picture the proposition of a film salesman sitting down and, to quote the exact language of the bill, telling the exhibitor as follows: 'We are selling you a group of pictures and the following are the stories, incidents and scenes which are to be depicted. The dialogue depicting vice, crime and sexual passion is contained in the following statement,' and then he hands the exhibitor a statement. What a lot of poppycock, what a lot of ridiculous nonsense.

"The film business and the sales methods today are bad enough; picture what would happen where the individual exhibitor should try to analyze for himself whether he wanted to buy a picture based on dialogue, etc., as mentioned above. Sure, we are in favor of the elimination of blind buying. We would like to know the stars and the directors and the authors of the pictures we are buying, but we sincerely believe that this is an industry problem and has no place in legislative halls. . . .

A. F. Myers Criticised

"But not knowing how much product to count on is like building a swimming pool without knowing whether or not there is water enough to fill it. Under the Neely-Pettengill bill the cost of sales to exhibitors would mount to terrific heights and would make the cost of all film to exhibitors prohibitive."

The I. T. O. A. editorial says that "if we could get rid of A. F. Myers, we could work out harmoniously within the industry the problems that are so necessary to be worked out." The New York group intends to hold a trade practice conference, regardless of Allied States' unwillingness to participate, with the M. P. T. O. A. represented, to work out a readjustment of industry problems.

Allied Unit Calls Session

BOSTON, Feb. 28.—Independent Exhibitors, Inc., will hold a special meeting tomorrow afternoon for what is described as "a conference with public spirited civic organizations to enlist their support in securing enforcement of anti-trust laws in our industry."

Fleischer Plans Feature

Plans for the production of a feature-length cartoon in color and using third-dimensional effects have been completed by Max Fleischer and Paramount. The film. as yet untitled, will be started in the present Fleischer studio in New York and will be completed in the producer's new Miami plant now under construction and which will be completed about Aug. 15.

Sets Deal on "Kathleen"

J. H. Hoffberg returned yesterday from a Midwestern trip, during which he closed for a showing of the Irish film "Kathleen," which he is distributing, at the Sonotone in Chicago, for an indefinite run.

Start Hearings on License Bill Today

(Continued from page 1)

tion with assets over $100,000, other than an individual, would be required to obtain from the Federal Trade Commission a license to engage in interstate commerce, and in its application would be required to furnish intimate details of its financial setup; its contracts for management or service; the amount of stock held by each officer and member of its directorate; its stock interests in other corporations, and the like.

Corporations which are unlawful trusts or combinations in restraint of trade are parties to any contract, combination or conspiracy in restraint of trade, or which monopolize or attempt to monopolize trade would be denied licenses.

Several Conditions Imposed

Operation under licenses would be subject to conditions, including a requirement that officers be stockholders, and that no bonus or commission in addition to salary will be paid to any officer or director except after a stockholders' meeting and vote. Adoption of monopolistic practices or violation of any of the conditions set forth by the Trade Commission would be cause for revocation of license.

The bill is claimed by it proponents to be sufficient to make the anti-trust laws effective without the modernization which President Roosevelt asked at the beginning of the present session of Congress.

Cinecolor Asks SEC To Approve Changes

WASHINGTON, Feb. 28.—Amendment of the registration statement of Cinecolor, Inc., was received today by the Securities and Exchange Commission, in which the company showed that the proposed offering would consist of 104,142 shares of $1.50 par common stock to be sold through underwriters at $1.50 per share, returning $156,213, and 25,500 shares to be given the underwriters for services, to be resold at the same price.

The amendment showed that the company's receipts from the operation would be used in part for machinery and equipment contracts and as working capital.

Reisman to Return Soon

Phil Reisman, RKO foreign sales manager, will arrive next Monday on the *Queen Mary*. He left for London about three weeks ago, and while there set deals on "Snow White and the Seven Dwarfs," including a minimum run of 20 weeks at the New Gallery Theatre. Reisman presided at a meeting of European staffs in Paris. The Disney feature was screened at the meeting, and the sales managers present voluntarily raised their quotas in the Ned E. Depinet sales drive 50 per cent.

The China territory continues to hold the lead it has done for seven weeks among RKO foreign forces in the Depinet Drive. Panama is in second place, with Dutch East Indies following. Other leaders are Chile. Brazil, United Kingdom, Egypt and Straits Settlements, all being over quota in billings.

THEATRE ACCOUNTING

by

WILLIAM F. MORRIS

(Certified Public Accountant)

A system devised expressly for keeping a correct tabulation of receipts and expenses.

All the information required by the Social Security Act can be easily and quickly obtained both weekly and for longer periods as the total is accumulated.

TELLS ALL THE FACTS ABOUT YOUR BUSINESS EACH WEEK

- Payroll data for Social Security Taxes.
- Profit at a glance—Daily or Weekly.
- All expenses deducted—including Rent, Taxes and Depreciation.
- Complete record of advance bookings.
- Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.
- Does not require a bookkeeper to handle it.

$4 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
Rockefeller Center New York

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER - - NEW YORK
GENTLEMEN:
Please send me WILLIAM F. MORRIS' THEATRE ACCOUNTING. Enclosed find remittance of $4.00.

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ADDRESS........................
CITY ....
STATE ....

British Say U. S. Films Caused Loss

(Continued from page 1)

the C. E. A., but the belief was expressed that the building wave is waning.

Regarding the Films Bill, the report expressed gratification at the inclusion of the clause requiring a viewing board on quota eligibility. The report expressed regret at the lack of unity current in the industry today, particularly within the exhibitors' own camp. Citing the new labor policy, the report urged that members settle their own problems and set up a conciliation board.

Kenneth A. Nyman of the London Branch will become president of the C. E. A. on March 8.

Lords to Seek Film Council Substitute

London, Feb. 28.—Members of the House of Lords with labor leanings are expected to introduce a motion in the upper chamber of Parliament seeking to substitute a Films Commission for the Films Council in the Films Bill, which has been passed by the House of Commons.

The Films Council provision is incorporated in the measure as it now stands. It is anticipated also that the same members of the House of Lords will seek amendments providing for additional safeguards for labor with respect to fair wages. The House of Lords is expected to receive the measure for second reading on Thursday, with the committee report stage to follow within a few days thereafter.

Hake Takes Over His New Australia Post

C. V. Hake, 20th Century-Fox assistant foreign manager, has arrived in Australia to be managing director for that territory, succeeding Stanley Crick, resigned. Hake for nine years was managing director for Japan, then for one and a half years was assistant to Walter J. Hutchinson, general foreign manager, at the home office.

Crick, a native of Australia, joined the company in Sydney in 1919, about two years later becoming managing director. His future plans are not known here.

Edward A. Lomba, formerly managing director in Spain and later central European assistant head, has taken over the duties formerly supervised by Hake at the home office.

Expect Boston Hearings

Boston, Feb. 24.—This year's two film censorship bills should reach the public hearing stage this week. Joint consideration before committee was postponed last Wednesday. One bill would have a commission formed to license films. The other bill would have a licensing and censoring bureau within the Department of Education.

E. K. Employes Share

Rochester, Feb. 28. — Eastman Kodak Co. employes tomorrow will receive checks totaling $3,425,000, in payment of the largest wage dividend since the company's profit-sharing plan was adopted in 1912. Employes throughout the world will share.

RKO Plan Amendments Aim To Hasten Reorganization

(Continued from page 1)

on RKO reorganization plan submitted to the Federal court last fall by Special Master George W. Alger was based upon RKO's earnings for 1935, 1936, and the first half of 1937, and included the supposition that the company's earnings would continue at the same rate of improvement as had been recorded during 1935 and 1936.

The court pointed out, however, that there had been a "material change" since Alger's report had been submitted, and that the RKO financial picture now was such as to completely invalidate the special master's report insofar as the feasibility of the reorganization plan in its original form is concerned.

RKO's 1936 net earnings amounted to $2,514,734. The net for 1937 is estimated at approximately $1,900,000, most of which was earned during the first half of the year, with the exception of theatre earnings, which continued on a fairly even level throughout last year.

"If the creditors could not agree on a new plan now," Judge Bondy observed, "we would have to liquidate the business."

Cites Need of Amendments

"We don't need an entirely new plan," Rickaby interposed, "merely some amendments to the present plan and considerable progress has been made on these already."

The basic amendments being sought by the creditor groups include a reduction of the fixed charges to be met by the new company under the capitalization and interest and dividend charges set up in the original plan and revision of the underwriting terms for a new $1,600,000 stock issue to increase the attractiveness of the investment in view of prevailing market conditions.

Replying to Berenson's protest against a further delay in the reorganization hearings Judge Bondy exclaimed: "It is inconceivable for anyone who has the interest of this reorganization at heart to oppose an adjournment of this kind."

Joe Goetz Is Reelected

Cincinnati, Feb. 28.—Joe Goetz, manager of the RKO Paramount, and founder of the Cincinnati Bookers' Club, said to be the only organization of its kind in the country, was reelected president for the third consecutive year at the annual meeting last week. James Brunetti, chief booker of the Warner exchange, was reelected secretary and treasurer. There are no other officers.

The club will hold its second annual dance and frolic at the Hotel Alms April 19, according to Charles Weinberg, chairman of the entertainment committee.

Re-Signs William Boyd

Hollywood, Feb. 28.—Harry Sherman has signed a new two-year contract with William Boyd, star of the "Hopalong Cassidy" series which Paramount releases. Boyd ranked second in the exhibitors' poll of western stars conducted by *Motion Picture Herald.*

Looks Like Profit

It looks finally as if James Hood MacFarland is to show a profit on his 105-acre farm at Red Bank, N. J. The operations themselves are in the red, the agricultural situation being what it is. But Uncle Sam has promised to pay MacFarland $100 on account of soil conservation and the state of New Jersey, plus the Federal Government, owes him $125 for a condemned cow. Now all MacFarland has to do is to collect.

Republic's Studio Changes Complete

Hollywood, Feb. 28.—Realignment in the duties of the executive personnel at the Republic studios on the coast has been completed, with Moe J. Siegel, president of Republic Productions, taking on the duties and title of managing director of the producing company, in complete executive charge of the studio.

Moe Siegel will now have less to do with active production, and Sol C. Siegel is moved up to the post of producer of all features. Charles E. Ford completes the executive producer roster, stepping into Sol Siegel's old spot as producer of all westerns and serials. Republic has about 40 features, 24 westerns and four serials scheduled for 1938-'39 production.

The changes were announced with the arrival on the coast of Moe Siegel and Ford from New York, following conferences with H. J. Yates. All associate producers and producer-directors will be answerable to Sol Siegel and Ford.

Preparing "Internes"

Hollywood, Feb. 28.—Reaction to "Prison Nurse" has impelled Republic to advance production of "Internes Don't Tell," based on the novel, "The Interne." Martin Van Laas is preparing the adaptation. The film has been stepped up in the release schedule.

20th-Fox Selling Its New Series of Shorts

Twentieth Century-Fox sales staffs are already selling the new season's shorts program, along with 1938-'39 features, although production on the shorts will not begin until summer. The present releasing contract with Educational will terminate July 31.

While plans will not be officially announced until the company's sales conference in Kansas City, April 1 and 2, it is known that 20th Century-Fox will make 52 one-reelers to be released on the basis of one a week. There will be series featuring Lowell Thomas, Ed Thorgerson and Lew Lehr. No titles are scheduled in contracts.

A period of two years will be required for liquidation of all Educational shorts accounts served through 20th Century-Fox, but no Educational releases will be set beyond the present season.

Actors Again Favor Federal Art Burea

Washington, Feb. 28. — Declari that a "militant campaign" would waged until legislation was enacte Burgess Meredith, acting president Actors' Equity, today told a su committee of the Senate Educatic and Labor Committee that actor producers and artists are a unit favor of the Pepper bill for creatic of a permanent Bureau of Fine A

The measure is the same, in p ciple, as the Sirovich bill on whic the House Patents Committee he hearings early in February.

Meredith gave his unqualified su port to the measure, which would r place the WPA arts projects with permanent setup.

He read a telegram from Robe Montgomery, president of the Scree Actors' Guild, giving the endorsemen of that organization.

The hearings, at which Senato Pepper of Florida, author of the bil and Ellender of Louisiana represente the committee, were, generally, a "r hash" of the House hearings.

Added attractions, however, we Lillian Gish and Jane Cowl.

Orson Welles told the committe there is need for Federal aid if th country is to continue to have dram Other witnesses included Roy Harri representing the musicians; Theodor Dreiser, author, and Rockwell Ken artist.

Tomorrow the committee is expecte to hear the parade of WPA official who took an entire day to tell th House Patents Committee of the Gov ernment's achievements in the field c art.

Grant Jurisdiction To T. M. A. T. Unio

A strike of legitimate theatre man agers, press agents and box-offic treasurers was averted last night whe the League of New York Theatre agreed to grant jurisdiction over man agers to the Theatrical Manager Agents and Treasurers Union. Con ferences lasted 10 hours.

House managers will now be repre sented by the union as their bargain ing agent, this being the point at issu The league demanded that all com pany and house managers be mem bers of the union.

The union will now negotiate indi vidual agreements on wages and work ing conditions.

The ultimatum recently given fil houses by the union has been extende pending a settlement with the legiti mate theatres.

Lodewick Vroom, executive directo of the union, has succeeded the lat Theodore Mitchell as president, an Saul Abraham has replaced Vroo as vice-president.

Defer Four A's Ruling

Settlement of the jurisdictional dis pute between the American Federa tion of Actors and Chorus Equity ove night club and presentation house per formers was postponed until tomorro by the council of the Associated Actor and Artists of America, the paren A. F. of L. entertainers' union, yester day. The question was made a specia order of business for tomorrow meeting.

Jurisdiction over the contested group has rested heretofore with Choru Equity but was claimed severa months ago by A. F. A.

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Tobacco Firm To Cancel Two Web Programs

Recently Cancelled Air Show from Warners

The American Tobacco Co., which ently abrogated its agreement with rners for that studio's program, our Hollywood Parade," will can- two additional network programs, was reliably learned yesterday.

The programs slated for cancella- n, both effective in April, are Ed- C. Hill's news commentaries on S, and "Melody Puzzles," on C. The Hill program will fade ril 1 and "Melody Puzzles" will off the air April 4.

Meanwhile, it has been decided defi- ly that Kay Kyser's "Musical lege," currently on Mutual, will be replacement series for the War- program. The Kyser show will

(Continued on page 8)

WPA Plans More Air Work, Senators Told

Washington, March 1.—WPA of- als today repeated before a Senate ucation and Labor sub-committee recital of the achievements of the ious arts projects under the ad- nistration of Mrs. Ellen Woodward ich they delivered last month be- e the House Patents Committee ing hearings on the Sirovich bill a Department of Science, Art and erature.

The Senate group is holding hear- s on the Pepper bill to create a

(Continued on page 8)

Additional developments in radio yesterday on page 8.

In Luck Again

WOR again is in luck. The station will broadcast a description of the intercollegiate meet in the Garden Saturday night from 9:30 to 10:15 P.M. NBC, which purchased exclusive radio rights to the games last summer, is unable to place the games in its Saturday night schedule because of the Toscanini concert. Last week, for the same reason, NBC gave away to WOR the air rights to the A. A. U. meet. Dave Driscoll will be at the "mike" for WOR Saturday.

Berman Talks Will Be Concluded Soon

Conferences looking to the designation of Pandro S. Berman as head of the RKO studio are expected to be concluded by the end of the week, a high company official stated yesterday. The conferences have been proceeding daily and considerable progress has been made already, it was said.

Also involved in the deliberations under way is an initial assignment for J. R. McDonough, newly elected vice-president of RKO Radio Pictures, with present indications pointing to a post as financial liaison between home office and studio. McDonough's studio assignment will not be a permanent one, however, and his future work will involve establishing headquarters here as well as in Hollywood, it was learned.

Leo Spitz, RKO president, and Jules Levy, sales manager, will accompany Berman and McDonough to

(Continued on page 6)

Circuit Deals on "Snow" Are Closed

National Theatres yesterday closed a deal with RKO on "Snow White and the Seven Dwarfs" at 35 per cent of the gross. A national deal was also set with the Warner circuit on substantially the same terms. The terms asked by the distributor called for a higher figure and negotiations resulted in a compromise.

RKO announced that these contracts "represent in gross rentals one of the most important single feature deals in the history of the industry." A contract with Lucas & Jenkins in Atlanta also was closed yesterday, it is understood. With major deals consummated, selling on the film is now opened for the rest of the country.

Circuit contracts closed so far provide for the picture to be single featured and admission price increases in

(Continued on page 6)

Republic to Make 40; Siegel Heads Studio

Hollywood, March 1.—Clearing the way for J. R. Grainger to assume the presidency of Republic Pictures, Inc., Moe J. Siegel, who at present holds the post, today was given the position as managing director of all Republic production. His brother, Sol. C. Siegel, who had been in charge of all westerns and serials, was made head of feature production, and Charles E. Ford, who recently joined the studio after severing his Universal newsreel connections, assumes the western-serial position.

Coincidental with these changes, it

(Continued on page 4)

Federal Trust Cases Coming, Capital Hears

Justice Department Near End of Film Probe

By BERTRAM F. LINZ

Washington, March 1.—Investigations of operations in the film industry which have been under way for the past year or more are nearing completion and may result in the initiation of a number of anti-trust prosecutions against the major distributors, it was learned today.

Field agents of the Department of Justice are said to have visited every exchange territory in the country to look into charges filed by independent exhibitors against block booking practices and the alleged inability of independents to secure first class product because of producer-distributor theatre ownership.

Other than to admit that the field work is about completed and that considerable time will be required for

(Continued on page 6)

Says License Law Would Hurt Trade

Washington, March 1.—Enactment of legislation requiring the Federal licensing of corporations engaging in interstate commerce will serve only to further slow up recovery, a Senate Judiciary sub-committee was warned today by Elmer T. Cunningham of New York, former president of the RCA Mfg. Co., at the opening hearing on the Borah-O'Mahoney bill.

Immediate need is for action to bring about permanent recovery and increased employment, Cunningham said, suggesting that better results

(Continued on page 6)

Film Houses Target Of Managers' Union

An organization drive to make front of the house employes at film theatres "100 per cent union" is to be undertaken by the Theatrical Managers, Agents and Treasurers Union, according to Lodewick Vroom, president. The union now claims sufficient representation to act as the bargaining agent for managers, assistant managers and cashier at a number of film houses.

Demands for recognition were submitted to major and independent circuits and individual theatres in the metropolitan area early in February,

(Continued on page 6)

Work Increase To Be Problem At Union Meet

Wages to Be Secondary At IA-Studio Talks

Methods of spreading and increasing employment of studio union members looms as the most important subject on the agenda when producers and heads of the international labor unions convene here late this month for their annual wage and hour negotiations under the five-year basic agreement.

For the first time in years wage increases loom as a secondary bargaining issue for the negotiations. The approximate 20,000 members of the unions included in the basic agreement won 10 per cent increases in 1936 and 1937. With studio labor costs near their all-time peak and with theatre grosses in a decline, union leaders this year avowedly are more interested in measures for spreading employment than in bargaining for sweeping wage increases.

The I. A. T. S. E. already has put forward its proposal for a four-day week to spread studio employment and the American Federation of Musicians has been studying means of increasing studio employment of musi-

(Continued on page 6)

Monogram to Hold St. Louis Meeting

Monogram franchise holders will meet at the Coronada Hotel, St. Louis, March 4, 5 and 6, for their first conference on new season production plans, W. Ray Johnston, Monogram president, said yesterday.

The holding of the St. Louis meeting alters earlier plans for having an

(Continued on page 6)

Ohio Cuts Drop

Columbus, March 1.—The smallest number of eliminations for any one month in more than two years were ordered by the Ohio censor in February, when 13 cuts were made from a total of 525 reels reviewed. This compares with 451 reels and 24 cuts in January.

In February, 1937, 533 reels were reviewed, and 18 eliminations were ordered.

MOTION PICTURE
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Inspections Saving Reported to Allied

A report on savings made through inspections of electrical installations and current bills by a consulting company was given to members at a meeting of Allied of New Jersey at the Lincoln Hotel yesterday, with Irving Dollinger presiding. Individual members have retained the service.

During a discussion on the Neely-Pettengill anti-block booking bill, members expressed the opinion that it would pass. A proposal was submitted for group buying of life insurance.

Studio Transfer Is Set

Final papers in the transfer of the Warner Vitagraph studio in Hollywood to Standard Pictures Corp. have been prepared and require only the formality of final signatures, it was stated yesterday by B. W. Richards, president of Standard.

"Monastery" Booked

"Monastery" will have its New York premiere March 9 at the Squire.

Purely Personal

KARL MACDONALD, Warners' foreign division manager, will leave Friday on a flying trip to Miami and then to Kingston, Jamaica, to conclude a circuit deal. He will return in 10 days or two weeks.

●

WILLIAM A. SCULLY, Universal general sales manager, will visit the New Haven and Boston exchanges this weekend. The following week he plans to visit the Charlotte and Atlanta branches.

●

ALBERT LEWIS in June will produce on Broadway "Romance on Rye," comedy by MARCEL KLAUBER and ARTHUR JARRETT, with a Hollywood background. He has just acquired rights to the story.

●

PAT ROONEY, long a star of the variety stage, will recreate some of his well known routines in "Everything's Rosy," Vitaphone two-reel subject now in production.

●

HELEN CLARKSON has been transferred from the Chicago to the New York production unit of the Jam Handy organization to work with the sales force.

○

ARTHUR A. LEE, G. B. vice-president and general manager, will arrive today from the coast by plane. He has been on a tour of company branches.

●

JACK PARTINGTON of Fanchon & Marco will arrive in St. Louis today for conferences with HARRY ARTHUR. He is expected back early next week.

●

EMANUEL COHEN will sail on the *Conte di Savoia* today for a two or three months' vacation in the Mediterranean, Paris and London.

●

WILLIAM J. CLARK, head of 20th Century-Fox shorts and news distribution, plans an extended field trip beginning late next week.

●

J. J. SULLIVAN, National Theatres film buyer, has deferred his trip to New York, and is due to arrive here next Monday.

●

MRS. THOMAS MEIGHAN will sail tonight on the *Conte di Savoia* for a Mediterranean cruise.

●

BOB GILLHAM is expected back from the coast this weekend.

Film Men Sail Today

Clarence Brown, M-G-M director, will sail on the *Normandie* at noon today for a European vacation. Other passengers are Mrs. Irving Asher, wife of the head of Warners' Teddington studios, who has been visiting in Hollywood and New York, and Jean Claude Bernard, French independent producer. The latter went on the *Normandie's* South American cruise after arriving here about three weeks ago.

"Murder" Is Holdover

"A Slight Case of Murder" will be held over at the Strand for a second week.

Chicago Dual Bill Fight in a Muddle

CHICAGO, March 1.—Members of the City Council, local club women and exhibitors here were in a quandary today as a result of yesterday's hearings on the double bill situation, which was a dismal failure. The next move is up to the council committee which was named to investigate the duals problem, and if there are any plans for the introduction of an ordinance designed to end duals, it probably will be revealed when that group makes its report.

The withdrawal of Parent-Teacher Association support from exhibitors who are opposed to duals was a serious blow. Mrs. Louis Perlman, organizer of the "All Chicago Mothers' Club," designed to fight duals, was charged by several persons attending yesterday's hearing with being a paid representative of an independent producers' group. The charge was denied later. The indications are that the dual bill battle here will be relegated to the background, at least until a new method of combating the practice is devised.

Vidor Due to Direct Metro English Film

By AUBREY FLANAGAN

LONDON, March 1.—King Vidor will arrive here in 10 days to direct the M-G-M English production of A. J. Cronin's novel, "The Citadel," according to Victor Saville. Later Sidney Franklin will come to this country to direct "Good Bye, Mr. Chips," the James Hilton story.

In addition, said Saville, a Robert Montgomery subject is in preparation, as well as the Wodehouse comedy, "If I Were You:" a crook comedy with Wallace Beery and Spencer Tracy in "National Velvet." An uninterrupted program of production is planned.

Start English Suit On Financing Films

LONDON, March 1. — William Charles Crocker, a leading figure in the recent investigation into film financing which was initiated by Lloyds underwriters, has named Philip Vos, well known attorney, to represent the re-insurers in proceedings launched by the Guildhall Insurance Co.

The action has been brought against a number of Lloyds underwriters relative to re-insurance claims. It is generally understood that this action is the first of many similar cases.

Executives to Aid Fund

O. Henry Briggs, Leo Spitz, Frank C. Walker, Leo Brecher and Gilbert Miller have been named to the sponsoring committee list of The Greater New York Fund, an organization for the financing and coordination of over 800 private health and welfare agencies which seeks to raise $10,000,000 for its work from business firms and employees starting May 2.

Meyer Fox Is Married

BOSTON, March 1.—Meyer Fox of Columbia Pictures in Boston and Eleanor Gardner were married Sunday in Roxbury. Philip Fox, Columbia Albany manager, was present.

Order Claims Filed On French M. P. Cor

Creditors of the French Motion Picture Corp., distributors of French film in North and South America, yesterday were ordered to file their claim with Special Master John E. Joyc before March 18 by Federal Judg William Bondy in the U. S. Distric Court here. A hearing at which cred tors and stockholders will be rep sented was ordered held on March before the special master.

The debtor was authorized to co tinue royalty payments to produce whose films are being exhibited, b the order did not carry approval the contracts. The corporation's pet tion for permission to reorganize und section 77B of the bankruptcy law w approved by Judge Bondy on Feb. 2

Frances Farmer to Testify

Frances Farmer Erickson, know professionally as Frances Farme was ordered to appear for an exar ination before trial on March 7 Justice Bernard L. Sheintag in t N. Y. Supreme Court yesterday. T examination was sought by Shepa Traube, an agent, who is suing her f $75,000 damages for an alleged brea of contract.

Order Examination in "U" Suit

An examination before trial of t books and records of Universal P tures Corp. will be sought before J tice Bernard L. Shientag in the N. Supreme Court today by Jack Fo ler, his guardian, George E. Nett and Raymond F. Fowler.

The suit is based upon an alleg exhibition of one of the "Strange It Seems" series in which young Fo ler was shown smoking a cigar a pipe. It is claimed that no permiss was granted for the exhibition.

Farnols to Get Welcon

When Lynn Farnol of Donahue Coe and Mrs. Farnol reach the ot side on a 30-day Mediterranean cr aboard the *Conte di Savoia*, they have had their way well paved fo warm reception. The Farnols leave tonight, armed with a letter introduction from Spyros Skouras his nephew in Athens, Tha Skouras, who represents some of film companies there. They will bear introductory letters from M rice Silverstone of London Films Arthur W. Kelly of United Artist their representatives in the Medi ranean basin. In addition, Mario L orini, U. A. chief in Rome, is an friend. The Farnols also have ranged for a plane jaunt from H Palestine, to Jerusalem, to Ca They are due back here April 1.

Has Pershing's Stor

HOLLYWOOD, March 1. — San Goldwyn last night stated that John J. Pershing had submitted him an incomplete manuscript of life story with the recommenda that Gary Cooper portray the role. The commander of the A. was engaged on the story when was taken ill. Further negotiat are pending.

Albert Warner Robb

MIAMI BEACH, March 1.—A Warner reported to the police ye day the theft from his home her jewelry which he valued at $90 It was insured.

BIG WORDS!

"'A Yank at Oxford' a first-class comedy . . . One of the most enjoyable of the season . . . Robert Taylor's engaging personality has much to do with the picture's enthusiastic reception at the Capitol."
—*KATE CAMERON, DAILY NEWS*

"A picture for any fan . . . charming, colorful, exciting, witty and tender . . . refreshingly different . . . Direction brisk, smart, inspiring to the gifted players . . . The film should add a masculine following to Robert Taylor's impressive army of feminine fans."
—*BLAND JOHANESON, DAILY MIRROR*

"Thoroughly entertaining . . . You'll find it fun."
—*ROSE PELSWICK, JOURNAL-AMERICAN*

"Uncommonly diverting show . . . A fresh background, and an entertaining one."
—*FRANK NUGENT, TIMES*

"A cracking good picture . . . dash and excitement . . . dry and likeable humor . . . characters well played."
—*EILEEN CREELMAN, SUN*

"Gay, happy-go-lucky . . . artfully and entertainingly told by a superior cast . . . Excellent . . . Really robust, rollicking, amusing . . . directed and performed with rare skill . . . Robert Taylor thoroughly ingratiating personality, as well as a comedian of the first rank . . . Fine mixture of first-rate acting, lively story-telling and expert direction. Undoubtedly one of the comedy treats of the early season."
—*WILLIAM BOEHNEL, WORLD-TELEGRAM*

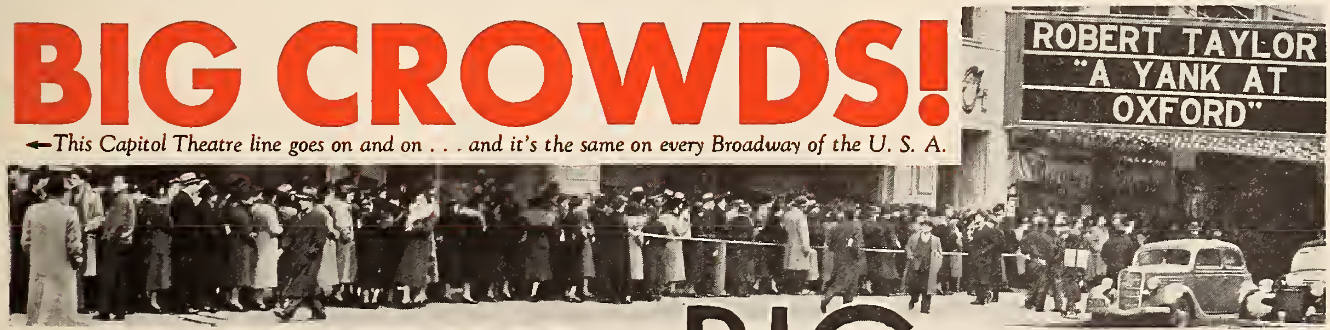
"An engaging film . . . smart direction . . . consummately cast . . . Mr. Conway has conjured up much charm . . . Robert Taylor plays the Yank with conviction."
—*HOWARD BARNES, HERALD-TRIBUNE*

"First-rate cast . . . witty and dramatic . . . Robert Taylor's best effort to date . . . Taylor fans and others will find much to enjoy."
—*ARCHER WINSTEN, POST*

"Action picture . . . with a bag of gags that are crisp with freshness . . . Bright entertainment every foot of the way . . . Robert Taylor justifies the enthusiasm of his following."
—*HERBERT COHN, B'KLYN-EAGLE*

BIG CROWDS!

←*This Capitol Theatre line goes on and on . . . and it's the same on every Broadway of the U. S. A.*



HELD OVER 2nd BIG WEEK!

Newsreel Parade

Movietone News
Vol. 20, No. 49

(20th Century-Fox)

Expert handling of feature material produces such diverting results for this release that the scarcity of spot news of consequence, if noted at all, is no cause for disappointment.

On the feature side, and all good of their kind, are the rescue by a ski squad of a Wyoming calf lost in the snow; a pet dog assured an unfailing supply of dog biscuits when willed $30,000 by his Chicago mistress; Robert Wadlow, 8 feet, 8½ inches on his 20th birthday with another year in which to grow, and Lew Lehr in a diverting bit of spoofing of the so-called wrestling bouts.

Feature material of lesser interest includes a Chicago welding school presided over by a woman and a snow fight by bathing beauties on a California beach.

In the news category are the return of the Army's six "flying fortresses" to Langley Field, Va., from their 12,000-mile flight to South America and back; Herbert Hoover receiving Belgium's citations; General Franco and the Spanish insurgent cabinet after the Teruel victory; the new Roumanian officialdom; James Roosevelt departing for Puerto Rico in his capacity as a lieutenant-colonel of Marines, and the arrival in New York of the three sisters of King Zog of Albania. Sports events include the outstanding winners at the recent A.A.U. meet in Madison Square Garden and individual ski-jumping styles at a New Hampshire meet. Running time, 10 mins. K.

News of the Day
Vol. 9, No. 247

(M-G-M)

Flood scenes from the Red River district of Arkansas lead in interest in this feature-laden release. The reel includes a good variety of subjects and is of average entertainment quality.

The sweep of water, resultant damage and flood prevention work in the inundated Arkansas area are well photographed and constitute an impressive bit of camera reporting. Considerable footage is given over to England's rearmament activities, defenses and war drills, with King George VI on an inspection tour with military leaders. Highlights of General Pershing's career, pointed by his critical illness, are included. Glimpses of New Orleans' Mardi Gras celebrations are without novelty. The arrival in New York of the three sisters of King Zog of Albania, a staged snow fight by bathing beauties at the Venice, Cal., beach; an Idaho "mushing" race with dog teams; Navy bouts at Long Beach, Cal., and shots of the principal events at the A.A.U. indoor track meet at Madison Square Garden complete the reel. Running time, 10 mins. K.

Paramount News
No. 60

(Paramount)

A well-rounded issue, this number offers numerous clips of general interest, and although none is outstanding, all are adequately covered and reproduced. The reel opens with the highlights of the National A.A.U. Meet in New York, with the amazing Glenn Cunningham setting another world mark.

George VI is seen inspecting an English arms factory, working at top speed, while Ishbel MacDonald is shown with her new husband, a house painter, in an English village. Dr. Townsend leaves Los Angeles amid the cheers of many, and arrives in Washington to be greeted by Congressmen, as he seeks reversal of his contempt jail term. Throngs of visitors watch the floats in the New Orleans Mardi Gras, and a small dog gets his dinner elaborately, for he has been willed $30,000.

National affairs are covered with the return of the six Army bombers on a good will mission to Buenos Aires, and are seen in that South American capital, while Admiral Land of the Maritime Commission speeds studies of new ships. Fast action on the basketball court pictures Army beating Navy and Notre Dame trimming N.Y.U.

Running time, 9 mins. A.

RKO Pathe News
Vol. 9, No. 64

(RKO)

Eleven items have been crowded into this issue. The effect is interesting. Outstanding clips include shots of flood victims harbored by the Red Cross in Arkansas, while workmen raise the levees; former President Hoover emerges from the tomb of the late King Albert of Belgium, and the new seagoing tank, designed for flood rescue work, is shown in action at Clearwater, Fla.

The rest of the reel includes a 16-year-old winning the National Senior Women's Figure Skating crown in Pennsylvania; the arrival in New York of the three unmarried sisters of King Zog of Albania; Dr. Townsend arriving in Washington to fight a contempt conviction; Democrats listening to Robert H. Jackson, a New Deal leader; James Roosevelt embarking for Cuba to engage in training with the Marines; shots of the annual Mardi Gras at New Orleans; European ski stars competing in the Alps, and good camera work on the winning of the Santa Anita Handicap by an eight-to-one shot.—Running time, 8½ mins. A.

Universal Newsreel
Vol. 10, No. 645

(Universal)

There is plenty of variety in this issue. It ranges from the return of six Army bombers from South America to the winning of the Flamingo stakes at Miami.

In between there are shots of a flood at Fulton, Ark.; bathing beauties throwing powdered ice at each other at Venice, Cal.; Robert Wadlow, the eight-foot 20-year-old boy, at home; the arrival of King Zog's three sisters; Dr. Townsend arriving at Washington to serve a 30-day jail sentence; King Farouk of Egypt doing something or other; Ishbel MacDonald with her new husband; Deanna Durbin arriving in New York· the Mardi Gras parade at New Orleans; the A. A. U. track meet at Madison Square Garden and a basketball game between Notre Dame a
New York University.

The two last named sport numb
are really exciting and well pho
graphed, but some of the others
just filler. Running time, 9 mins.

Hollywood Preview

"Dangerous to Know"

(Paramount)

Hollywood, March 1.—This is at heart a gangster picture in the original sense of the term, derived by William R. Lipman and Horace McCoy from a play by the late and somewhat bloodthirsty Edgar Wallace. But it is less as such than as a vehicle for the oncoming Akim Tamiroff of "The Buccaneer" and the always picturesque Anna May Wong that the film has box-office significance. Gail Patrick, Harvey Stephens, Lloyd Nolan, Anthony Quinn, Roscoe Karns and Hedda Hopper are other players in prominent roles. The performances of the not at all commonplace leads combine with certain novel production angles to distiguish the picture from others in its essential wavelength and promise better than average reception.

Miss Wong is household hostess for Tamiroff, teetotaler gangster risen to political and financial control of his city and ambitious for social acceptance. He is making headway in this direction when he falls in love with Miss Patrick, socialite, whom he forces to the brink of marriage by framing her sweetheart on a robbery charge. When his affairs have become nicely snarled and he has issued orders for the murder of his ninth victim, Miss Wong commits suicide and he is accused of her murder by a police inspector who knows he is innocent but is determined to get him hanged on one false conviction rather than see him escape eight merited ones.

Tamiroff puts a lot of sound acting into his role. Miss Wong does well in a somewhat restricted portrayal. Support is adequate. Associate Producer Edward T. Lowe, Director Robert Florey, or somebody, saw fit to stop the picture at what might have been its high spot to incorporate a gramaphone chorus of "Thanks for the Memory," from the "Big Broadcast of 1938," and from there on things get a bit act-y. Only one of the eight murders credited to the gangster is committed in the presence of the audience, and it's a bloodless matter of forcing his victim at pistol point to dive out of a window. The gramaphone interval could be, and with the aging of the song number may well be, eliminated to the considerable benefit of the narrative quality.

Running time, 68 minutes. "G."

NTS Meeting Opene
On Note of Optimis

Los Angeles, March 1.—Expres
ing optimism over the future of t
theatre business despite box-office r
cessions, drops which he said we
only temporary, Walter E. Gree
president of National Theatre Supp
Co., today opened at the Ambassad
Hotel the two-day session with t
western managers of the comp

Green arrived over the weekend
direct the sessions which are bei
given over for the most part
familiarizing managers with the co
pany's International E 7 and Inte
national Simplex sound recently a
nounced for the market. Attendi
are managers from Salt Lake Cit
Denver, Seattle, San Francisco a
Los Angeles.

Today's session included routi
sales policy discussion and intr
mural business. Demonstrations
equipment are scheduled for tomo
row. Green will stay here until Su
day and then will leave for Dall
where another regional meeting w
start next week. A Chicago concla
was held last week.

Republic to Make 40,
Siegel Heads Studi

(Continued from page 1)

was stated here today that Republ
will make forty features instead
thirty next season and 24 westerns i
stead of sixteen. Four serials, t
same as this year, will be on the ne
program.

Indication that the Gene Aut
contract differences are in process
settlement was seen in the announc
ment on westerns which grouped t
product to be produced as eight Thr
Mesquiteers, eight Roy Rogers v
hicles and eight Gene Autry films.

Issue Nazi Film Book

March of Time has issued a 4
page booklet that breaks down t
press reaction to "Inside Nazi Ge
many-1938." William D. Geere a
Albert E. Sindlinger have condens
under various headlines selectio
from 2,241 newspapers and oth
sources. Their survey reveals that
per cent of the opinion considered t
film unbiased reporting, five per ce
didn't understand "what all t
shouting was about"; four per ce
were violent; two per cent brand
it anti-Nazi; one and one-fifth p
cent said it was pro-Nazi and fo
fifths of one per cent said it was u
fit to be shown.

"Follies" Held Widely

Reports from the offices of Sam
Goldwyn state that "Goldwyn F
lies" has been held for extra playi
time in 20 of its first 22 engageme
throughout the country. In the oth
two situations, it is stated, the fi
was held for exra days.

Tomorrow the Goldwyn producti
will enter its fourth week at the A
dine, Philadelphia, and on Saturd
will start its third week at t
Rivoli here.

We beg to advise that after seeing and previewing it to some 300 exhibitors, we are convinced that—

"MAD ABOUT MUSIC" IS THE BEST PICTURE WE'VE EVER MADE.

The New Universal

Work Increase To Be Problem At Union Meet

(Continued from page 1)

cians for some months past. Indications are that both unions will bring their proposals to the fore when the negotiations formally get under way here.

Pat Casey, producers' labor representative, is expected in New York from Hollywood in about two weeks to prepare for the annual negotiations which have been tentatively set for the last week of this month. Included in the negotiations in addition to the I. A. T. S. E. and the A. F. of M. are the International Brotherhood of Teamsters and Chauffeurs, the International Brotherhood of Electrical Workers and the Carpenters and Joiners. The Screen Actors' Guild, with its separate 10-year contract with producers, is not included in the basic agreement with the other unions but has the right under its own contract to negotiate wage and hour schedules annually in April, when desired.

Six-Hour Day Expected

The continuation of the six-hour day is expected to be asked by the studio unions and, while wage increases will be sought for several labor classifications, wage scales in themselves are not expected to loom as importantly in the negotiations this year as they have for several years past.

The Brotherhood of Painters, Decorators & Paperhangers is expected to renew its bid for reinclusion in the basic agreement, from which it withdrew in 1932, but has made no formal declaration to this effect yet. The brotherhood's application for readmittance last year was granted on condition that it apply only to workers over whom the union had jurisdiction at the time of its withdrawal, but the union rejected this condition. During the past year the jurisdictional angle in Hollywood was simplified by I. A. T. S. E. extension, which is believed likely to lead to a renewal of the painters' application this year.

The I. A. T. S. E. claim to jurisdiction over the actor unions is not expected to concern the negotiators here.

Open 20th-Fox Branch

Minneapolis, March 1.—More than 250 exhibitors, producers' representatives and others joined yesterday in the dedication of the new 20th Century-Fox exchange here. Among those present was W. C. Gehring from the New York office.

Not to Expand Abroad

No further expansion in Europe is planned by Castle Films, producers of home films, it was said by Eugene W. Castle, head of the company, who returned Monday night from a six-week trip abroad.

Caravel to Have Party

Caravel Distributing Corp. will hold a press preview and cocktail party for "Boy Meets Dog," a Technicolor film, on Friday afternoon at 730 Fifth Ave.

Monogram to Hold St. Louis Meeting

(Continued from page 1)

initial meeting of the franchise holders in Hollywood during the first week in April. In addition to conferring on new season production plans the St. Louis meeting also will decide on a date and place for the company's national sales meeting. At present, home office officials favor April 21, 22 and 23 in Cincinnati for the national convention.

Scott Dunlap, Monogram production head, will arrive in New York from the coast today to attend the annual meeting of the company's stockholders at the home office this afternoon. No changes in the company's directorate are expected at this meeting. Dunlap will accompany Johnston and Leon Fromkess, Monogram treasurer, to St. Louis tomorrow, and will return to the coast following the franchise holders' meeting. Edward A. Golden, sales manager, who is now in Chicago, goes to St. Louis from that city.

Franchise holders who will attend the St. Louis meeting are Ben Welansky, Pittsburgh and Boston; Steve Broidy, Boston; Harry Berkson, Buffalo; William Onie, Cincinnati; John Mangham, Atlanta; Henri Elman, Chicago; Nate Schultz, Cleveland; William Hurlbut and Sam Decker, Detroit; Robert Ringler, Omaha; F. E. Judd, Des Moines; Charles Weiner, Minneapolis; Robert Taylor, St. Louis; Lester Durland, Kansas City; John Franconi, Dallas; Carr Scott, Oklahoma City; Lon Fidler, Denver; Howard Stubbins, Los Angeles; A. M. Goldstein, Seattle, and Mel Hulling, San Francisco. Branch managers Joe Felder, New York; Sam Rosen, Philadelphia, and Harry Bachman, Washington, complete the contingent.

Cooper Signed for Two

Chicago, March 1.—Scott Dunlap, in charge of production for Monogram, declared here today that he has signed Jackie Cooper for two additional films, the first to start in April.

Says License Law Would Hurt Trade

(Continued from page 1)

would be achieved by abandonment of the bill and adoption of a moratorium on reform legislation.

More than 300,000 business enterprises in all lines of industry and trade would be affected by the measure, he declared. Under the bill as written, he pointed out, failure of concerns rigorously to follow the many conditions which are to be laid down in the licenses would subject innocent stockholders and employes to punishment for the acts of individuals over whom they had no control.

The bill carries no exemptions and would apply to every concern doing an interstate business, including distributors of films.

"Rage of Paris" Ready

Hollywood, March 1.—Universal is ready to start shooting on "The Rage of Paris," first American starring vehicle for Danielle Darrieux. Douglas Fairbanks, Jr., is co-starred.

Circuit Deals on "Snow" Are Closed

(Continued from page 1)

virtually all situations, according to RKO. The distributor, it was said, is suggesting a raise in admission scales everywhere, particularly in children's prices, which have been hiked 10 cents generally.

The film will open at Warners' Stanley, Philadelphia, tomorrow, and at the Penn, Pittsburgh, also this week. Other bookings will follow as fast as prints can be supplied by Technicolor.

Playing time has been increased in virtually every situation so far. The RKO circuit is getting first call on the film wherever it has first runs, with opposition circuits playing it second or subsequent run.

A third week for "Snow White" at the RKO Palace on Broadway and the Albee, Brooklyn, is virtually assured. These RKO first runs will thus play the film simultaneously with RKO circuit houses generally in Manhattan, where it will open tomorrow.

Berman Talks Will Be Concluded Soon

(Continued from page 1)

the studio at the end of the conferences here to complete plans for the company's new season production schedule. They plan to leave New York this weekend.

Berman told Motion Picture Daily yesterday that the conferences pertaining to himself were progressing smoothly and that no complications are foreseen.

"I've been with RKO 15 years now and the association has been an enjoyable one," he commented. "I see no reason for a change now."

Film Houses Target of Managers Union

(Continued from page 1)

with a Feb. 15 deadline, but there have been no developments since. Vroom said the union deferred its campaign among film theatres pending negotiation of a contract with the legitimate houses. Following the granting of recognition by the League of New York Theatres, individual agreements are now being set.

"Sawyer" Stars on Tour

Tommy Kelly and Ann Gillis, stars of "The Adventures of Tom Sawyer," leave today for a series of personal appearances in conjunction with the showing of the Mark Twain film. They will appear at Atlanta, Birmingham, New Orleans, Dallas, Fort Worth, Kansas City, Louisville, Indianapolis and St. Louis.

Gladys Swarthout East

Chicago, March 1.—Gladys Swarthout and her husband passed through here today en route to New York. She said she will spend two months in New York for radio and opera engagements, then go to South America for a concert tour. She will return to Hollywood in August for another picture for Paramount.

Sutro to Report on London Sales He

A report on the distribution of don Films' product in the Ui States will be given to the compa board of directors by John R. S a member of the board, who has here and in Hollywood more three weeks conducting confere and a general survey. He will today on the *Normandie.*

"The reception given London product here has been disappoin to me," Sutro said yesterday. " American market can take only a tain amount of British product."

He said that last year there an increase in the distribution British films from other compai which limited the share Alexar Korda's films could obtain in country. "But quite apart from quota considerations, this should a good market for British pictur he declared.

Sutro said that "Korda has about the last word" concerning relations with United Artists. W Sutro arrived here Feb. 4, he that Korda would seek a release f his U. A. contract unless his pict were given increased playing ti Sutro spent considerable time con ring with Emanuel Silverstone, I don Films representative here.

Sutro said that he had not cussed the production by Korda outside films for Paramount, but i cated that the matter had been ta up with Paramount indirectly.

"It depends on how the ma works out generally," Sutro s when asked about the future Korda's distribution in this coun

Federal Trust Cases Near, Capital Hea

(Continued from page 1)

consideration of the reports now c ing in, department officials refusec discuss the matter.

The department's inquiry has b one of the broadest ever made film conditions and there are ind tions that if the field agents' rep afford a basis for prosecutions, a nu ber of suits may be prepared in many districts in an effort to rel the department of the work imposec complaints.

Wall Street

Light Gains Mark Board

	Open	High	Low	Close	N Cha
Col. pfd. ..	33⅝	33⅞	33⅝	33⅞	+
Cons.	1½	1½	1½	1½	−
E. K.	156¾	157	156¾	157	+
Loew	49⅝	50¼	49½	50	+
Para.	10	10	9¾	10	..
Para. 2	10	10¼	10	10⅛	+
RKO	3½	3¾	3½	3⅝	..
20th Fox ..	22¾	23⅜	22¾	23¼	+
W. B.	6	6	5⅞	6	+

Technicolor Rises on Curb

	Open	High	Low	Close	N Cha
G. N.	½	½	½	½	.
Monogram	2¼	2¼	2¼	2¼	−
Sonotone ..	1⅞	1⅞	1⅞	1⅞	.
Tech.	20⅛	21	20	21	+

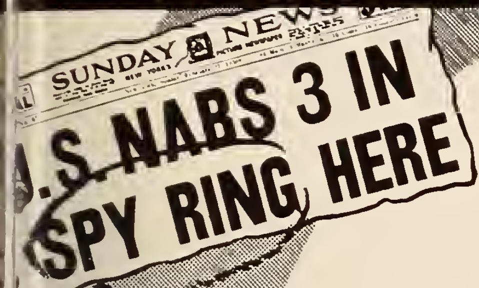
Bonds Increase Lightly

	High	Low	Close	N Cha
Loew 3½s '46....	98⅜	98⅜	98⅜	..
Para. B'way 3s '55	60	59½	59½	+
RKO 6s '41.......	70	70	70	..
W. B. 6s '39	66½	66	66½	+

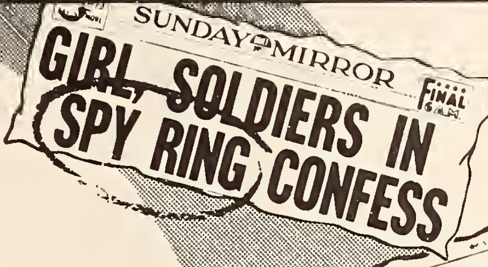
(Quotations at close of March 1)

HE WHOLE COUNTRY IS AROUSED—AND

OU HAVE THE STORY ON YOUR SCREEN!


SUNDAY NEWS

.S NABS 3 IN
SPY RING HERE

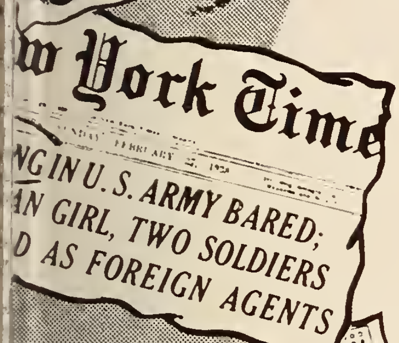

SUNDAY MIRROR FINAL

GIRL, SOLDIERS IN
SPY RING CONFESS

*Look at the headlines
on your today's
newspapers!*

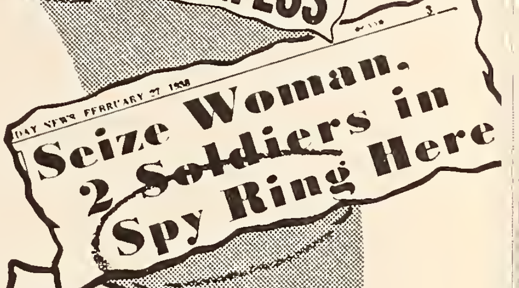
THEY'RE YOUR ADS!

*It's the greatest
exploitation opportunity
in a showtime
lifetime!*

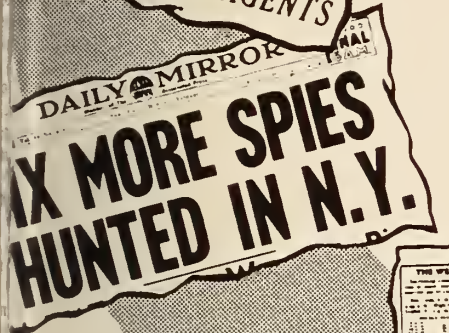

w York Time

SUNDAY, FEBRUARY 27, 1938

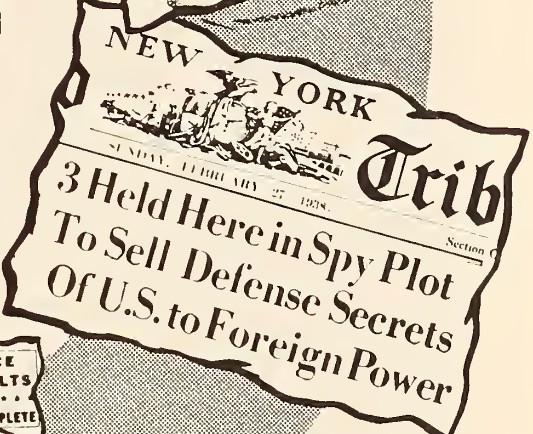
NG IN U. S. ARMY BARED;
AN GIRL, TWO SOLDIERS
D AS FOREIGN AGENTS


DAY NEWS FEBRUARY 27, 1938

Seize Woman,
2 Soldiers in
Spy Ring Here

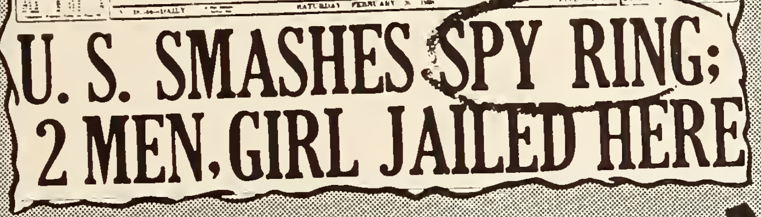

DAILY MIRROR FINAL

X MORE SPIES
HUNTED IN N.Y.


NEW YORK Trib

SUNDAY, FEBRUARY 27, 1938

3 Held Here in Spy Plot
To Sell Defense Secrets
Of U.S. to Foreign Power


THE WEATHER

New York Journal and American

7 RACE RESULTS SPORTS COMPLETE

U. S. SMASHES SPY RING;
2 MEN, GIRL JAILED HERE

**A
RONT PAGE
OX-OFFICE
ATURAL!**

The New Universal presents **WILLIAM HALL** *in*

SPY RING

Screen Play by George Waggner

with

**JANE WYMAN
JANE CARLETON
ROBERT WARWICK
BEN ALEXANDER
JACK MULHALL**

YOUR UNIVERSAL EXCHANGE HAS PRINTS NOW!

Tobacco Firm To Cancel Two Web Programs

(*Continued from page 1*)

occupy the same period on NBC now held down by the studio show, Wednesdays from 10 to 11 P. M. "Musical College" will take over March 30.

At present, there is a possibility that the Kyser program will double up on two networks, NBC and Mutual. The sponsor is now seeking a program to replace the Kyser show on Mutual. If none can be found, the cigarette company will keep Kyser on both networks, as a cancellation of the Mutual time is not being considered.

WPA Plans More Air Work, Senators Told

(*Continued from page 1*)

permanent bureau of fine arts, and is similar in intent, although differing in detail, to the Sirovich measure.

Outlining the accomplishments of the theatre project which she administers, Mrs. Hallie Flanagan disclosed that the WPA plans to make extensive use of broadcasting facilities, in which it has already conducted a number of experiments, believing that radio offers an important field to the unemployed actors and actresses working on the project.

The theatre project, which at its peak employed 12,700 people, now has 8,739 on its rolls, about 50 per cent of whom are actors, she said. These workers are employed in theatre companies operating in 40 cities in 22 states, the largest projects being in New York, with 4,011 workers; Los Angeles, with 1,289, and Chicago, with 768. The Federal theatre competes with neither the commercial stage nor the motion picture, she added.

Canadian Banker in Series of Air Talks

MONTREAL, March 1.—George Coote, director of the Bank of Canada and former member of the House of Commons, will go on the air over the Canadian Broadcasting Corp. national network, shortly, with a series of talks called "A Westerner Looks About."

Anecdotes of life and work on prairie farms, mingled with yarns of the trials and accomplishments of western farmers during the last two decades, are to be dealt with by Coote. The quarter-hour program, scheduled for 7:45 P. M., Thursdays, will be inaugurated March 10.

Cancel Tom Mix Program

Ralston Purino has cancelled Tom Mix's "Straight Shooters," effective with the broadcast of March 25. The series is heard Mondays through Fridays from 5:45 to 6 P. M. on the NBC-Blue. The Gardner agency handles the account.

Ferdinand S. Schenck Dies

Ferdinand S. Schenck, vice-president of Albert Frank - Guenther Law advertising agency, died yesterday at the age of 49. He is survived by his wife and three children.

Around the Country

Los Angeles

Garrett Fort, film writer, will be the guest on "Hollywood Showcase," CBS Thursday. . . . Al Jolson's guest lineup is announced as follows: March 8, Andy Devine; March 15, Edna Mae Oliver; March 22, C. Aubrey Smith. . . . Warren Stokes' first guest on his return to KEHE's "Pick of the Pictures" Sunday night will be Lynne Overman. . . . New KNX business: Chicago Engineering Works through James R. Lunke and Associates of Chicago will sponsor "Camera Speaks," 15-minute weekly transcription series, for 26 weeks; Armstrong Cork Products Co., "The Heart of Julia Blake," transcription, Mondays, Wednesdays and Fridays for 52 weeks, and Anacin, renewing "Easy Aces," transcription, Mondays, Wednesdays and Fridays for another year. . . . The Thomas Lee Artists Bureau, Inc., has reorganized. Newly elected officers are Thomas Lee, president; Lewis Allen Weiss, vice-president, and Willett Brown, secretary-treasurer.

Delight Evans Signs To Air a New Series

Delight Evans, editor of *Screenland*, has signed a radio contract with the American Stove Co. for an initial period of 13 weeks. Batten, Barton, Durstine & Osborn is the agency.

The subject of the broadcasts will be the "Food Secrets of the Hollywood Stars." This broadcast will cover stations in important cities, including WSB, Atlanta; WTAM, Cleveland; KFI, Los Angeles; WCAU, Philadelphia; KDKA, Pittsburgh; KOIN, Portland; KMOX, St. Louis; KGO, San Francisco, and KOMO, Seattle.

Downey Signs Decca Pact

Morton Downey has signed a contract with Decca and will record exclusively for them. He will start recording eight songs this week. This is the first time in several years Downey has made discs here, although he made several in England.

Arliss to Play in Lux Show

George Arliss will return for another engagement in the Lux "Radio Theatre" March 21, when he will offer "The Man Who Played God."

International Adds Home Office Floor

International Broadcasting Corp., operating stations WOV and WBIL in New York, has taken over another complete floor in the WOV Building. The additional space will be used to house the stations' newly organized artists bureau and merchandising departments. The IBC now has three complete floors, and the lease for the added floor will become effective today.

The company also has appointed Syd Leipzig as the head of the artists bureau. Leipzig, formerly with the *New York Mirror*, will book performers for station programs, but will concentrate on the booking of variety acts for personal appearances apart from radio.

Fulton, Facsimile Inventor, Is Dead

Dr. Otto Fulton, 70, pioneer inventor of facsimile broadcasting, died yesterday from a heart attack. He was president of the Fultograph Co.

Dr. Fulton began experiments with facsimile broadcasting 25 years ago, and 10 years later he broadcast pictures and text matter for the first time in history by wireless from London to Paris and other European capitals. The Fultograph Co. will begin sending pictures and text by facsimile to newspapers in Capetown and Johannesburg, South Africa, on June 1.

Dr. Fulton's facsimile system last summer was tied in with Transradio Press.

Dutch Executives in New York

Ed Startz, chief announcer and studio manager of short wave stations PCJ and PHI, Hilversum, Holland, and S. W. Numann, an executive of the Philips organization which operates the twin stations, are in New York on a good will visit. They will spend several weeks in the United States, studying the American broadcasting methods. Startz is well known to American short wave listeners.

M. C. Tompkins Joins WEEI

BOSTON, March 1.—Maurice C. Tompkins, Jr., has joined the local CBS sales staff at WEEI after being in the newspaper field for six years. He was formerly with the *Boston Transcript*.

Gets Two Colgate Accounts

CHICAGO, March 1.—Benton & Bowles-Chicago, Inc., has acquired the advertising accounts of two Colgate-Palmolive-Peet products, effective April 1. The products are Halo shampoo and Vel, a soap for washing fabrics.

New Shows on the Air

"Voice of Firestone"

It has received little of the publicity accorded the Toscanini orchestra, nor has it the tradition behind it of such units as the Philadelphia Orchestra or the New York Philharmonic, but the Wallenstein orchestra in the "Voice of Firestone" series, brought up to full symphonic proportions since the death of Harvey Firestone, is comparable to any of America's great symphonies.

Monday night, the orchestra, now numbering 70 men, offered a program of superlative musical quality, beginning with Wagner's prelude to "Die Meistersinger" and concluding with offerings from "Cavalieria Rusticana." Conductor Wallenstein, with an orchestra such as he now guides, rapidly should achieve an eminence second to none in orchestral circles.

"Voice of Firestone" is presented Mondays from 8:30 to 9 P. M. on the NBC-Red. The Firestone Rubber Co. sponsors.

BANNER

A.F.M. Board Begins Talk On Disc Pa

The national executive board of
A. F. of M. yesterday began d
erations expected to last a full
to negotiate a pact with reco
and transcription companies sir
to the pact recently concluded for
work affiliated stations.

According to Joseph N. We
president of the A. F. of M.,
board expects to solve the prob
satisfactorily within 10 days.

The A. F. of M. board, follow
another meeting today, will meet
a committee representing transc
tion interests tomorrow for a hea
on the terms of the license rece
issued by the union. It is underst
that the transcription men object
the license on the grounds that
eral of its provisions, if agreed
would involve them with the
ernment on charges of restraint
trade and secondary boycott.

The transcription committee wil
headed by Lloyd C. Egner, head
NBC's transcription division,
Mark Woods, NBC vice-president
treasurer.

Agreements Held Up

Meanwhile, it has been learned
copies of the agreements signed by
network affiliates, which were t
turned over to the union, are b
held up, pending settlement of
union's efforts to settle with the tr
cription and recording interests.
I. R. N. A. committee's refusa
turn over the copies to the unio
is said, is because the I. R. N.
contracts were signed with the un
standing that the stations would
tinue to be serviced without inter
tion with transcribed programs. P
ing the union's complete settlemen
the transcription problem, the I
N. A. contracts will be withheld,
believed.

Weber appeared optimistic ye
day, however, and said the
would be settled quickly and wit
undue "fuss." He said that he
pected to be in Hollywood before
end of the month, with the trans
tion and recording problems fully
tled by that time. In Hollywoo
will begin negotiations with
studios in regards to music matte

Martinson in WNEW Deal

Martinson's Coffee has contra
for a year for 54 spot announcen
a week on Stan Shaw's "Milkn
Matinee" over WNEW. Albert Fr
Gunther Law is the agency.
new contracts at WNEW include
for Lustre Sales Agency, seven
per week for 26 weeks, and 26
nouncements for Garrett & Co.

Sets WPEN Test Contract

PHILADELPHIA, March 1.—Go
berg's Peanut Chews has contr
for a series of four 30-minute test
grams with WPEN, beginning M
5. Corn Agency, Inc., controls

Wright Joins WAAW Staf

OMAHA, March 1.—W. W. W
has joined WAAM's sales sta
take the place of Charles Taylor
signed.

FILE COPY
DO NOT REMOVE

lert.
ntelligent
nd
ndispensable
o the Motion
icture
ndustry

MOTION PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 50 NEW YORK, THURSDAY, MARCH 3, 1938 TEN CENTS

orda to Stay n U.A. Fold, Asserts Sutro

tails Still Undecided, ays London Financier

othing conclusive with relation to xander Korda's future in this ntry was decided during the three-k visit here and in Hollywood of R. Sutro,, member of the board London Films, he reiterated yes-ay before departing on the *Nordie.* He said, however, that Korda remain with United Artists and rated that he had not discussed utside releasing or production deal Paramount.

contract for a number of films Paramount or any other company ld depend on the permission of ted Artists' partners, it was said, Dr. A. H. Giannini, president of company, recently in Hollywood cated an insurmountable barrier the terms of Korda's agreement U. A.

utro said that he had talked with nini and Douglas Fairbanks, Sr., e in Hollywood for three days over

(*Continued on page* 3)

ax on Radio News Ended in New Bill

ASHINGTON, March 2.—Elimina-, effective July 1 next, of the ent tax on the use of radio facil- for news dissemination is pro-d for in the new revenue revision reported to the House of Repre-atives yesterday by the Ways and ns Committee, copies of which e made available today.

he new measure provides that the

(*Continued on page* 8)

C. C. May Act on Gerald Smith Talks

he Federal Communications Com-sion, it was learned here yesterday cited the stations which carried Gerald L. K. Smith "Committee One Million" talks, and from indi-ons here it appears likely that the ers of the stations involved will called to Washington for a hear- on the matter.

he F. C. C., according to a source ch cannot be questioned, has noti-

(*Continued on page* 8)

More Radio—P. 8

Drum Returned

The Chicago University drum that NBC and Toscanini sent for the other day is now on its way back to Chicago, because the drum was too big to fit into the elevator to the studios.

It's going back without even a tryout, despite the fact that it cost the network $1,200 to freight it both ways. Maybe the publicity was worth the $1,200.

Levy Tells Terms Of Circuit Deals

Disputing the report published yesterday that RKO had closed deals for Walt Disney's "Snow White and the Seven Dwarfs" with the Skouras National Theatres Circuit and with the Warner Circuit at 35 per cent of the gross, Jules Levy, general sales manager, said the deals were under arrangements that will return to the company the greatest revenue ever earned by a picture.

Conditions of the national circuit deals included the playing of the Disney feature on a single bill policy with guarantees for the longest playing time ever accorded a picture in each situation. In many instances the runs will be for periods two or three times the length of top grossing pictures that have played in the past. Increased admission prices, and particularly the matter of increased prices

(*Continued on page* 7)

"U" Adds $1,000,000 To 1937-38 Budgets

HOLLYWOOD, March 2.—Plans for Universal to increase by $1,000,000 the budgets on the remainder of the 1937-38 production schedule were revealed today by Nate J. Blumberg, president, and Charles R. Rogers, vice-president and studio head.

Coincidentally, the names of five specials for release during the coming months were listed. They are: "Halfway to Shanghai" for May, "Suspicion" for June, "The Rage of

(*Continued on page* 7)

Monogram Officers Are All Reelected

All officers and directors of Monogram Pictures Corp. were reelected at annual meetings of the company's stockholders and board of directors held at the home office yesterday.

Officers of the company are W. Ray Johnston, president; Scott R. Dunlap, vice-president in charge of production; Leon Fromkess, treasurer; M. S.

(*Continued on page* 7)

Maxwell Aids Triple Quota In Film Bill

Independent Exhibitors Roused by Action

By AUBREY FLANAGAN

LONDON, March 2.—John Maxwell, head of Associated British Pictures, and perhaps the dominant individual figure in the British industry, today lent support to the triple-quota plan of Oliver Stanley, president of the Board of Trade, in the course of comment on the quota proposals in the Films Bill, passed by the House of Commons and now before the House of Lords.

Independent exhibitors were greatly perturbed over the Maxwell statements, fearing that the Government's hand is thus strengthened for a new attempt to introduce the amendment in the House of Lords.

The exhibitor group is known to be planning a wholesale rebellion against the quota in general. They are believed determined not to fulfill their quota obligations should the Stanley proposal become law. The revolt is entirely unofficial as yet, but it is widespread. For the moment it is

(*Continued on page* 3)

Canada Not to Act On Britain's Quota

TORONTO, March 2.—According to officials of the Canadian Department of Trade and Commerce, the Dominion Government has no intention of appealing to the United Kingdom for the inclusion of Canadian-made features or shorts in the category of British films in the amendments to the British Film Quota Act which have passed the House of Commons at London. The stand is taken that the matter is wholly for the consideration of the Imperial Government and one in which Canada has no say.

The official Canadian view is that

(*Continued on page* 3)

Allied Board Talks Legislative Plans

WASHINGTON, March 2.—Members of Allied States' board of directors gathered here today for a series of meetings which may carry them through the rest of the week at which legislative plans of the organization will be discussed.

Following today's meeting, it was

(*Continued on page* 7)

Four A Votes Opposition to IATSE Moves

Actors' Federation Also Takes Same Stand

A unanimous endorsement of a resolution that the Associated Actors & Artistes of America maintain its jurisdiction over actors' unions and combat any efforts which the I.A.T.S.E. may make to wrest any performers' unit from the Four A's was given by the international board of the latter organization at a meeting yesterday.

Joining in the endorsement was the American Federation of Actors which had been accused earlier of "flirting" with George E. Browne, I.A.T.S.E. president, in connection with the latter's jurisdictional claims over actors. At the same meeting, the Four A's board awarded the A. F. of A. jurisdiction over night club and presentation house performers, which was held heretofore by Chorus Equity.

Under the conditions imposed on the A. F. of A. with the granting of the disputed jurisdiction, the Actors Federation agrees to interchangeability of Four A's cards within its domain; agrees to submit to the Four

(*Continued on page* 7)

California Storm Paralyzes Studios

By VANCE KING

HOLLYWOOD, March 2.—The worst Southern California storm in recent history today marooned thousands of studio people in homes and automobiles and caused damage amounting to hundreds of thousands of dollars. Most losses were sustained through the suspension of shooting as the rain, which brought 7.67 inches in four days, hit the entire southland.

The studio suffering most from the actual flood was Paramount, built on

(*Continued on page* 6)

Move for Films Levy Abandoned by Moran

ALBANY, March 2.—Realizing that there was no immediate likelihood of the Assembly's accepting his proposal for a five cent tax on films, B. J. Moran of Brooklyn today abandoned his intention of pressing for the imposition of the levy.

A number of state tax bills seeking to defray budgetary expenses are now on their way to Governor Lehman

(*Continued on page* 7)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

Vol. 43 March 3, 1938 No. 50

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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LONDON: 4 Golden Square, W. I; Cable address, Quigpubco, London; Hope Williams, Manager.
MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockbart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

Entered as second class matter January 4, 1926, at the Post Office at New York, N. Y., under Act of March 3, 1879.

Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Awards Up at Ampa

Reclassification of this year's Ampa advertising awards will be considered at a closed meeting of members at the International Casino at 12:45 o'clock today. The awards committee headed by Vincent Trotta will report. Also, plans for the forthcoming annual dinner and entertainment will be discussed, and members will elect the nominating committee which will select the slate of the ensuing year's officers.

M-G-M Re-Signs Leonard

Hollywood, March 2.—Robert Z. Leonard, director at M-G-M since 1924, has been signed to a new long term contract as producer-director. His first film under the new pact will be "Adventure for Three," which will co-star Jeanette MacDonald and Nelson Eddy.

WANTED—THEATRES

We have a responsible client who is interested in acquiring a number of theatres located anywhere in the East. Either lease, good-will or will purchase property. Negotiations strictly confidential.

BERK & KRUMGOLD
Theatre Realty Specialists
Paramount Building, New York City

Insiders' Outlook

By A-MIKE VOGEL

TO maintain that the length of a double feature show is injurious to children's health is rank poppycock. The exhibitor who allows himself to be stampeded by so doubtful a premise is giving ground unnecessarily. There are few theatremen unwilling to give heed to practical suggestions for improvement of juvenile programs. Much in this direction has been accomplished by enthusiastic cooperation. But that is as far as it should be expected to go.

Collapse of the Chicago campaign to ban double features as a health measure must serve to curb unwarranted interference from outside sources. It is obvious by now that trade problems can best be solved by the industry itself.

Law won't do it. Neither will "well-intentioned" clubwomen with time enough on their hands to be inspired by those with personal axes to grind.

▼ ▼

Picture making, comedy or otherwise, is a very serious business. But in the case of "Bringing Up Baby," the mild insanity in the script development affected the cast to the extent that the highest of high jinks were in order between "takes," with Katharine Hepburn and Cary Grant, the ringleaders. It is evident that the finished picture reflects these spirits. The story sets out to be nothing more than a continuous howl interrupted by a few necessary intervals for breathing purposes. And reaches its goal with plenty of margin to spare.

Miss Hepburn's sensational entrance into the field of farce comedy should mark a red letter day in the star's career. As it should for RKO. As it should for exhibitors.

Para. Infringement Suit Is Dismissed

The copyright infringement suit brought by Paramount Productions, Inc., and Exclusive Movie Studios, Inc., against Benjamin Leder, who does business as Leader Motion Picture Film Co., and Nathan Leder, was dismissed by Federal Judge Samuel Mandelbaum in the U. S. District Court here yesterday because the plaintiffs were not ready to proceed with the trial.

The suit charged infringement of 20 cartoon shorts produced by Fleischer Studios, Inc. It was alleged that the defendant sold 16 mm. prints in violation of a license granted to Exclusive Movie Studios. A permanent injunction and damages were asked.

Claim Against Orpheum Allowed

Bankruptcy Referee Oscar W. Ehrhorn yesterday filed a report allowing the claim of Electrical Productions Corp. of California at $8,015 against Orpheum Circuit, Inc., in the U. S. District Court. Dividends on the claim, however, were limited to $6,015. Electrical Products filed a claim for alleged breach of a contract for an electric display sign, but Referee Ehrhorn dismissed it on Aug. 19. In September Federal Judge Robert P. Patterson reversed the referee and ordered a hearing on the claim. An appeal from the last order has been filed.

20-Fox Asks Examination

Twentieth Century-Fox Film Corp. will ask Justice Bernard L. Shientag in the N. Y. Supreme Court today for a bill of particulars in the $60,000 negligence suit filed against it and Deon J. de Titta, an employe, by Anna Greeves, George Greeves and the estate of John Greeves. The complaint alleges that Twentieth Century-Fox negligently maintained a film storage warehouse at Little Ferry, N. J., and that John Greeves was killed and the others injured by an explosion on July 9, 1937.

Oscar Morgan Wins Eastern Air Award

Oscar Morgan, southern division sales manager for Paramount, with headquarters at Atlanta, was runner-up in the pilots' photo-biography contest conducted for passengers by Eastern Air Lines.

According to Capt. E. V. Rickenbacker, general manager of the line, Morgan wins two round-trip tickets between Atlanta and New York. The contest was based on the number of trips made by passengers between June 1 and Dec. 31.

M. L. Patterson, manager of the Federal Department, Sperry Gyroscope Co., won first place, two round-trip tickets to Miami and a week's accommodations at the Miami-Biltmore.

To Open "The Call" At Astor March 28

Best Film, Inc., will open a two-a-day run of "The Call," at the Astor on March 28, following the run of "In Old Chicago." The film is based on the life of Charles de Foucauld officer of the Foreign Legion, adventurer, explorer and missionary.

The opening will be sponsored by "The Daughters of Mary, Health of the Sick," created by Patrick Cardinal Hayes, and the committee will include: Alfred J. Talley, chairman; John P. O'Brien, Alfred E. Smith, John J. Bennett, Jr., Major Edward Bowes, Eddie Dowling, Martin Quigley, Salvatore Cottillo and Mrs. Philip A. Brennan.

Pick John Boles' First

Hollywood, March 2.—The first picture on John Boles' two-a-year deal with Universal will be "Halfway to Shanghai;" this also will be the first production of Ken Goldsmith at the studio. Harold Buckley wrote the original and Louis Stevens the screenplay.

◂ Purely Personal

SI SEADLER of M-G-M is du board an American Airlines p tonight for the coast. He expects t gone about three and a half we during which he will spend some t at the studio on advertising plans will also take his annual vacation B-Bar-H ranch, near Palm Spri

•

Rudolph Field, book publisher in Hollywood negotiating sale of rights to "Memoirs of Lyman Gage" and "Apostate Physician," Dr. Harvey L. Frick. Field will turn Monday.

•

Capt. Ben Cammack of the R foreign department forces in the E. Depinet Drive will return to N York this week after a tour of Por Spain, Trinidad and Rio de Janeir

•

Jackson Parks, Selznick Inter tional publicity representative, is companying Tommy Kelly and A Gillis and the children's mothers a two-week tour of key cities.

•

Deanna Durbin will meet press and the Universal board of rectors at a party to be given the company in her honor at River House this afternoon.

•

Jack Whiting plans a vacat shortly in Hollywood, but will turn in time to attend the open here of the G. B. film in which appears, "Sailing Along."

•

James McCallion, who had juvenile lead in "Roosty," has b signed to an agency contract by My Selznick, Ltd., New York.

•

Freddie Eidelsberg of the M agers' Round Table of *Motion P ture Herald* celebrates a birthday day.

•

William C. Gehring will ret today from a tour of 20th Centu Fox exchanges in the midwest.

•

Y. Frank Freeman, Paramo theatre head, is expected back fr the studio on Monday.

•

Laszlo Vadnai, Hungarian wri under contract to M-G-M, arri yesterday on the *Washington*.

•

Harry and Mrs. Rapf left for coast yesterday after a few days he

•

Harry Goetz is expected in N York tomorrow from Hollywood.

•

Judith Allen, Monogram player, due here today for a vacation.

•

Mary Pickford will arrive in N York from Hollywood today.

•

Jesse L. Lasky is in New Y from the coast.

Talk "Chico" Release

Fanchon & Marco is negotiating major company release for "Adv tures of Chico," produced in Mex by Stacy and Horace Woodard w a cast of animals and two perso The film is showing at the 55th Playhouse.

laxwell Aids Triple Quota In Film Bill

(Continued from page 1)

hout the support of the Cinema- raph Exhibitors' Association.

laxwell appealed to the exhibitor erests to reconsider their opposi- n to the Stanley plan, which pro- led that films costing more than a cified amount would be counted three under the distributors' quota. suggested the value of concentra- n on quality pictures and hinted t the Board of Trade should pro- le greater elasticity to safeguard hibitors from a product shortage, ich was the basis of their objec- n to the plan. At the last mo- nt, before the House of Commons ed on the Films Bill, the Govern- nt withdrew the proposal, which used a storm of controversy, es- cially among exhibitors.

He indicated that the same plan was ggested in the original report of Moyne Committee on film legis- ion revision in 1936, claiming that nerican distributors are unable to ry the burden of producing or re- sing 15 to 18 first class pictures an- ally. The same proposal was put ward by the Federation of British dustries (producer group), to the ard of Trade in October of last ar.

Reassures on Big Films

Maxwell reassured exhibitors who r too sharp a reduction in the num- of available films, declaring that film costing £60,000 would ensure re playdates and playing time, thus setting a smaller number of cheap- pictures.

Maxwell appealed to the Board of ade to permit the three-for-one dis- butor quota plan count in similar hion in the exhibitors' quota and allow relief for exhibitors un- e to fulfill their quota obligations.

The Films Bill will reach second ding and debate in the House of rds tomorrow, with a prospect that triple-quota plan will be revived, well as the idea of a film commis- n replacing the Films Council and possible increase in quota percent- es.

The position of Australian and Ca- dian films is certain to be raised in w of the protests and appeals re- ved by the Government from the w South Wales and Queensland vernments in Australia. The Aus- lian Premier has asked the High mmissioner in London to protest ainst the exclusion of Australian ns from eligibility for the distribu- s' quota.

Mr. Chump" Final Title

Hollywood, March 2. — Warners ve chosen "Mr. Chump" as the final e for the film formerly called "Up e Goes" and "The Chump." Johnnie cat) Davis is starred.

Loew Dividend 50 Cents

Directors of Loew's, Inc., yesterday clared a dividend of 50 cents a are on the common stock, payable arch 31 to stockholders of record arch 12.

KRS, CEA Not Near Solution on Grading

London, March 2.—The distributing organization, the Kinematograph Renters' Society, now has considered two plans presented by the Cinematograph Exhibitors' Association as a solution to the problem of the grading of films, and has intimated diplomatically, while admitting the practicability of the plans, that grading must be continued.

The exhibitors probably will not meet the distributors before next month, but they are firm in the matter, and the C. E. A. may threaten to publish a list of "A" films, advising its members on the booking of them.

"Tom Sawyer" Gets $65,000, 2nd Week

"Adventures of Tom Sawyer" grossed $65,000 in its second week at the Music Hall, ending last night. The first week's take was $92,000. "Bringing up Baby" will open at the Music Hall today, and the following attraction will be "Jezebel."

The second week of "The Buccaneer," plus Mitzi Green and Clyde McCoy and his band on the stage, garnered $38,000, a drop from the first week's $62,000. The bill is being held a third week, to be followed by "The Big Broadcast of 1938" and Cab Calloway.

"A Yank at Oxford" may go three weeks, on the strength of the first week's take of $32,000. "Merrily, We Live" is penciled in for March 10.

Milwaukee Clerics Move Against Games

Milwaukee, March 1. — Agitation against games of chance in theatres here which culminated in visits by the police to some 20 houses in January for evidence without a single warrant being issued, has been renewed with a request to the state attorney general by the Milwaukee Ministerial Association for an opinion on the legality of such games.

The city attorney's office refused to issue warrants in the action and the district attorney had declared he was awaiting an opinion from the attorney general before moving in the matter. Such an opinion was to have been handed down by Jan. 15.

The attorney general's office has declared that it is still studying the statutes.

Preview Fire Picture

Kansas City, March 2.—The first reel of a new fire film was previewed by firemen here the other day. Entitled "Who's to Blame?" the three-reeler dramatizes various types of fires caused by carelessness. T. J. Hardwick, fire chief, wrote and directed the picture. It will be used to show property owners how to cut down fire losses.

Two "Dr. X" for Karloff

Hollywood, March 2. — Warners have revived the sinister "Doctor X" character and will star Boris Karloff in the title role of two films based on the theme created five years ago by Lionel Atwill. The first production will start about May 15 and will be titled "The Return of Doctor X." Director and supporting cast have not been chosen.

Canada Not to Act On Britain's Quota

(Continued from page 1)

British preference for Made-in-Canada features is unnecessary under the revised quota law because Canadian films can still be shown on the screens of theatres in Great Britain without the blessing of quota privileges. Any thought of a quota stipulation in the Dominion has been frowned upon ever since the Imperial Economic Conference at Ottawa in 1932 when the subject of a film quota for the whole Empire was tossed out by the delegates.

Central Films, Ltd., of Victoria, B.C., which is closely associated with Columbia, has protested that the new British quota setup will bar its Canadian-made features from the British market. President Kenneth J. Bishop of Central Films declared that Canada's only feature producing enterprise would suffer a serious setback unless official action were taken, pointing out that his company had spent $600,000 on 12 features under quota requirements during the past 30 months.

The answer from the Canadian Government is that, quota or no quota, the entertainment value of Canadian films will decide whether or not there is a market in Great Britain for pictures made in this country.

Alexander Renamed Film Company Head

Colorado Springs, March 2.—J. Don Alexander has been reelected president of the Alexander Film Co. by the board of directors, following the annual stockholders meeting.

Other officials reelected were: D. M. Alexander, vice-president; M. J. McInaney, vice-president in charge of sales, and J. T. White, secretary-treasurer. Sam T. Foster, Denver, and W. C. Theleman, Colorado Springs, were elected to serve on the board of directors with officials of the company.

McInaney reported that the company's January business equalled that of the same month a year ago, and said February reports would compare favorably with those of a year ago. He said the company served nearly 10,500 retail clients with commercial films in 1937 and increased its number of theatre cooperators to an all-time high of 7,400.

Lasky-Spitz to Confer

Jesse L. Lasky, who arrived in New York from the coast yesterday, will confer while here with Leo Spitz, RKO president, and Pandro Berman, production head, on his next picture for RKO, he stated. He will also view as many plays as a limited visit here will permit. Lasky said he planned to leave for the coast on Saturday or Sunday with the RKO group which will include Spitz, Berman, J. R. McDonough and Jules Levy.

Al Somerby Celebrates

Boston, March 2.—Al Somerby is celebrating the 46th anniversary week of the Bowdoin. He started in the house as an usher. He now owns it. Somerby is also working on the testimonial dinner for William Erbb, Paramount division manager. The dinner will be held March 8.

Korda to Stay In U. A. Fold, Asserts Sutro

(Continued from page 1)

last weekend, but said that the discussions were entirely "personal."

Sutro said he may return here soon, but that Korda does not plan a trip here in the near future, having spent three months here on his last visit and now being engaged in directing his production program. Sutro hoped that London Films' $9,000,000 program now under way would obtain a greater reception in the American market than London Films have in the past.

Sutro for the last five years has been devoting all of his time to London Films, he said, because of his family's investment in the company. He also is an underwriter for Lloyd's. While here he went over exhibition contracts with Emanuel Silverstone, the company's American representative, with chief stress on the contracts with the large circuits.

John E. Otterson talked with Sutro just before the boat sailed. The former Erpi and Paramount president also said goodbye to Capt. Edouard Corniglion-Molinier, French producer, with whom he is associated in a company which will make English language versions of several French films.

Also sailing were Clarence and Mrs. Brown, headed for a 10-week tour of Austria, Hungary, Southern France and Italy. Brown said his next picture would be "Idiot's Delight." Among other passengers were Jean-Claude Bernard, French independent producer; Mrs. Irving Asher, the former Laura La Plante, and Jascha Heifetz.

Production Abroad Awaits Quota Bill

Production activity in England is at a virtual standstill, with studios working only spasmodically, because both British and American companies are awaiting final passage of the new quota act, said David A. Bader, former American film man and now a London representative, on his arrival yesterday on the *Berengaria*.

While the quota provisions will affect chiefly the American companies, Bader said, production by British companies has been curtailed mainly because the banks have been inclined to withhold financing to some extent until the pending law is enacted. Distribution and exhibition, however, are unaffected, and Bader described them as in "marvelous condition."

Bader plans to be here a week, then will go to Hollywood for a month or more. He will spend a few weeks in New York before returning to London. He was accompanied by George Pal, producer of one-reel puppet films, who will also go to Hollywood. Pal lectured on his films to the students of Columbia University last night.

Kay Francis to Marry

Hollywood, March 2.—Kay Francis said today that she plans to marry Baron Raven Erik Barnekow, who arrived here a year ago. He is in the aviation business.

PICTORIAL REVIEW	*12,217,000*
WOMAN'S HOME COMPANION	*11,926,408*
TRUE STORY	*9,072,960*
GOOD HOUSEKEEPING	*8,562,720*
COSMOPOLITAN	*4,330,160*
RED BOOK	*4,469,792*
CLICK	*6,000,000*
KEN	*1,000,000*
HARPER'S BAZAAR	*743,076*
MODERN SCREEN	*2,800,000*
MOVIE MIRROR	*1,831,732*
PHOTOPLAY	*1,738,136*
SILVER SCREEN	*1,600,000*
HOLLYWOOD	*1,600,000*
MOTION PICTURE	*1,340,000*
SCREEN BOOK	*1,060,000*
SCREENLAND	*1,000,000*
SCREEN GUIDE	*800,000*
FILM FUN	*500,000*
SCREEN ROMANCES	*600,000*
MOVIE STORY	*900,000*
MODERN MOVIES	*600,000*
PICTURE PLAY	*640,508*
SECRETS	*840,000*

and

4000 NATION-WIDE
24 SHEETS!
and

TWO GREAT TRAILERS!

200,000,000 EYES ARE FOCUSED ON THE MOST DRAMATIC SHOW NEWS OF OUR TIME

Because

WARNER BROS.

SPENT $100,000 TO ADVERTISE IT FOR YOU!

Soon! Radio City *World Premiere!*

EY CALLED HER JEZEBEL!

nd "she was meanest when she was lovin' most!"

almost hear the
ier strange wild
. as the screen's
actress, in her
role, thrilling-
ays this danger-
ghter of Dixie
f angel, half
ll woman!

"You're mine!... You've always been mine! ... And if I can't have you—!"

"I'm part of you—just like the South—and we'll never let you go!"

"Aren't you going to wish me happiness?" ..."What's the use—you won't get it!"

Bros. present

BETTE DAVIS

IN THE GREATEST ROMANCE OF THE SOUTH

"Jezebel"

HENRY FONDA • GEORGE BRENT

Margaret Lindsay • Donald Crisp • Fay Bainter

Richard Cromwell • Henry O'Neill • Spring Byington • John Litel

ILLIAM WYLER PRODUCTION • SCREEN PLAY BY CLEMENTS RIPLEY, ABEM FINKEL AND JOHN HUSTON. FROM THE PLAY BY OWEN DAVIS, SR. • MUSIC BY MAX STEINER

is a reproduction of one of the 7 advertisements now appearing in 24 National Magazines

"Baby" Second Week Leader, Los Angeles

Los Angeles, March 2.—"Bringing Up Baby," on a dual with "Double Danger," proved that it had what it takes to keep a picture going two weeks hereabouts. It grossed $7,500, up by $1,000, at the Hillstreet, and took $8,700, over par by $1,700, at the Pantages.

"Goldwyn Follies" slipped to $13,775 in its second week at Warners' Hollywood, but was still strong at the Downtown with a gross of $13,190.

Total first run business was $106,393. Average is $105,700.

Estimated takings for the week ending March 2:

"SNOW WHITE" (RKO)

CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 10th week. **Gross:** $11,524. (Average, $10.000)

"THE BARONESS AND THE BUTLER" (20th-Fox)
"52ND STREET" (U.A.)

CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $12,150. (Average. $12.500)

"MAYERLING" (Pax)

ESQUIRE—(900), 55c-$1.10, 7 days, 7th week. **Gross:** $2,300. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)

4 STAR—(900), 50c-$1.50, 7 days, 7th week. **Gross:** $5,285. (Average, $8,000)

"CLUB de FEMMES" (Mayer-Burstyn)

GRAND—(750), 35c-40c, 7 days. **Gross:** $1,900. (Average, $1,200)

"BRINGING UP BABY" (RKO)
"DOUBLE DANGER" (RKO)

HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $7,500. (Average, $6,500)

"THE BARONESS AND THE BUTLER" (20th-Fox)
"52ND STREET" (U.A.)

LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $13,819. (Average, $14,000)

"BRINGING UP BABY" (RKO)
"DOUBLE DANGER" (RKO)

PANTAGES—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $8,700. (Average, $7,000)

"THE BIG BROADCAST OF 1938" (Para.)

PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: Nell Kelly, F. & M. revue, Maury Cross and his orchestra. **Gross:** $16,250. (Average, $18,000)

"GOLDWYN FOLLIES" (U.A.)

WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 2nd week. **Gross:** $13,775. (Average, $14,000)

"GOLDWYN FOLLIES" (U.A.)

WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 2nd week. **Gross:** $13,190. (Average, $12,000)

Wall Street

Short Losses on Board

	Open	High	Low	Close	Net Change
Cons. pfd.	5¾	5¾	5¾	5¾	+ ⅝
E. K.	156⅜	156½	156⅜	156½	— ½
G. T. E....	11½	11½	11½	11½	— ½
Loew	49⅝	49⅝	49⅝	49⅝	— ⅜
Para.	10	10	9¾	9¾	— ¼
Para. 2....	10	10⅛	10	10	— ⅛
Pathe	6	6	6	6	.....
RKO	3⅝	3⅝	3½	3½	— ⅛
20th Fox ..	23⅜	23⅜	23	23	— ¼
W. B.	5⅞	6	5⅞	5⅞	— ⅛

Little Curb Activity

	Open	High	Low	Close	Net Change
G. N.	½	½	½	½	.....
Monogram .	2¼	2¼	2¼	2¼	.....
Tech.	21⅜	21½	20½	20¾	— ¼
Univ. Corp.	2¾	2¾	2¾	2¾	.....

Paramount Bonds Gain

	High	Low	Close	Net Change
Loew 3½s '46....	98½	98⅜	98⅜	.....
Para. B'way 3s '55	60	59⅛	59⅛	— ⅜
Para. Pict. 6s '55	91⅞	91⅞	91⅞	+ ⅛
W. B. 6s '39	66½	66½	66½	.....

(Quotations at close of March 2)

"Dead End" Is Twin Cities' Hit, $11,000

Minneapolis, March 2. — "Dead End" was the only picture to make a Twin City showing last week. It packed them in in both cities, drawing $11,000 in Minneapolis at the Orpheum, where $6,000 is average, and $5,000 in St. Paul's Orpheum, where $4,000 is average.

"Hollywood Hotel" was a disappointment, and was pulled in both cities after six days.

Total first run business in Minneapolis was $25,600. Average is $27,500.

Total first run business in St. Paul was $14,800. Average is $15,000.

Estimated takings:

Minneapolis:
Week Ending Feb. 24:

"HOLLYWOOD HOTEL" (F. N.)

MINNESOTA—(4,000), 25c-55c, 6 days. **Gross:** $6,000. (Average, $10,000)

"DEAD END" (U. A.)

ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $11,000. (Average, $6,000)

"GOLD IS WHERE YOU FIND IT" (F. N.)

CENTURY—(1,600), 25c-40c, 7 days. **Gross:** $3,600. (Average, $5,000)

"LANCER SPY" (20th-Fox)
"FIT FOR A KING" (RKO)

STATE—(2,400), 25c-55, 7 days. **Gross:** $3,000. (Average, $5,500)

"BOY OF THE STREETS" (Monogram)

WORLD—(400). 25c-35c, 7 days. **Gross:** $2,000. (Average, $2,000)

St. Paul:
Week Ending Feb. 24:

"HOLLYWOOD HOTEL" (F. N.)

PARAMOUNT—(2,500), 25c-40c, 6 days. **Gross:** $4,500. (Average, $5,500)

"DEAD END" (U. A.)

ORPHEUM—(2,000), 25c40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"PARADISE FOR THREE" (M-G-M)
"DINNER AT THE RITZ" (20th-Fox)

RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,800. (Average, $3,300)

"PENITENTIARY" (Col.)
"PRESCRIPTION FOR ROMANCE" (Univ.)

TOWER—(1,000). 25c-35c, 7 days. **Gross:** $2,500. (Average, $2,000)

"Landing" $12,000 Draw at Montreal

Montreal, March 2. — "Happy Landing" led the first runs with a gross of $12,000 at the Palace. This was $1,000 above average. Bookings prevented a holdover.

"The Hurricane" finally ended its run at the Orpheum in its ninth week with a take of $3,000.

Total first run business was $36,000. Average is $40,500.

Estimated takings for the week ending Feb. 26:

"PARADISE FOR THREE" (M-G-M)
"CHANGE OF HEART" (M-G-M)

CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $9,500)

"SHE MARRIED AN ARTIST" (Col.)
"UNDER SUSPICION" (Col.)

LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $6,500. (Average, $8,000)

"THE HURRICANE" (U.A.)

ORPHEUM—(919), 25c-35c-50c, 7 days, ninth and final week. **Gross:** $3,000. (Average, $5,000)

"HAPPY LANDING" (20th-Fox)

PALACE—(2,600). 25c-35c-40c-50c-65c, 7 days. **Gross:** $12,000. (Average, $11,000)

"TARZAN'S REVENGE" (20th-Fox)
"HIGH FLYERS" (RKO)

PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $6,500. (Average, $7,000)

Test Audience

Houston, March 2. — Will Horwitz, owner and operator of four subsequent runs that make up the Horwitz Homefolks Theatres, has a new version of "trying it out on the dog."

He runs his amateur applicants on the Saturday morning show for the Iris Boys' Club of youngsters of 12 and under. If the amateurs can stand the gaff, they are booked for amateur night the Wednesday following. The boys don't withhold the razzberries, but they are quick to give credit where it is due.

California Storm Paralyzes Studios

(*Continued from page 1*)

low ground, as the vault and camera department was flooded, making the lot a veritable lake. Only slight interruption in shooting was caused there, but at M-G-M, Culver City, all shooting stopped. M-G-M sent a flotilla of 26 rowboats out on the streets of Culver City to rescue hundreds of families stranded in their homes. Scores of motorists were trapped in their cars. Some were bound for the studios and sat on their cars waiting rescue.

The $250,000 bridge over Ballona Creek was washed out and the back lot of M-G-M flooded by the angry water. At least one motorist was trapped when the bridge collapsed, but his identity is unknown.

Universal was marooned from the San Fernando Valley side as all bridges over the Los Angeles river, normally dry, were closed to traffic. The river washed out banks and threatened the side of the Universal lot. Farther out from Universal, in Saugus, the tunnel through the mountains was reported collapsed and several cars trapped.

Film Notables Marooned

Madeleine Carroll and many other film people living at Malibu Beach were isolated and Walter Wanger's "The River Is Blue" company stopped shooting. Technicians on the picture were asked to rescue Miss Carroll, star of the film.

The Columbia studio this morning was cut off from telephone communication as the lines went dead. Columbia is situated two miles below the Hollywood hills, watershed for the vicinity.

The latest word from Warners was that their lot situated between creeks normally dry, is completely marooned and 700 to 800 persons may be bedded down there tonight if the torrents do not subside. The "White Banners" set was wrecked by the flood and all shooting stopped.

A humorous angle to Warners' situation was the artificial whale, being used for "When Were You Born," which was washed down the raging creek. It was made of papier mâché, glue and wood.

The 20th Century-Fox shooting schedule was revised when some actors failed to reach the studio. Shooting on "The Battle of Broadway" was cancelled as George Marshall, living at Malibu, was unable to get to studio. Executives living in Bel and Brentwood Heights could not through to the studio because o landslide. One-half of the worker the Selznick studio, Culver City, ported to work this morning and w informed they might not be able leave inasmuch as the only r through the vicinity is about to blocked by flood waters.

The entire Roach lot in Culver is completely closed as Washing and Venice Blvds. are blocked to t fic.

Landslides late this afternoon w threatening Rossmoyne Village, h of Aubrey Blair, secretary of the ior Screen Actors Guild. B reached on the phone by Motion ture Daily, said the hills were ing in on his home.

Republic Isolated

Telephonic communication with public was disrupted entirely. Re lic is in the San Fernando Valle low ground.

Late this afternoon, Ventura B main artery from Hollywood to San Fernando Valley, where hund of film workers live, was repo closed to traffic by the landslide high water.

Although shooting has not bee terrupted at RKO, conditions are that scores of workers may stay night at the studios.

"Follies" Up With $13,00 In K.C. Slum

Kansas City, March 2.—"Goldw Follies" was the only attraction stand up in the face of bad weat and stiff outside competition last w The $13,000 take was $1,500 over p

The only other first run to m much of an impression was "The Broadcast of 1938," which went $1, over the line on a take of $8,000.

Total first run business was $36,9 Average is $38,300.

Estimated takings:

Week Ending Feb. 23:

"THE BIG BROADCAST OF 1938" (Para.)

NEWMAN — (1,900), 25c-40c, 7 d **Gross:** $8,000. (Average, $7,000)

Week Ending Feb. 24:

"GOLD IS WHERE YOU FIND I (W.B.)
"SHE LOVED A FIREMAN" (W.B

MAINSTREET—(3,100), 25c-40c. 8 d **Gross:** $5,600. (Average, 8 days, $8,800)

"GOLDWYN FOLLIES" (U.A.)

MIDLAND—(4,000), 25c-40c, 7 d **Gross:** $13,000. (Average, $11,500)

"BARONESS AND THE BUTLER (20th-Fox)

FOX TOWER—(2,200), 25c-40c, 7 d Stage: The Lucky Boys, Al Verdi Dolores, and Miss Lee Purdy. Gr $7,900. (Average, $7,000)

"HAPPY LANDING" (20th-Fox)
"THE BLACK DOLL" (Univ.)

UPTOWN—(2,000), 25c-40c, 7 days, week for "Happy Landing." **Gross:** $2 (Average, $4,000)

Paul Glase Is Honore

Reading, Pa., March 2.—Paul Glase, manager of the Embassy h was honored at a dinner at the Be shire Hotel commenorating his 2 anniversary as theatre manager h The dinner was attended by friends.

our AVotes)pposition to IATSE Moves

(*Continued from page* 1)

board for its approval within 90 s its method of classification of rus groups and the wage and hour edules which the federation will mpt to set up in the night club presentation house fields, and ees to permit a Four A's commit- to join in the designation of offi- ; and members of the federation's anizing committee for the new ls.

'he granting of the night club and sentation house jurisdiction to the F. of A. is regarded as a definite cation that Actors Equity Ass'n proceed with earlier plans for ab- otion of Chorus Equity. The two ons have always had the same rd of councillors and the same sident but maintained legal and ncial entities.

xpect Realignment f Authors-Writers

omplete autonomy is expected to be d to the Screen Writers' Guild at eeting of the Authors' League of erica, parent organization, here to-

nder the amendments to the Au- s' League bylaws which are sched- to be approved, the Screen iters' Guild will become an affili- of the league instead of a member . The change in the guild's status have the effect of giving the guild plete autonomy while preserving, he same time, an alliance between guild, the league and its member s which will continue the possi- y of joint action by all in emer- ies.

pproval of the amendments is ex- ed in view of the fact that the osals to be voted on today are the lt of joint recommendations by mittees representing the league and en Writers' Guild. They resulted mutual dissatisfaction over the d's original status which led to uent disputes over the alleged nination" of the west coast writers he parent New York organization. voting does not affect the mem- hip status of the other league s, the Dramatists' Guild, Authors' d and Radio Writers' Guild.

oday's balloting also includes re- d assessment scales for the league earnings from screen writing and the sale of plays.

Film Exhibit to Paris

he recent "Tom Sawyer" exhibit, e Making of a Contemporary ion Picture," at the Museum of dern Art, will be shipped to Paris e placed on exhibition May 15, he Musee du Jeu de Paume.

antz to Steubenville

TEUBENVILLE, O., March 2.—Harry tz, manager of the Ritz, Clarks- g, for three years, has been named ager of the Capitol here.

No Report Made on Two-Operator Bill

ALBANY, March 2.—Contrary to expectation the two-man-in-a-booth bill was not reported out of the Cities Committee at yesterday's meeting. Word was forthcoming that it was discussed and a public hearing was asked, but no decision was reached.

Owners of the three Gammell theatres in Buffalo and the Lyric in Endicott today exhorted their legislators to oppose the two-men-in-a-booth bill, saying that enaction would impose a real hardship and cause additional expense.

The bill apparently has some support in the committee, but one legislator commented that the principal flaw in the legislation from his point of view was the mandatory provision. He pointed out that a permissive bill would have a better change of passage.

A bill which aims to prevent the sale of tickets when seats are not available was introduced yesterday by Representative Daniel Flynn of New York. An out for exhibitions is the exception clause permitting the sale of tickets for standing room only where local ordinances relating to safety permit the practice. The bill provides a $50 fine for each ticket sold and says local licensing authorities have the "duty" of revoking the licenses of proprietors flagrantly violating the law.

Florida Ascap Law Test Set for Today

NEW ORLEANS, March 2.—The Federal statutory court which will convene here Thursday is expected to reserve decision on Ascap's action to have the Florida statute banning the music licensing society from operating within that state declared unconstitutional.

The three-judge court will hear the arguments of Louis D. Frohlich and Herman Finkelstein, Ascap attorneys, tomorrow. The defense of the statute, in charge of Andrew W. Bennet, former member of the U. S. Attorney General's staff; Lucien H. Bogges and members of the Florida attorney general's staff, may not be completed the same day.

Set Censor Bill Hearing

BOSTON, March 2.—Public hearings on the two censorship bills before the Massachusetts legislature will be held by the Committee on State Administration on March 11.

Move for Films Levy Abandoned by Moran

(*Continued from page* 1)

for his signature. They include a proposal for an emergency tax on gasoline.

Assemblyman Moran assured MOTION PICTURE DAILY that his film tax was suggested solely to relieve motorists of the obligation to pay the gasoline tax. Since the gasoline levy has now been written into a bill it is believed that Moran will abandon all efforts for a film tax.

To Open Ohio House Soon

BARBERTON, O., March 2.—The Lake, new 1,000-seat house built by H. Makinson, is about completed and will open officially March 13. The cost of the theatre has been reported at $100,000.

Opposition Voiced To Pepper Measure

WASHINGTON, March 2.—Opposition to the Pepper bill for creation of a Bureau of Fine Arts was voiced today by witnesses appearing before the Senate Education and Labor Subcommittee on the ground that the bill was a relief measure only.

In the opinion of Gutzon Borglum, sculptor, and Walter Damrosch, conductor, the Sirovich bill is preferable to the Pepper measure because the former provides for a separate department for the arts.

Charges that the Pepper bill is merely a relief measure, in which Senator Ellender of Louisiana who, with Senator Pepper of Florida, conducted the hearings, were based on a provision that the proposed bureau should give employment to artists at pay of not less than $30 a week.

The fight over the bill came as E. L. Oliver, representing labor's Non-Partisan League, declared that all unemployed artists should be taken care of by the bureau. Ellender figured that there are 19,000 artists who would be employed, the salary list running to approximately $570,000 a week.

"If this bill is passed without any additional funds being given for relief generally," he said, "it will mean that the artists will get increased aid with money which must be taken from the unemployed bricklayers."

A telegram was received by the committee from Mary Pickford, endorsing the bill.

Allied Board Talks Legislative Plans

(*Continued from page* 1)

said there was "nothing to say" and comment was refused on reports that efforts were being planned to induce Representative Wright Patman (Dem.) of Texas to include film theatres in his bill imposing prohibitive taxes upon chain stores.

So far as could be learned the group plans to confer among themselves and with friendly members of Congress regarding both the future course of the Neely block booking bill, now on the Senate calendar with a favorable report from the Senate Interstate Commerce Committee, and the legislation which it was decided at the January meeting should be drafted for introduction in Congress as a substitute for legislation now pending.

Among those attending today's meeting were Abram F. Myers, H. A. Cole, Ray Branch, Sidney Samuelson, Nathan Yamins, Al Steffes, P. J. Wood, Arthur Hogard and Edward Mertz.

Forms Booking Unit For 40 Ohio Houses

CLEVELAND, March 2.—Cooperative Theatres of Ohio, Inc., has been incorporated by Milton A. Mooney, former local Warner branch manager, to book, buy pictures and accessories for a group of more than 40 independent theatres of Cleveland and northern Ohio.

Mooney has leased office space in the Film Building and will have his organization in operation not later than April 15. Associated with him is F. H. Hathaway, former Warner salesman.

Levy Tells Terms Of Circuit Deals

(*Continued from page* 1)

on children's tickets, have been a factor in working out the circuit deals, according to Levy.

"Snow White and the Seven Dwarfs" continues its unprecedented record of smashed box-office receipts, attendance and long runs, with Boston, Providence, Baltimore, Reading, Richmond and Washington holding the picture for a fourth week. In New York the Palace and Albee are holding over for third weeks and will play concurrently with the RKO Metropolitan circuit. Holdovers into second and third weeks are the rule in every key city in which the picture is playing.

Monogram Officers Are All Reelected

(*Continued from page* 1)

White, secretary; J. P. Friedhoff, comptroller, and Hugh G. Davis, assistant comptroller.

Directors are Johnston, Dunlap, Trem Carr, Sol A. Rosenblatt, J. A. Sisto, O. Henry Briggs and William Rhinelander Stewart.

Rosenblatt & Jaffe continue as general counsel for the company.

Johnston and Dunlap, accompanied by Monogram eastern branch managers, left for St. Louis following yesterday's meetings to attend the conference of Monogram franchise holders opening there tomorrow and continuing over the weekend. The St. Louis meeting will decide the company's new season production schedule and will be followed by a national sales convention in Cincinnati, April 21, 22 and 23.

"U" Adds $1,000,000 To 1937-38 Budgets

(*Continued from page* 1)

Paris" for July and "My Letter of Introduction" and "That Certain Age" for August. The latter film will star Deanna Durbin, while "My Letter of Introduction" will feature Andrea Leeds, Adolphe Menjou, Edgar Bergen and his Charlie McCarthy.

Today's statement followed a series of closely guarded conferences between Blumberg and Rogers, following which both executives stated that the company's move in stepping up the budgets was predicated on the realization of the need for upstanding product which will lend itself conveniently to showmanship efforts.

Denver Row Brewing Over Daylight Time

DENVER, March 2.—Theatres and radio stations will lock horns in a battle over daylight-saving time. The radio stations are already devoting several short periods weekly to boosting the idea, and Harry Huffman has been made chairman of a committee of theatre and other business men opposing the plan. Several lines of business are lined up behind the radio stations.

Last year the ordinance was passed by the council, but was vetoed by the mayor. Denver had daylight-saving time about 15 years ago for a little over a year, but when the proposition was submitted to a vote it was beaten.

Radio Personals

DOUG CONNAH, formerly of the CBS press department and Batten, Barton, Durstine & Osborn, has written a book titled, "How to Build the Radio Audience," to be published this spring by Harpers. . . . Mary Small's switch in management from the NBC to the CBS artists bureau is traceable to her attempt to crash a Toscanini rehearsal with two cameramen to have her picture taken with the maestro. John Royal did not like it. . . . The Gish sisters, Dorothy and Lillian, will make their first appearance together since the silent screen days when they appear on the Kate Smith radio program tonight. . . . Roger Doolings, who joined the Fizdale office in New York recently, is ill with pneumonia. . . . Tim and Irene will celebrate their 16th wedding anniversary tonight.

+

Joe Higgins, assistant to Richard O'Dea in charge of the "Dance Parade" on WNEW, has married Rita Schmidt. . . . Anne Shirley has been given the role opposite W. C. Fields in the Lux "Radio Theatre" production of "Poppy" Monday night. . . . N. W. Ayer has sent a release in which Jose Iturbi sings the praises of the music of the late George Gershwin, forgetting apparently that Jose created a sensation last summer when he refused to broadcast a program of Gershwin music. . . . Louise Palmer, interior decorator and columnist, will appear on Anice Ives' program over WMCA today.

+

Ted Van Cott Tuesday celebrated his 10th year as assistant to NBC Chief Engineer O. B. Hanson. . . . E. P. H. James of NBC left yesterday for Cincinnati to address the advertising club on broadcast advertising. . . . "Prof. Quiz" will celebrate his first year on the air for Nash-Kelvinator March 6. . . . Herb Morrison of the WOR announcing staff left yesterday for South Bend where he will speak to the journalism class of Notre Dame on coverage of special events. . . . Sylvia Froos has been booked for a week at Loew's State here by Henry Frankel of WOR's artists bureau.

Coast Flood Hits Stations

HOLLYWOOD, March 2. — Floods caused by the worst storm in recent years this afternoon forced KNX, NBC station, to leave the air for an hour because of failure of the power line.

Women workers at KFI and KECA were sent home at noon by Earle C. Anthony, manager, who feared that the rising waters might isolate the station.

The special shortwave broadcast crew which was to have been sent to the Tehachapi Mountains to aid in the search for the lost TWA airliner, was ordered to remain here and aid in the special broadcasts of flood danger by the Mutual network.

Rico Marcelli in New York

Rico Marcelli, who was musical director of the "Fibber McGee & Molly" shows in Chicago, is now in New York negotiating for a network spot.

F. C. C. May Act on Gerald Smith Talks

(*Continued from page 1*)

fied the stations involved to furnish the commission with copies of Smith's talks. The commission's action is based on the grounds that, contrary to F. C. C. regulations, the "Committee of One Million" allegedly solicited contributions from listeners for allegedly unwarranted purposes.

"The Committee of One Million" sponsored Smith's talks over an independent network of approximately 40 stations, beginning in November, 1937. The Albert M. Ross agency originally handled the contract for the deal, but subsequently the account was obtained by Transamerican. The program, it is believed, was signed for 13 weeks on the air, but it left the air after a few broadcasts.

The program was carried locally by WHN. Herbert Pettey, WHN executive, admitted that he had heard reports that the F. C. C. intended to ask for copies of Smith's talks, but he said that WHN had not yet been asked by the commission.

Two Standard Brands Ad Agencies Changed

Fleischmann Distilling Corp., subsidiary of Standard Brands, has placed its advertising account with Erwin Wasey & Co. Standard Brands also has placed the advertising of Royal Baking Powder with McCann-Erickson.

Both accounts formerly were handled by the J. Walter Thompson Co., and it marks the first time that Standard Brands accounts have been placed with more than one agency. Reports that J. Walter Thompson was to lose a part of the Standard Brands business have been current for some time.

Music Union Board Delays Disc Talks

The A. F. of M. general executive board continued discussion of transcription and recording license terms yesterday without coming to a general agreement.

The meetings will be resumed Monday. Today's conference with a committee representing the transcription companies has been deferred until that time, due to the fact that several members of the union board had to leave New York on other union matters.

Set April 18 for Purdue Hearing

WASHINGTON, March 2.—The Federal Communications Commission has set April 18 as the tentative date for an examiner's hearing on the application of Purdue University's broadcasting station, WBAA, for authority to move from Lafayette to Indianapolis, Ind., increase time from specified hours to unlimited, and increase power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

To Air Swedish Royalty Visit

Crown Prince Gustaf Adolf and Crown Princess Louise of Sweden will visit the United States sometime in June, according to the Pennsylvania 300 Commission and CBS, which will broadcast highlights of their arrival. CBS will also broadcast various activities of the royal couple during their stay here.

Fire Coverage

A fire which started in a small store, and threatened Proctor's Theatre at Lexington Ave. and 58th St., yesterday inspired WNEW to give to its listeners a flame-by-flame description of the event. Bill Harding and Don Dunphy set up their microphone across the street from the theatre and broadcast from 3:15 to 3:30. WNEW is located within a half block of the scene.

Tax on Radio News Ended in New Bill

(*Continued from page 1*)

exemption granted in the Revenue Act of 1932 to news material transmitted by wire should be extended to similar material by radio.

"The radio is now being widely used in news dissemination," the committee pointed out in its report. "All news dissemination should be encouraged, and accordingly the amendment extends the exemption to cover payments for services or facilities utilized in the collection of news for radio broadcasting or in the dissemination of news by means of radio broadcasting."

As anticipated, the new bill provides relief from the undistributed profits tax for the great majority of corporations, those with net incomes not exceeding $25,000 being taxed at rates ranging from 12½ to 16 per cent, and those with greater incomes at a rate of 20 per cent; with credit to be allowed for four per cent of the amount distributed in dividends. Adjustments are made in the case of companies just over the $25,000 limit, so that the jump in taxes may not be too abrupt.

NBC Plans to Add Two New Stations

Two new stations will be added to the NBC combine on or about March 15, when KSEI, Pocatello, and KTFI, Twin Falls, both in Idaho, join the North Mountain group. The additions will bring the total number of stations affiliated with NBC to 146.

KSEI is owned by the Radio Service Corp., is a full-time regional channel station of 900 kilocycles, and has a daytime power of 1,000 watts and a night power of 250 watts.

KTFI is owned by the Radio Broadcasting Corp., 1,240-kilocycle, full-time regional, with a day-and-night power of 1,000 watts.

KSEI definitely will join the network on March 15. KTFI's affiliation, expected at the same time, may be delayed a few days by the installation of transmission circuits, now being erected.

WHN, Studebaker Close Deal

Studebaker Corp. has entered into a contract with WHN for spot announcements for used cars, the contract starting today. The agency is Williams & Cunnyngham. Chevrolet Motor Co. has renewed its transcribed series for 12 more weeks on WHN, starting March 9. The agency is Campbell-Ewald.

New Station Sough For Taylor, Tex

WASHINGTON, March 2.—Author to construct a new daytime station, operate on 1,310 kilocycles with 1 watts power, has been asked of Federal Communications Commissi today by George B. Peeler, Tayl Tex.

Other applications filed with commission include requests [illegible] WGTN, Wilson, N. C., for ch of frequency from 1,310 to 1,420 ki cycles and increase of time from d to unlimited with 100 watts night, 2 watts day; and KAWM, Gallup, M., for increase of day power fr 100 to 250 watts.

The commission has continued fr March 4 to March 11 oral argum on the contesting application of Sou west Broadcasting Co. and W. Stuart for a 1,500-kilocycle, 100-w station at Prescott, Ariz., and the a plication of Clark Standiford, L. Coburn and A. C. Sidner for a 1,37 kilocycle, 100-watt station at Fremo Neb.

Used Car Week Starts Today

"National Used Car Exchan Week" will be inaugurated with broadcast over CBS tonight fr 10:15 to 10:30 P. M., with the hea of three automobile companies pa ticipating. The speakers will be Ed Ford, president of the Ford Mot Co.; W. S. Knudsen, president General Motors, and K. T. Kell president of Chrysler Corp. Fo will be heard from WJNO, W Palm Beach. Knudsen and Keller w speak from WJR, Detroit.

Bull Durham Show Is Set

Bull Durham smoking tobacco, f the first time in its long history, w go on the air in the near future wi three 15-minute spots weekly in mi western, southwestern and far weste territories. Louise Massey and t Westerners will be featured in r corded programs of modern a western music. Recording will sta here on Monday. The deal was s by Wolf Associates.

Commentator Defends Duals

George McCall, air commentator films, came to the defense of doub bills in theatres in a recent broadca "If laws were enacted to ban doub bills, as has been proposed in Chicag I fear that these very laws would a as a boomerang by later leading censorship and other undemocrat consequences which would wo against the motion picture industry he said.

Ross Sets Concert Schedule

HOLLYWOOD, March 2.—Lanny Ro will launch his 1938 concert to March 17 when he appears in Tacom The rest of his schedule follow Moscow, Ida., March 19; Corvall Ore., March 24; Portland, March 2 and Eugene, Ore., March 27. S Francisco follows on March 30, De ver, April 2; St. Louis, April 8; a Salina, Kan., April 9.

Set Toscanini Verbal Deal

NBC yesterday admitted that verbal agreement had been reach with Arturo Toscanini for t maestro to continue his concerts the network for a period of thr years. Signing of the contract expected to take place on Saturda

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Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 51 NEW YORK, FRIDAY, MARCH 4, 1938 TEN CENTS

eneral Foods enews Period n MGM Show

oort Firm to Continue Studio Program

neral Foods Corp., for Maxwell se Coffee, has renewed the net- time for the period now occu- by the M-G-M "Good News of ' program, it was learned reliably night. The extension is for 15 s, lasting until the end of June. d News of 1938" is broadcast sdays from 9 to 10 P. M. on the -Red network.

atus of the tieup between General s and M-G-M will not come up reconsideration for another two s, although unofficially it is re- d that the pact between studio

Additional developments in radio yesterday on page 6.

sponsor will be renewed. In sub- iation of this report, it has been tained that Benton & Bowles, the cy handling the program, now is leting promotional material for I-G-M program up to April.

TION PICTURE DAILY has ascer- d that M-G-M officials, for the part, are satisfied that they have eded in breaking down a good of the exhibitor resistance to

(Continued on page 6)

bate Films Bill In House of Lords

NDON, March 3.—The Films Bill was debated in the House of s with Viscount Swinton, who ially was responsible for the in- ction of the 1927 bill, sponsoring ge in the senior chamber. Swin- vho is Minister of Air, in defend- he bill, maintained that enact- would enable British films to d British ideals and added that bill seeks to eliminate quota ies which the cost test would unnecessary.

position was voiced by Lord Stra-

(Continued on page 6)

m Firms Pruning oreign Writer List

accredited list of foreign news- correspondents in New York is drawn up by foreign publicity of 10 film companies. Of 183 spondents listed by all companies, 80 will be cut off as not bona fide paper representatives.

e foreign publicity departments

(Continued on page 6)

Japanese Government Plans Control of Film Industry

By TETSUYA MORI

TOKYO, Feb. 10.—There is every indication that the Japanese Government shortly will initiate legislation designed to control all phases of the film industry. Earlier rumors of such moves now appear based on fact.

Following the promulgation of a three-hour limit on theatre performances, which became effective Feb. 1, the Government has undertaken a wholesale investigation of the industry, covering details of every phase of film activity.

An attempt had been made to bring out a film regulation measure in the last session of the Diet, but it became too heavily involved in Government ministry conferences. However, after consideration by the various ministries concerned including Education, Foreign Affairs and Commerce and Industry, the measure will go to the legislative bureau of the Cabinet and is expected to be brought before the Diet at the next session.

The movement obviously is one designed toward nationalization of the

(Continued on page 2)

Cash Payment Taxes Factor In U.A. Sale

The deal being negotiated in Hollywood for purchase by David O. Selznick and John Hay Whitney, with Alexander Korda and Samuel Goldwyn, of the United Artists stock ownership held by Mary Pickford, Douglas Fairbanks, Sr., and Charles Chaplin calls for substantial cash payments, Miss Pickford indicated yesterday on her arrival here from Chicago for a six-week stay.

While terms of the sale are being worked out, with nothing arrived at that can be made public, Miss Pickford said, she declared that delays have been occasioned by the necessity of ironing out the tax situation attendant on the sale of preferred stock by the three partners. The Government, she said, would consider the stock transfer an outright sale, and the taxes to

(Continued on page 5)

Authors Vote Autonomy for Writer Guild

Autonomy for the Screen Writers' Guild was voted yesterday by the combined membership of the Authors' League of America. Under amendments to the bylaws of the league which were approved in the balloting the guild becomes an affiliate, rather than a member unit of the league.

Two additional propositions covering league assessments on the sale of stories for films and the sale of stage material were also approved. Under one proposal assessments on earnings from pictures will apply only against income received by members from the sale or lease of film rights in literary or dramatic material other than original material written directly for the screen.

The new scale of assessments on income received by members from film

(Continued on page 2)

Deanna Durbin Party Held In River House Atmosphere

By J. M. JERAULD

Critics, critics' friends, trade paper writers, fan magazine editors and their assistants journeyed across Manhattan late yesterday to the River House at the edge of the East River where they have private landings for yachts at the end of 51st St.

All of them had received personal letters from Deanna Durbin, with engraved cards enclosed, inviting them to a party in her honor.

Film parties have been held at the Brooklyn Navy Yard, the Waldorf-Astoria, the Ritz Towers and other places, but this was the first time at the River House. Even the news photographers had their trousers pressed and their shoes shined.

The taxi drivers talk in subdued tones in that neighborhood.

Flowers were placed in large quantities on stairways, attendants waved toward the check room with courtly

(Continued on page 2)

Coast Storm Hits Studios; Damages Sets

Academy Awards Banquet Postponed One Week

LOS ANGELES, March 3.—Production activity at all studios was severely hampered and damage to sets, buildings and equipment increased as rain and high winds continued to lash the film community and Southern California today.

Republic, contacted tonight by MOTION PICTURE DAILY, stated that all shooting has been suspended and its workers sent home. The studio is situated on the border of a creek which overflowed and flooded the lot.

Weather forecasts offered little hope of a cessation of the storm for another 24 hours.

Workers in the offices of the I.A.T.S.E. were sent home at noon following reports that a worse storm is impending.

The Academy awards banquet, scheduled to have been held tonight, was postponed for one week to March 10.

The Scotch village set on the 20th Century - Fox lot being used for "Kidnapped" was damaged to the extent of $20,000 by the heavy rainfall and high winds. Damage to permanent sets on the Paramount back lot was estimated at $50,000. Floods caused a temporary power line failure at Warners and work on the "Four's A Crowd" set was suspended for several hours.

Air Programs Not Affected by Storm

Radio programs emanating from Hollywood were not unduly affected by flood conditions on the west coast, although for many hours yesterday it appeared that substitute programs would have to be inserted.

NBC programs from the coast yesterday were Amos 'n' Andy for Pep-

(Continued on page 6)

Federal Judges Hear Ascap Florida Plea

NEW ORLEANS, March 3.—Federal Judges Rufus W. Foster, August Long and Louis Strum, tonight were studying the Ascap plea that Florida be restrained from proceeding against Ascap under its so-called Anti-Ascap Law.

The statute bans as monopolies any

(Continued on page 2)

MOTION PICTURE
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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Compton Replaces Voight

HOLLYWOOD, March 3.—Walter Compton has arrived here to take over his new duties as publicity manager at the Republic studio. He succeeds Hubert L. Voight. Compton was transferred from the New York home office, where he was assistant to Al Adams, advertising and publicity head. Prior to joining Republic he was with United Artists and with Loew's in Columbus, his home town.

"Snow" Is Palace Hit

"Snow White and the Seven Dwarfs" will run a record three weeks at the RKO Palace on Broadway and will also set a new mark for the RKO Albee in Brooklyn, where the film will bow out Tuesday night after a run of two weeks and four days. The film opened generally in RKO theatres in Manhattan, Westchester and the Bronx yesterday and on March 10 will go into the circuit's Brooklyn houses.

Close for Warner List

LOS ANGELES, March 3.—The Feldstein & Deitrich circuit, operating in this territory, has closed a deal for Warner-First National product covering this season as well as 1938-'39.

Purely Personal

C. KING CHARNEY, Agfa film distributor, cut his visit short due to flood reports from Hollywood and will leave today by train, taking a chance that he can get as far as San Bernardino. He received word yesterday that both his office and his home are under water.

•

SAM SAX, production head at the Vitaphone studio; JOSEPH HENABERY, director, and LEE STEWART, casting director, will leave today for Worcester and Boston to seek children for roles in the new "Kiddie Revue" series.

•

MRS. A. J. HENRY, known to the trade as GLADYS DILLON, formerly assistant to JAMES R. GRAINGER and FRANK A. McCARTHY at Universal, gave birth to a girl yesterday at Doctors' Hospital.

•

ANDRE DE LA VARRE, co-producer with Major Paul Devlin of the "Screen Traveler" series, has returned with 12,000 feet of film shot in Trinidad, Martinique, Nassau and Rio de Janeiro.

•

JANET BERLINER, who has resigned as booker at Grand National's New Haven branch, will leave tomorrow on the *Virginia* for California. She will spend some time in Hollywood.

•

BERT ADLER, former deputy commissioner of the Department of Sanitation, is now an aide to GEN. EDWARD M. MARKHAM, new commissioner of public works.

•

M. L. SIMONS, editor of *The Distributor,* M-G-M house organ, is recuperating at Boulevard Hospital, Astoria, following the removal of his appendix.

•

HARRY F. SHAW, division manager at New Haven for Loew Poli theatres, and MRS. SHAW will leave tomorrow on a cruise to Mexico.

•

LEON and MRS. SCHLESINGER are due to leave for the coast today. He has been taking treatments and is feeling better.

•

AUSTIN C. KEOUGH, who has been on the sick list for some time past, is expected back at his office on Monday.

•

BERT LOWN of Rockwell-O'Keefe office will leave next week on a business trip in the south.

•

GEORGE J. SCHAEFER returned to New York yesterday from a Florida vacation.

•

ERNEST EMERLING of Loew's was confined to his home yesterday with a cold.

Run "Pension Nights"

DENVER, March 3.—Holding as bait a chance on a prize for all who buy tickets from the organization, the National Annuity League, an old age pension group, are sponsoring "pension nights" twice weekly at five Denver Fox houses.

Japan Is Planning Control Over Films

(*Continued from page 1*)

industry, and both domestic and foreign distributing companies are believed to be considering a definite trend toward cultural, rather than entertainment films, in line with the nationalization program.

Some leading distributors are of the opinion that it would be well to begin immediately to offer a certain percentage of cultural films, along with the usual entertainment product, in order thus to forestall the possible banning by the Government of all entertainment product in favor of cultural screen material.

A total of 285 features were released in Japan during 1937, 53 less than the total during 1936, and a decrease of 26 as compared with the 1935 total and 35 in comparison with 1934. Tightened restrictions on the importation of foreign product were responsible for the decrease in 1937. American product led the list in 1937, followed by French films, while during 1936, second place went to Germany.

Federal Judges Hear Ascap Florida Plea

(*Continued from page 1*)

copyright groups to license public performances, compels the publication of prices on sheet music and gives the purchasers of the music the right to perform without further fees. It also invalidates the present Ascap contracts.

Louis Frolich, New York attorney, closed the arguments for Ascap by denouncing the Florida law as a clever subterfuge to prevent the composer from getting his rights.

Florida attorneys attacked court jurisdiction and insisted the injunction should not be directed against the attorney general of that state since he was only involved in the criminal angles of monopolies.

Theatre Bill Reported Out

ALBANY, March 3.—A bill by Senator John J. Howard giving state troopers and sheriffs jurisdiction to enforce safety provisions in certain upstate communities today was reported out of the Senate Labor and Unemployment Committee. The bill stands on general orders, together with Howard's proposal to give 24 consecutive hours of rest to employees, including some classifications within the theatre field.

Another theatre bill was introduced by Senator A. S. Feld, Manhattan Democrat, in companionship with Tuesday's act to amend the law in relation to the sale of seats when there is none empty in theatres. The Feld-Flynn bill allows the sale of tickets beyond seat capacity under certain conditions, but also permits aggrieved parties to sue exhibitors in civil suits for recovery of $50.

Assemblyman Crews is amending his "full crews" bill.

Set British "Yank" Debut

LONDON, March 3.—"A Yank at Oxford," M-G-M's British-made production, will have its premiere at the Empire on the evening of March 31. It will be a charity performance and will be attended by a large group of society guests.

Authors Vote Autonomy fo Writer Guil

(*Continued from page 1*)

employment contracts or the sale
original material written directly
the screen is: $50 quarterly on
comes of $40,000 per year or ov
$25 quarterly on incomes of $20,000
$40,000 per year; $18.75 quarterly
incomes of $10,000 to $20,000
year; $10 quarterly on incomes
$5,000 to $10,000 per year, and $6
quarterly on incomes of $2,500
$5,000 per year.

Assessments on sales of dram
stage material are $5 per week
gross box-office receipts up to $9,0
$10 per week on gross receipts fr
$9,000 to $15,000, and $15 per week
gross receipts over $15,000. Asse
ments on sales of musical shows
$1 per week on each one per cent
royalty received from shows gross
up to $18,000; $2 on grosses fr
$18,000 to $25,000, and $3 on gros
over $25,000.

Under the new autonomous rank
of the Screen Writers' Guild it
continue in a position to partici
in joint action with the member gu
of the Authors' League, which are
Dramatists' Guild, Authors' Guild
Radio Writers' Guild.

Union Talks to Start

Gustave Gerber, attorney for
Theatrical Managers, Agents
Treasurers' Union, yesterday said
expected that preliminary discuss
would get under way next week
theatre operators on contracts gr
ing recognition and designation of
union as the bargaining agent. M
son Square Garden granted a cl
shop contract to the union cove
all ticket sellers following a s
strike.

Fete Deanna Durb At the River Hou

(*Continued from page 1*)

gestures, the orchestra played tan
and rhumbas, everybody was nonc
ant. J. Cheever Cowdin received
guests.

About 6 o'clock little Miss Du
electrified the assemblage. She
rived after an afternoon of radio
hearsals. The program had been
emergency measure arranged by
ton & Bowles, fearful that the
Angeles storm might interrupt
regular program, but she showed
signs of weariness.

Something of that charm
started her toward the peaks of
fame in "100 Men and a Girl" and
keep her there in "Mad About M
spread over the exotic atmospher
River House. It turned out to
party that was different.

Set 20th-Fox Dividen

The 20th Century-Fox board
terday declared a dividend of
cents per share on outstanding
ferred stock, payable March 3
holders of record March 24.
company also declared a dividen
50 cents per share on the com
stock, payable on the same date.

A TRIBUTE TO GENIUS

I rarely sign my name to advertisements, but I insisted that this advertisement be a personal message from me to exhibitors.

I have just seen "Rebecca of Sunnybrook Farm," and words cannot fully express my enthusiasm for this great picture. From every angle it is definitely not only Shirley Temple's best to date, but is one of the finest pictures our company has ever made.

Shirley, herself, has never been more appealing. Furthermore, the picture is made to order for adults. The cast is a cast of grown-ups—grown-ups not only with name appeal, but also with great acting ability. All of them, whether they make love, sing or dance, give exceptional performances.

The story, too, is strong in adult appeal. Darryl Zanuck has streamlined Sunnybrook Farm by putting in a modern Radio Center. He has filled it with romance, comedy and up-to-the-minute songs and dances. Those songs, I believe, are among the finest I have ever heard in a musical.

But the best proof of "Rebecca's" quality is seeing it. Therefore, we have arranged special trade screenings in all our exchanges. Every exhibitor who has booked this picture should see it at these screenings.

(Signed)

President, 20th Century-Fox
Film Corporation

Shirley
TEMPLE
in
REBECCA OF SUNNYBROOK FARM

with **RANDOLPH SCOTT**

JACK HALEY • GLORIA STUART • PHYLLIS BROOKS • HELEN WESTLEY • SLIM SUMMERVILLE
BILL ROBINSON • RAYMOND SCOTT QUINTET
ALAN DINEHART • J. EDWARD BROMBERG

Directed by Allan Dwan

Associate Producer Raymond Griffith • Screen play by Karl Tunberg, Don Ettlinger • Suggested by the Kate Douglas Wiggin story.

Darryl F. Zanuck
in Charge of Production

ADULT ENTERTAINMENT... that's the keynote of this greatest of Shirley Temple pictures!

A great show property STREAMLINED to today... with a modern Radio City moving in on the old farm!

Your No. 1 boxoffice personality... surrounded by a host of top-flight marquee names!

Romancing stars, comedy stars, dancing stars, singing stars... other stars!

6 new-rhythm songs... by Gordon & Revel, Pollack & Mitchell, Pokrass & Yellen, Raymond Scott!

Plus an extra surprise, when Shirley sings a medley of her famous hits of the past!

SET THAT EXTRA PLAY TIME NOW!

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Cash Payment Taxes Factor In U.A. Sale

(Continued from page 1)

paid by herself, Chaplin and Fairbanks on the transaction would be avy.

Miss Pickford declined to divulge hether the consideration involved is the neighborhood of the $6,000,000 nount which Korda and Goldwyn of- red for the three-fifths stock inter- t several months ago. The price is eing negotiated, she said. The agree- ien will give Chaplin, Fairbanks and erself the privilege of a release, she lded, and while Chaplin will continue roducing, Fairbanks' plans are indef- ite, and Miss Pickford has no pres- it plans for reentering production. he would not venture a prediction on hen the negotiations might be con- ncluded, saying that this would be ierely a guess.

"Our policy has always been to iaintain an open door for the best roducers who seek a release for prod- ct commensurate with United Ar- sts' high standards," she said. "I am ire that Goldwyn, Korda and Selz- ick, fine producers themselves, will ntinue the same policy."

Condemns Duals

Miss Pickford sees double bills as ie greatest menace to the industry, nd deplores the combination of two arge-scale productions on one bill t an admission price of 20 cents. She ears the consequences if the practice ontinues, and declared that a unani- ious agreement of exhibitors should e sought to end dualling "before it uins the industry."

She spent about two weeks in Chi- ago with her husband, Buddy Rogers. During her six-week visit here, the ngest in some years, she will attend business matters, including the or- anization of a cosmetics company and ie development of a projector device prevent film fires. The United Ar- sts negotiations are being handled by er representatives on the coast.

Miss Pickford will await the ar- ival of her husband, who is touring ie Midwest with his band and will ll engagements in Philadelphia and New York. Then they will either go South America where Rogers has een offered bookings, or return to ie coast.

Closes for U. A. Films

OKEENE, Okla., March 3.—The Roberta here has signed a contract for xclusive showing in Blaine County f United Artists product. Films will e shipped directly from Kansas City. This is the first time in several years hat United Artists films have been hown in Blaine County.

Columbia Club Elects

Lillian Stark has been elected presi- ent of the Columbian Club for a econd term. Other officers are: Daniel Heiss and Simon Bell, first nd second vice-presidents, respec- ively; Joe Freiberg, treasurer; Jack Bass, financial secretary; Mimi Leven- on, secretary; Elsie McKee, as- istant secretary; Shevie Chason, hairman of the board of governors, nd Robert Lane, press representative.

The Newsreel Parade

Movietone News

Vol. 20, No. 50

(20th Century - Fox)

There is much interesting material in this issue which has been given good treatment. The assorted items are widely scattered, geographically. It is a well balanced and timely reel.

The opening sequence is devoted to the recent opening of the King George VI naval drydock in Singapore. There are scenes of battleships and waterfront ceremonies. Alexander Kerensky, interviewed by Lowell Thomas, speaks strongly on what he thinks of the current Soviet state of affairs. The late Gabriele D'Annunzio is seen in some of those scenes that make the newsreel of real historical value. It is in the form of an obituary. The King and Queen of England are shown attending an industrial fair.

The ruler of Denmark sails his boat on the French Riviera and the result is a number of appealing photographic compositions. New fashions for army officers are displayed by members of the service in Washington. Lew Lehr's vocal tomfoolery describes men knitting in Czechoslovakia. Ed Thorgersen's sports offer hockey in Europe, trout fishing in Missouri, skiing in Colorado and baseball training in Louisiana. Running time, 10 mins. P.

News of the Day

Vol. 9, No. 218

The floats, papier mâché figures and general atmosphere of merriment at carnival parades in Nice and Viareggio make an exhilarating lead for this number. The rest of the material is interesting, lightly educational and entertaining.

That highly publicized telescope mirror is seen being polished at the California Institute of Technology. There are advance scenes of a new aquarium at St. Augustine, Fla. The ceremonies attendant on the opening of the new naval drydock are similar to those in the 20th Century - Fox reel. Alexander Kerensky delivers himself of some forceful opinions in a shipboard interview that has waterfront sound effects. The Woman's Page has Queen Mary and King George of England at an industrial fair in London and army officers modeling new dress uniforms. The sport division covers the Giants in training at Baton Rouge and a number of experts demonstrating unique billiard shots. Running time, 9 mins. P.

Paramount News

No. 61

(Paramount)

A varied collection of news and feature material makes this release of about average interest. It is lacking in spot news representation, such as coverage on Southern California storms which have been raging for five days, and some of the feature material included suggests more entertaining possibilities than that actually realized by the cameramen—for example, the clip on the New York City windstorm, which even fails to picture a pedestrian's lost hat.

The issue leads off with shots of the opening of Britain's new naval base at Singapore; shows Florida's new "deep sea" aquarium; the sisters of King Zog of Albania visiting in New York; new dress uniform models for U. S. Army officers; an interview with Alexander Kerensky, in which the former Russian dictator predicts the downfall of Stalin; a Chicago motor boat show; a new German helicopter in indoor demonstration maneuvres; Herbert Hoover visiting in Belgium; the New York windstorm, and illustrations of the Cherry Hop, a new dance fad. Running time, nine mins. K.

RKO Pathe News

Vol. 9, No. 65

(RKO)

Grimly impressive pictures of a small segment of the Spanish civil war highlight this release. The photographic record of desolation and human suffering in and about Belchite will leave few members of any audience unmoved.

The remainder of the reel is along routine lines with the possible exception of a feature clip showing Austrian kayak riders in an exciting test of skill on river rapids. The other subjects cover the New York Giants in spring training at Baton Rouge, La.; John D. Rockefeller, Jr., launching a charity drive in New York; a new aquarium project at St. Augustine, Fla.; an alarm worn in the clothing to foil holdups; Estelle Lawson Page, national women's golf champion, in a practice session on Pinehurst links; Prince Michael of Roumania learning motor mechanics in an automobile factory, and greyhound hurdle races at Sydney, Australia. Running time, 8½ mins. K.

Universal Newsreel

Vol. 10, No. 646

(Universal)

The news breaks were apparently lacking for this midweek release, which for the most part is made up of routine clips, some of them interesting, however, and all made lively by Graham McNamee's narration.

The reel opens on fishing boats in Boston harbor covered with ice and the fishermen hard at work chopping it off. This is picturesque, as are also the carnival parade in Viareggio, Italy, and the New Orleans Mardi Gras. A "marine studio" at St. Augustine, Fla., where all sorts of underwater life abounds, provides good shots and fine photography.

The rest is run-of-the-mill: Britain's new naval and air base at Singapore; Britain's King and Queen at the Industries Fair in London; a display of the new army uniforms which officers will be wearing next fall; opening of the trout season in the Missouri Ozarks; and an elephant which assists the lifeguards at Miami Beach. The sports division includes the Giants and Athletics in training in Louisiana, a freak wrestling match and an exclusive clip of ski jumping competition in Utah. Running time, 9 mins. F.

French Film to Open

"Generals Without Buttons," French film released here by Arthur Mayer and Joseph Burstyn, will open at the Filmarte on Monday.

Ampa Votes Changes In Annual Ad Award

Ampa's annual advertising awards will be changed this year, it was decided at a membership meeting at the International Casino yesterday following a report by Vincent Trotta, chairman of the awards committee.

Trotta submitted three proposals as a result of the committee's deliberations. These were that the type of awards remain as heretofore, or that a reclassification include awards for the best work done by the advertising departments in various divisions, or to make first, second and third awards to departments for best all-around campaigns. The committee was instructed to work out a compromise between the latter two proposals and report back in two weeks.

A nominating committee was named to select the slate of officers for the annual election. Ampa's constitution calls for the election to be held before the last meeting in April.

The members decided to have a dinner-dance, to be held in May. Plans for the affair will be held in abeyance pending the report of the awards committee as arrangements will include the presentation of the awards at the affair.

Theatre Supply Ends Two-Day Coast Meet

LOS ANGELES, March 3.—National Theatre Supply Co. officials finished a two-day sales conference here yesterday during the course of which the new Simplex E-7 projector and the new sound system with it were discussed. W. E. Green, president, presided.

Among those present were: Earle G. Hines, president of General Theatres Equipment and International Projector Corp.; Herbert Griffin, vice-president of International Projector; George Friedl, Jr., director of sound engineering division of International Projector; E. M. Hartley of General Theatres Equipment and Oscar S. Oldknow, western and southern district manager of National Theatre Supply.

The following branch managers of National Theatre supply attended: Jap Morgan, Denver; Count deStefano, Los Angeles; Lee Scott, Salt Lake City; Lloyd Ownbey, San Francisco, and Heaton Randall, Seattle.

Exhibit Here Well Attended

Nearly 1,500 exhibitors, theatre managers and projectionists attended the five-day showing of the new Simplex E 7 mechanism at the Lincoln Hotel and great interest was displayed in the exhibits of all branches of the National Theatre Supply Co., it was said yesterday by James Frank, Jr., company executive.

"Sally" Takes $44,000

The first week of "Sally, Irene and Mary" at the Roxy finished with a gross of $44,000 last night. The bill is being held a second week. "She Married an Artist" went six days at the Criterion for a take of $7,000.

Retitle "River Is Blue"

HOLLYWOOD, March 3.—"The Adventuress" has been chosen by Walter Wanger as the new title for the Madeleine Carroll-Henry Fonda co-starring vehicle formerly known as "The River Is Blue."

General Foods Renews Period On MGM Show

(Continued from page 1)

the program that was manifest when the series started in November, 1937. It has been learned that a considerable number of exhibitors have written letters about the program to studio officials expressing satisfaction with the series and stating their intention to cooperate with the sponsor's branch offices in all the publicity and promotional stunts that have been arranged for their benefit.

Further indication that many exhibitors are now accepting the series is seen in the various exhibitor newspaper ads that have been gathered at the offices of Benton & Bowles. Many exhibitors advertising pictures in their local newspapers which feature M-G-M players appearing in the radio series, have inserted lines calling the attention of the public to the fact that the players in the picture are heard in "Good News of 1938."

Jergens Renews Two Programs Over NBC

The Jergens-Woodbury Co. has renewed its two NBC programs for an additional 13 weeks, effective April 3. Lennen & Mitchell is the agency.

"Hollywood Playhouse," starring Tyrone Power, and the Walter Winchell series, are the programs involved.

WBAX To Be Added To Mutual Net Today

WBAX, Wilkes-Barre, Pa., will join the Mutual network today. The station is owned by the Stenger Broadcasting Corp., on 1,210 kilocycles, with 250 watts power by day, 100 watts night. The tieup with Mutual marks the station's first network affiliation.

Bill Asks Radio Under P. S. C.

ALBANY, March 3.—Assemblyman A. J. Doran of Yonkers has introduced a companion bill to that of Senator John T. McCall putting radio corporations under the provisions of the Public Service Commission. The McCall-Doran bill would radically restrict operations of stations on charges, etc.

Renew Fidler for One Year

Jimmy Fidler has been signed again to continue his Hollywood gossip programs for Procter & Gamble for another 12 months. Fidler's program is broadcast in behalf of Drene shampoo Tuesdays and Fridays at 10:30 P. M. over the NBC-Red network. H. W. Kaster Co. is the agency.

Shift WHN Programs' Time

Three WHN programs have been shifted to new schedules. Starting today, the "Movie Money" radio contest will be heard from 10 to 10:15 P. M. "Airfinds" will be heard Mondays from 8:30 to 9 P. M., and "Now You Decide" will be on Mondays from 8 to 8:30 P. M.

Answer Expert

Herb Glover, publicity director for Lord & Thomas, is becoming an expert, by compulsion, on "things 1 never knew till now." It all dates back to the signing of Kay Kyser's "Musical College" series by American Tobacco. Here are some of the matters Kyser wants to know the answers to:

"Did Francis Scott Key write the score as well as lyrics to the "Star Spangled Banner?" "Did Fred Waring organize the Pennsylvanians or was he merely the band's publicity director and manager?" "What is the origin of the merry-go-round?"

A.F.L. Sending Disc Show to 55 Stations

WASHINGTON, March 3.—The American Federation of Labor made known today that it is sending a monthly 15-minute transcribed dramatization of "Labor News of the Month" to 55 stations.

Cognizant of the A. F. of L.'s action, John Brophy, director of the C. I. O., has written the organization's 40 regional directors that when "these local stations make use of the material our people ought to make requests upon such stations for equal time in order to present the much more important material about the program, policies and leadership of the C. I. O."

Names 2 Managers For WAAW, Omaha

OMAHA, March 3.—J. H. Weaver, president of the Omaha Grain Exchange, has named Walter Myers and Frank Shopen as co-managers of WAAW, owned and operated by the exchange. F. P. Manchester, exchange secretary, had been manager in addition to his regular duties.

Myers is the station's chief engineer and Shopen has been with the station three years.

CBS Preparing Series on Law

CBS has in preparation a series of half-hour programs based on Dick Hyman's book, "It's the Law," which deals with humorous legislation. A contract for the series has been signed with Hyman and S. R. Kunkis, attorney, who is assisting in the preparation and acting in an advisory capacity. Hyman's material has been syndicated and a monthly feature by him under the same title has been running in the *American Magazine* since 1935. He is publicity director for King Features Syndicate. The coadapters are also preparing a script for a series of film shorts on the same subject.

Favor Radio Libel Measure

ALBANY, March 3.—The Citizens Union, New York City group, has gone on record in favor of the bill by Assemblyman Phelps, designed to excuse radio stations from libel actions due to utterances made over the air. The Citizens Union legislative report gives the Phelps legislation an "A-2-Special" rating.

Air Programs Not Affected by Storm

(Continued from page 1)

sodent; the Rudy Vallee show for Standard Brands; "Good News of 1938" for M-G-M-General Foods Corp.; "Music Hall" for Kraft Cheese Corp. Amos 'n' Andy broadcast from Palm Springs, Cal., instead of from Hollywood. Their 15-minute skit was carried by telephone lines to Albuquerque, N. M., and thence to the network over the regular network lines. The Vallee, M-G-M and Kraft programs emanated from the studios of KFI, Los Angeles, by long wave, thence to the RCA Communications station at Point Reyse, Cal., and over the network. Programs from the coast, while some were slightly muddled, were for the most part surprisingly clear.

CBS, with but one 15-minute sponsored show on its schedule, cancelled several sustaining periods from the coast, filling in with programs from New York. The sponsored show, George McCall's "Hollywood Screen Scoops," for Old Gold cigarettes, was replaced with a program from New York in which Dinty Doyle, radio editor of the New York *Journal-American*, pinch-hit for McCall.

Mutual had only one sustaining program from the coast on its schedule, and this was replaced with a show from New York.

General Foods, yesterday afternoon, had an elaborate show set to replace "Good News of 1938," but as it developed it was not necessary to use the talent, which included Eddie Cantor, Deanna Durbin, Bob Ripley and B. A. Rolfe's orchestra.

Close Deals on Star Program

KDB, the Don Lee Outlet in Santa Barbara, is the latest station to subscribe to the "Your Writing Reveals" series, syndicated by Star Radio Programs, Inc. The Condon Co., Inc., advertising agency in Tacoma, also has ordered the series, to be sponsored by the Mueller-Harkins Motor Co. on KVI, Tacoma.

To Be Guests on Arden Show

Victor Arden has signed Morton Bowe and Sally Nelson for guest appearances on his "Musical Moments" series. These two guests will make transcriptions with Arden at the World Broadcasting studios Monday. The series is sponsored by Chevrolet Motor Co.

New WPA Series to Start

"Surprise for the Boys," opening dramatization in a new WPA series, will begin on Mutual Sunday from 8 to 8:30 P. M.

Hummerts Returning Monday

Frank and Mrs. Hummert of the Blackett - Sample - Hummert agency, and Bob Goldstein will return from England Monday aboard the *Queen Mary*.

KHJ Broadcast Warnings

HOLLYWOOD, March 3.—Lewis Allen Weiss, general manager of KHJ, said the station yesterday presented special announcements and news pertaining to the flood danger every hour on the hour and broadcast to parents that schools were closing.

Debate Films Bill In House of Lor

(Continued from page 1)

bolgi, who admitted that the bill re resents a conscientious effort to m the needs of the industry but appeal for the abolition of the renters' quo

The Archbishop of Canterbury plored the legislation as formulated tirely in the financial itnerests of industry. He pleaded the cause of independent.

Lord Moyne suggested the remo of the clause reducing the exhibito quota, pointing out that £650,000 we annually to America.

Viscount Bridgman suggested th the film council should include in pendent financiers, solicitors and countants.

Swinton, replying to the deba answered the Archbishop of Cant bury, saying: "Suppose I was the biter and he the producer of a fil Would he invest £50,000 of ecclesiastical commissioners' mon when he had not the faintest noti whether the picture would pass test?"

The bill probably will enter t committee stage next week.

Film Firms Pruning Foreign Writer Li

(Continued from page 1)

have consolidated their lists for t purpose of keeping a close check the correspondents. Invitations to pr views and the like will go out or to bona fide writers. The idea is si ilar to the accredited list maintain for newspapermen on the coast, exce that cards will not be issued here.

The regulation will be in effect M-G-M, 20th Century-Fox, Colu bia, United Artists, Universal, Pa amount, Warners, RKO, Monogra and Republic. Foreign publicity hea set the plan at a meeting at the Ha office yesterday.

Take Back Akron Hou

AKRON, March 3.—The Majest after having been leased for eig years to H. E. Bickel, has reverted its former owners, and W. A. Smi has taken over the management.

Wall Street

Paramount Lone Board Gain

	Open	High	Low	Close	Ne Chan.
E. K.	154½	154½	154½	154½	—
Loew	49	49½	48½	49½	—
Loew, pfd.	106½	106½	106½	106½	....
Para.	9⅝	9¾	9⅝	9¾	....
Para. 2	10	10⅛	10	10⅛	+
Pathe	6	6	6	6	....
RKO	3½	3⅝	3½	3½	....
20th Fox	22¾	22¾	22½	22⅝	—
20th pfd.	31½	31½	31	31	—
W. B.	5⅞	5⅞	5¾	5¾	—

Little Trading on Curb

	Open	High	Low	Close	Net Chan
G. N.	½	½	½	½	....
Sonotone	1¾	1⅞	1¾	1⅞	....
Tech.	19½	20¼	19½	20⅛	—

Bond Market Weak

	High	Low	Close	Net Chan
Keith 6s '46	84½	84½	84½	....
Loew 3½s '46	98½	98⅜	98⅜	....
Para. Pict. 6s '55	92	91⅞	91⅞	....
Para. Pict. '47	71½	71	71	—1
W. B. 6s '39	66¾	66	66	—

(Quotations at close of March 3)

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ert.
telligent
d
dispensable
the Motion
cture
dustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

.. 43. NO. 52 NEW YORK, SATURDAY, MARCH 5, 1938 TEN CENTS

O'CONNOR IS HEAD OF RKO THEATRES

Named Vice-President by Spitz, Taking Post Left by Blumberg

John O'Connor, head film booker for the RKO circuit, was appointed vice-president and general manager of RKO theatres by Leo Spitz, president, yesterday. O'Connor fills the post left vacant by Nate J. Blumberg, who resigned Jan. 1 to become president of Universal Pictures.

O'Connor's appointment, expected daily since Spitz made his formal decision on Feb. 21 to remain as head of RKO, was confirmed as a week of conferences by company officials on executive appointments neared its close. On his return from the studio in January, Spitz had declared himself as favoring an appointment "from the ranks" to fill the top theatre post. To the New York trade this meant O'Connor, who was regarded as being in line for the post both by virtue of his record and his ranking position in the circuit. For the past three months he has been in virtual charge of theatre operations for the company, with some additional departmental functions handled by L. E. Thompson, who continues in his post as consultant on labor affairs for the circuit.

O'Connor has not yet designated his own successor as head film booker, but probably will do so on Monday. The new RKO theatre head started as a film booker for the old Peerless Booking Corp. in 1921. That organization did all of the booking for Keith, Proctor and Morse circuits. With the

(*Continued on page* 3)

C. C. Frowns n Measure to ax Air Units

:approval in Letter From McNinch

By BERTRAM F. LINZ

ASHINGTON, March 4.—Disap- al of the Boyland bill providing :he imposition of wattage taxes roadcasting stations was voiced ıe Federal Communications Com- on in a letter to the House Ways Means Committee, made public by Chairman Doughton.

ıe views of the commission, over signature of Chairman Frank R. inch, were submitted in response request from Rep. Doughton. ns of supporters of the measure the F. C. C. would approve it overthrown by the letter, which the proposed method of taxa- to be unscientific. It was made , however, that the commission ıt opposed to imposition of taxes roadcasters.

he bill is apparently designed to ıce revenue considerably in ex- of the cost of administering the sions of the communications act, deals with radio broadcast sta- ." McNinch pointed out.

he tax base prescribed in the bill, ly, the number of watts of au- zed power which a station is li-

(*Continued on page* 4)

neral Mills Will ransfer Web Spots

neral Mills Corp. will transfer ograms from CBS to NBC, effec- sometime in June. The General programs, four in all, take up to 2 P. M. period on CBS now, lays a week, and are known as Gold Medal Feature Hour."

e period to be vacated by Gen- Mills will be taken up by the

(*Continued on page* 4)

ose for 26-Week eries Over WMCA

w business on WMCA includes -week contract with the Chiro- ic Education Bureau for a series rograms titled "Keep Smiling," art March 26. The program was d direct.

ıe Murray will start a new series VMCA for a 13-week period on

(*Continued on page* 4)

lore Radio—P. 4

Regents Group To Hear First Appeals Here

Two Films Are Involved Under New Policy

The first official meeting of the Board of Regents subcommittee empowered to review controversial films which have been denied a license will be held next Saturday at the State Office Building, Centre St. The new group of three will be faced with two problems not associated with the usual decisions on impropriety of setting or theme of a picture.

"Remous" (also known as "Whirlpool") is the subject of an appeal by Arthur T. Mayer and Joseph Burstyn, and "I Vant to be Alone" will be reviewed on plea of Bert Lewis, vice-president of Samjax Corp.

George J. Ryan, president of the New York Board of Education; Susan Brandeis, daughter of U. S. Supreme Court Justice Louis D. Brandeis, and Gordon Knox Bell are the committee chosen to handle appeals

(*Continued on page* 3)

"Case of Murder" Is Strong with $34,000

"A Slight Case of Murder" jumped the Strand's gross to $34,000 for the week ending last night. It is in for a second week and may go a third. "Goldwyn Follies" finished with $27,000 for its second week at the Rivoli last night, compared with $38,000 for the first week. It is dated in for a run of five weeks, with three more to go.

"Snow White and the Seven

(*Continued on page* 3)

Allied Men Silent On Board Meeting

Returning members of Allied States' board of directors and others who attended the directors' legislative meeting in Washington this week refused comment yesterday on the activities or decisions at the conference.

Among them was a Minnesota delegation including Al Steffes, national leader, and Ben Asher, Fergus Falls, Minn., and Benny Berger of Minneapolis, both officials of Northwest Allied. Steffes said that any statement would have to come from A. F. Myers, general counsel, or Nathan Yamins, president. The meeting was called to line up Congressional support for the Neely bill and other legislation.

Berger has been complaining to distributors about alleged price-slashing on the part of Baer Bros., his opposition in Bemidji and a nearby town in Minnesota, and it is understood the Minnesota group conferred here yesterday on that situation.

Quigley 1937 Awards To Be Voted Tuesday

Winners of the Quigley Grand Awards for 1937 will be selected on March 8, at the Hotel Astor, by a judging committee of over 30 leading industry executives representing distribution, exhibition and advertising. Judging will be held after a luncheon tendered by Martin Quigley.

The selections are to be made from

(*Continued on page* 3)

Whitney and Swope Stranded in Nevada Worry Over Santa Anita

Salt Lake City, March 4.—John Hay Whitney and Herbert Bayard Swope left here today for Oakland on their second attempt in two days to get through to Los Angeles. The two were passengers on the Union Pacific's streamliner which left here on schedule Wednesday. After the crack flier had been halted at Acoma, Nev., for a day, it returned to this city in the hope of getting through to the coast over the northern route.

Swope displayed some anxiety over the possibility of his missing the running of the Santa Anita Handicap on Saturday, declaring that the race was the only attraction which had drawn him to the west and that, unless the event was postponed because of the Southern California storms, he would start back to New York from the coast on Sunday or Monday.

Whitney plans to remain in Hollywood for another month at least.

20th-Fox Sets Plan For Sales Meeting

Twentieth Century - Fox has completed arrangements for its annual sales conference to be held in Kansas City, April 1 and 2. A total of 89 will attend the sessions, including 38 from the home office and 51 district and branch managers including four local sales managers. New season policies and product are being outlined to sales staffs in the field by division and district heads.

John D. Clark, general manager of distribution, will preside at the sessions. S. R. Kent, president, Clark and Charles E. McCarthy, director of advertising and publicity, will leave for the studio next Friday, where they will set the budget and complete the lineup of product for 1938-'39 with

(*Continued on page* 3)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

Vol. 43 March 5, 1938 No. 52

MARTIN QUIGLEY
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A-MIKE VOGEL, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla I3300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Paramount Broadway 1937 Loss $236,852

The Paramount Broadway Corp., which operates the Paramount Theatre and office building, yesterday reported a net operating loss of the year ended Dec. 31 last, of $236,852.33, and a combined deficit at the end of the year of $449,143.58.

Income from operations amounted to $1,007,034.76, while expenses totaled $831,449.84. Loss on sale of capital assets for the period totaled $17,521.70, with a balance of $254,374.03 transferred to deficit account. The deficit at Dec. 31, 1936, was $454,314.28.

Arthur Lee to Chicago

Arthur A. Lee, G. B. vice-president and general manager, left by plane yesterday for Chicago, where he will preside over the fifth of a series of regional meetings with branch managers and salesmen. Previous conferences have been held in New York, San Francisco, Kansas City and Los Angeles.

Pathe Meeting Apr. 27

The annual meeting of the stockholders of Pathe Film Corp. will be held April 27.

Purely Personal

ROY DISNEY and STUART BUCHANAN, business manager and casting director, respectively, for the Walt Disney studios will sail for Europe on March 9. They will be gone for several months, planning to undertake an elaborate survey of the foreign field in connection with the showing of "Snow White and the Seven Dwarfs."

•

J. ALBERT HIRSCH, former Universal advertising manager, has returned to the company on special assignment in connection with a national publicity campaign on the Deanna Durbin picture, "Mad About Music."

•

MICHAL MICHALESKO, Jewish actor, has been signed to star in "The Power of Life," Yiddish film which HENRY LYNN will produce and direct. The film will be made here for fall release.

•

E. C. MILLS of Ascap, LOUIS D. FROHLICH and HERMAN FINKELSTEIN, of counsel to the society, are expected back in New York from New Orleans on Tuesday.

•

WALTER J. HUTCHINSON, foreign chief of 20th Century-Fox, will reach New York from a South and Central American tour Tuesday on the *Santa Rosa.*

•

HARRY ARTHUR of Fanchon & Marco is due to arrive here Monday with JACK PARTINGTON who has been in St. Louis this week.

•

DERRICK DE MARNEY, English player on his first visit to the coast, was stranded in Williams, Ariz., by the coast flood.

•

HARRY BUXBAUM, New York branch manager for 20th Century-Fox, is due to return from Florida in two weeks.

•

HATTIE HELBORN, secretary to NICHOLAS M. SCHENCK, is taking a vacation and will return in a week.

•

JACK COHN will be back from the coast in time to celebrate his silver wedding anniversary next Saturday.

•

NORMAN MILLER of National Screen Service and ROSE LIGHT will be married today.

•

JOSEPH PINCUS, 20th Century-Fox talent scout, is vacationing in Hollywood, Fla.

•

LOUIS K. SIDNEY will leave for the coast Monday.

RKO Men Due Monday

Phil Reisman, RKO foreign manager, will arrive on the *Queen Mary*, which is due Monday morning. He went abroad to set deals on "Snow White and the Seven Dwarfs" in England and in the interest of the Ned E. Depinet Drive, for which he presided at a meeting of European sales staffs in Paris. Returning with him are Cliff Reid, RKO producer, and Frederic W. Ullmann, Jr., vice-president of Pathe News. Other passengers are Dorothy Peterson and Dolores Del Rio.

Strategy

Chicago, March 4. — Mae West's manager, Jim Timony, has instructed theatre managers in the houses where Miss West plans to appear to book a poor picture in the house for the week of her engagement. Timony says he wants to prevent audiences from sitting through several performances.

Films Bill Goes to Committee March 14

By AUBREY FLANAGAN

LONDON, March 4.—The Films Bill, which was debated on second reading in the House of Lords yesterday, is scheduled to go to committee for consideration on March 14.

Among the first amendments tabled were two proposed by Lord Strabolgi, who favors the interests of labor, one suggesting the replacement of the Films Council with an independent commission, and the other applying to the legislation additional safeguards on wages and hours for employes.

Shanberg Returns West

Ed Shanberg, president of Globe Productions, left yesterday for the coast after several weeks here. He said that deals have been completed on the company's "The Spirit of Youth," which has an all-colored cast, with Skouras Theatres, Butterfield, Wilby & Kincy, Warners and Fox Midwest. He said the film is being well received. He will stop off for several days in Kansas City en route west.

Get Kelly-Gillis Story

HOLLYWOOD, March 4.—David O. Selznick will co-star Tommy Kelly and Ann Gillis in "Heartbreak House," story of a child star in Hollywood to be done in the general manner of "A Star Is Born." The story is by Budd Schulberg, the screenplay by Schulberg and Marshall Neilan. The youngsters are now on a personal appearance tour in connection with "The Adventures of Tom Sawyer."

Brandt to Capital Soon

A plan to make Government loans available to small exhibitors will be discussed by Harry Brandt, I.T.O.A. president, with officials in Washington during the week of March 14, he said yesterday. He was scheduled to confer with Department of Commerce officials recently but deferred his trip. While in the capital he will also look into the legislative situation.

Sonotone Net Increases

The Sonotone Corp. has reported net profit for the year ended Dec. 31, last, of $205,221, after taxes and other charges, equal to 25 cents per share on 789,322 shares of common stock. The net compares with $66,213, equal to 7 cents per share, in 1936.

Denver Favors Duals

DENVER, March 4.—Fifty-seven per cent of the thousand answers sent in by readers of the *Monitor* to a questionnaire were in favor of double bills.

Loew Case Hearing
Is Set for March

A hearing on the motion mad
Loew's, Inc., to consolidate six
arate stockholders' actions agair
was set for March 11 by Justice A
J. Levy in the N. Y. Supreme
yesterday. The suits name as
fendants Loew's, the members
board of directors and some
officers, and seek an accounting
alleged "acts of mismanagement,
and extravagance." It is charged
the defendant paid excessive sal
and percentages of net profits,
options on stock purchases to t
selves and made "secret commissi
Bernard Epstein, a stockh
started the first suit on Jan. 20.
plaintiffs are Arba Dike Faxon,
olas Lowy, Charles Alpert, Pea
Ginsburg and Hana W. Goldstei
stockholders. At the same time,
tice Levy will hear arguments
motion made by Epstein to exa
Loew's before trial through Nic
M. Schenck, president; David
stein, J. Robert Rubin, Arthu
Loew, Alexander Lichtman, Ed
J. Mannix, Sam Katz, Edwar
Schiller, vice-president; Leopold F
man, secretary, and Louis B. M
executive and managing director.
Upon consent of all sides, all fu
action on the six suits was stayed
the consolidation motion is determ
It was learned that attorneys
various parties are trying to reac
agreement on the mechanics of
consolidation. The trial of the s
expected to take place some time
spring.

Court Enjoins John Torr

Judge Woolsey in Federal Di
Court here yesterday issued a pe
nent injunction against John M.
and others in favor of the Secu
and Exchange Commission, which
charged the defendants with viola
of the law in connection with the
of a block of stock of Trans-Lux
light Pictures Screen Corp.

Moss to Open an A
Spot on Long Isla

B. S. Moss intends to open the
art theatre on Long Island soor
will be called the Playhouse and
be at Cedarhurst with foreign
and revivals of big pictures as
policy. Occasionally in the sun
well known musical artists may
pear. The house will seat 436.
Moss says that if the plan w
out he may open more houses of
kind.
No opening date has been se
renovation work and the install
of new equipment will be started
few days. Charles Moss, son of
who is general manager of the ci
will be in charge, and David J.
now handling the New Circle,
have charge of publicity and pr
tion in addition to his present d

Balaban to Test Ide

CHICAGO, March 4.—The new
quire recently opened by A. J.
ban and Harry Balaban, will be
for trying out various new idea
exhibition, according to A. J. Bal

To Build Lab in Mex

MEXICO CITY, March 4.—A
and modern film laboratory, fitted
American equipment, has been e
lished here by Jose Garcia Mo

MOTION PICTURE
DAILY

egents Group o Hear First ppeals Here

(*Continued from page 1*)

er the change in Rule 245 of the rd of Regents. Until recently Dr. nk P. Graves, Commissioner of cation, had handled this work, but use of the pressure of educational es, the regents took over the re- rs.

he industry is awaiting action by regents subcommittee on "I Vant e Alone," due to its precedent-set- nature. It was originally licensed June 28, 1927, as "Streets of Sor- ," a silent picture featuring Greta bo. Samjax Corp., according to ion Picture Director Irwin Es- d, resubmitted the film with dia- e and synchronization. Esmond s the position that the picture esques Miss Garbo unduly. Re- ion was officially based on the fa- ar grounds that it was "immoral" ecent" and would tend to corrupt als."

ert Lewis, vice-president of Sam- bases his appeal on the fact that Vant to be Alone" is a re-edited y featuring Greta Garbo, made y years ago under "Streets of Sor- ," and claims that, with the ex- ion of dialogue, the film is the e as the original which had been sed. Lewis asserts Samjax is will- to make any corrections or elim- ions recommended by the board. film was refused a license No- ber, 1937, and upon appeal Direc- Esmond personally reviewed the , affirming its ban on Dec. 16, 7.

Remous Called "Indecent"

Remous," a foreign made film, was inally presented in August, 1936, Kurt Laemmle, an Indiana exhib- . It was denied a license on Sept. 1936 as being "indecent," "im- al" and "tending to corrupt als." The picture was revised and nitted Nov. 20, 1936, for review Mayer and Burstyn, who hold dis- utorship rights here. A license granted and then English titles e superimposed on the film and ap- ation made under the name hirlpool." A license was granted . 23, 1937, and the petitioners then cluded that the original elimina- s were so important and vital as destroy its value and that "many the cuts were arbitrary and un- ified." A new application for the nd revised edition was made Nov. 1937, containing some scenes pre- sly eliminated. Arthur Garfield s of Hays, St. John, Abramson & ulman is expected to plead for the ellants and Charles A. Brind, Jr., the Department of Education.

eberman Opens His 19th

ARTFORD, March 4.—Fred Lieber- has opened the Proven Pictures atre as his nineteenth New Eng- l venture. The 1,200-seat house, pletely remodeled at a cost of 000, will play double features, e changes weekly, with admissions at 15c-25c. Lieberman has con- ted for 20 spot announcements on l radio programs daily.

"Sponsored" Short Bows in And Producers Throw Party

By J. M. JERAULD

"Sponsored" shorts are about to invade the industry. The name has been borrowed from radio. Heretofore they have been called commercial shorts. Some have been good, some not so good; others have been something less than fair. The types of theatres that have played them have been just as varied but, in spite of the variation of quality, those in the know say more than 4,000 theatres are showing them regularly.

Caravel Distributing Corp. has gone off on a new tangent and has produced a 9½-minute Technicolor cartoon number called "Boy Meets Dog" which is to be the first of a series. It is based on the cartoon strip, "Reg'lar Fellers," by Gene Byrnes, has a story by Victor McLeod, animation by Rudy Zamora and Frank Tipper, lyrics and music by Frank Churchill who worked on "Snow White," score furnished by an orchestra under the direction of Nathaniel Shilkret, and direction by Walter Lantz.

As the film progresses, some in the audience will guess the sponsor from occasional references to massaging the gums. The actual presentation of the name of the advertiser—Ipana—doesn't last more than a few seconds. Without this the film probably could be sold on the same basis as the best of the color animations; with it, it is to be paid for by the distributor on the basis of a definite sum per number of seats per performance, and Caravel is going to put a staff of exploitation men into the field with it.

Caravel officials say the best market for commercials so far has been through the south and southwest, but that with the new technique they intend to go into the middle west and northwest in big houses, offering protection in the same way entertainment films are offered. Film men turned out in force yesterday to see it at 730 Fifth Ave.

Bert Ennis put on a party as an exploitation stunt and went back to the gay '90's for atmosphere.

In the spacious quarters formerly occupied by Universal there was a bar, with a ladies' entrance; waiters in shirt sleeves with pink arm bands, their hair combed down in the middle of the forehead and then back; they sang, too. The orchestra was shirt-sleeved and mustachioed. There was a Bowery sign, gas street lights, a cop with a big gray helmet, a man with a shoe shine box, free lunch, beer glasses holding something less than a quart.

If it had been one of those super-colossal musicals they were trying to put over, nobody would have been surprised. After all, a film party had reached the rarified atmosphere of the River Club the day before. But this was a 9-minute short.

Something new happens often in the film business.

20th-Fox Sets Plan For Sales Meeting

(*Continued from page 1*)

Joseph M. Schenck and Darryl Zanuck. They will go to the conference direct from the coast. Schenck and Zanuck are not scheduled to attend the Kansas City meeting.

Shortly after Kent will return to New York from the west, he is scheduled to leave for Europe to attend the Paris and London conventions, to be held the first week in May.

A number of pictures will be screened at the Kansas City meeting, these to be determined in conferences on the coast. Jack Sichelman, assistant to Clark, will go to Kansas City to prepare for the meeting.

The home office and eastern delegation will leave New York on March 29. This group will arrive in Chicago the following afternoon and will be joined there by midwestern managers, leaving Chicago that night. They will arrive in Kansas City Thursday morning. All delegates are scheduled to depart following the close of the meeting, Saturday night.

Set Ascap Meet March 24

The annual membership meeting of Ascap is scheduled to be held March 24 at the Ritz. Annual reports of officers will be submitted following the dinner for the members.

Buys Colorado House

DENVER, March 4.—E. G. Weiselmann, also operating in Limon and Palisades, Col., has bought the Empress at Hugo, from J. W. Davis.

"Case of Murder" Is Strong With $34,000

(*Continued from page 1*)

Dwarfs" broke attendance records at the RKO Palace on Broadway and the Albee in Brooklyn for the theatres' films-only policy instituted about three years ago, exceeding the previous mark set by "Top Hat" at the Palace and "Frankenstein" at the Albee. The film will stay three full weeks at the Palace and almost that stretch at the Brooklyn house. Children's prices have been increased from 15 to 25 cents.

The Disney feature was reported to be grossing well at the RKO houses in Manhattan, the Bronx and Westchester, where it opened Thursday. The balance of the RKO circuit in the metropolitan area, in Brooklyn and Queens, will open the film next Thursday. The double bill policy has been discarded during the run of the picture.

Chakeres Leases House

SPRINGFIELD, March 4.—Phil Chakeres, head of Chakeres Theatres, Inc., and the Regent-State Corp. of Warner-Chakeres Theatres, has signed a 10-year lease on the Band Box here, a 700-seat house suitable for both stage and screen presentations. The house will be remodeled and renamed the Ohio.

Dave Cockrill to Coast

DENVER, March 4.—Dave Cockrill has flown to Hollywood to confer with Paramount officials. Cockrill manages the Denham.

O'Connor Named RKO Theatres Head

(*Continued from page 1*)

expansion and consolidation of RKO theatre interests about 10 years later he joined the home office organization and has been head film booker for the circuit for the past five years.

With the appointment of O'Connor, the conferences on RKO's new executive setup await only the conclusion of negotiations with Pandro S. Berman and his confirmation as RKO production head. It appeared at a late hour yesterday that these final negotiations would be concluded today or on Monday. Immediately thereafter Spitz, Berman, Jules Levy, sales manager, and J. R. McDonough, vice-president, will leave for the coast to confer on the company's new season production schedule. Ned E. Depinet, vice-president in charge of distribution, is at the studio awaiting their arrival.

Quigley 1937 Awards To Be Voted Tuesday

(*Continued from page 1*)

among the 24 campaigns voted the monthly plaques during 1937 in the Quigley Awards competitions, sponsored by Managers' Round Table of *Motion Picture Herald.* The two winners, as guests of the *Herald,* will receive an all-expense trip via United Airlines to Hollywood, where the theatremen will be given the Grand Awards at a presentation before studio heads, stars and directors.

McManus Aiding Drive

KANSAS CITY, March 4.—John McManus, manager of Loew's Midland, is a committeeman in the fund drive being made by the Boy Scouts, Girl Scouts and Camp Fire Girls.

American Films Formed

DOVER, Del., March 4.—American Films Corp. has been formed here with capital of $500,000. The incorporators are D. B. Hilliard, A. W. Gula and J. A. Haley of Wilmington.

Wall Street

Fractional Fluctuations on Board

	Open	High	Low	Close	Net Change
Col.	34	34	34	34	+ ⅛
Cons.	1⅜	1⅜	1⅜	1⅜	— ⅛
E. K.	154	154	154	154	— ½
G. T. E.	11½	11½	11½	11½	.....
Loew	49	49¼	49	49	— ½
Loew, pfd.	106	106	106	106	— ½
Para.	9⅝	9⅞	9⅝	9⅝	— ⅛
Para. 2	10	10	10	10	— ⅛
Pathe	6⅛	6⅛	6	6	.....
RKO	3¾	3¾	3⅝	3⅝	+ ⅛
20th Fox	22¾	22⅞	22¾	22¾	+ ⅛
20th pfd.	30⅜	30⅜	29½	29½	—1½
W. B.	5¾	5⅞	5¾	5¾	.....

Little Movement on Curb

	Open	High	Low	Close	Net Change
G. N.	½	½	½	½	.....
Tech.	20⅛	20½	19¼	19¼	— ⅞
Trans-Lux	2¾	2¾	2¾	2¾	.....

Keith Bonds in Small Gain

	High	Low	Close	Net Change
Keith 6s '46	107¾	107¾	107¾	+1
Loew 3½s '46	98½	98½	98½	+ ⅛
Para. B'way 3s '55	59	59	59	— ⅛
W. B. 6s '39	66	66	66	.....

(Quotations at close of March 4)

F. C. C. Frowns On Measure to Tax Air Units

(Continued from page 1)

censed to use, does not represent an adequate or equitable basis for such a tax levy; nor is it equitable or proper to classify stations arbitrarily into three groups—those authorized to use less than 1,000 watts; those authorized to use between 1,000 and 10,000 watts, and those authorized to use in excess of 10,000 watts—for the purpose of fixing the rate.

"There is no consistent or logical justification for basing a tax on radio broadcasting stations solely on wattage, without regard to income, type of service, geographical coverage or other pertinent conditions," McNinch declared.

"The commission's objections to this bill should not be taken to be objections on the part of the commission to the principle of levying a tax upon, or charging a fee for, the exercise of the privilege of broadcasting, either for the purpose of reimbursing the Government for the expense incident to the regulation or licensing of broadcasting stations or for general revenue purposes.

Asks Base-Rate Relationship

"If, however, any such tax or fee is to be levied or charged, the commission is of the opinion that there should be some proper relationship between the tax base and the tax rate and the purpose for which it is imposed.

"The determination of such a relationship is not a simple matter but one which involves many complex factors. The commission will be very glad to comply with any request the committee may make."

Renew Jolson Show Over CBS for Year

Lever Bros. will continue its Al Jolson program for Lifebuoy under a 52-week contract renewal effective March 22. The program originates in Hollywood and is heard Tuesdays on the CBS network. Ruthrauff & Ryan is the agency.

Renewed also was Arthur Godfrey on WABC for Hecker Products Corp. Broadcast Fridays at 9 A. M., the program will continue with WJSV, CBS station in Washington, as the point of origin. Erwin Wasey is the agency.

CBC Sends Air Data to Teachers

MONTREAL, March 4.—The Canadian Broadcasting Corp., has inaugurated a monthly newsletter to school teachers throughout the country designed to bring to their attention programs of interest to teachers and pupils. The Canadian Teachers' Federation is cooperating.

McGregor Named Vice-President

R. R. McGregor has been elected vice-president of Hays McFarland & Co. in charge of publicity and public relations. McGregor was formerly an executive of Thornley & Jones, Inc., here.

General Mills Will Transfer Web Spots

(Continued from page 1)

Procter & Gamble shows, now heard at scattered periods over CBS. The P. & G. programs are "The Goldbergs," "The O'Neill's," "Mrs. Perkins," "Road of Life" and "Kitty Keene."

This is the first open full hour afternoon spot to become available on CBS since Procter & Gamble shifted part of its business from NBC to CBS. It is understood that CBS originally promised P. & G. the first open afternoon hour time as an inducement to come to CBS.

Time on NBC for the General Mills programs has not been set as yet. NBC's schedule, however, shows that no "across the board" hour time is open on the Red; therefore, it is obvious that the programs will be placed on the Blue network.

Close for 26-Week Series Over WMCA

(Continued from page 1)

March 14. Zonite Products will sponsor, through the McCann-Erickson agency.

The Chevrolet Motor Co. has renewed its transcribed "Musical Moments" series on the station for 25 additional broadcasts.

New spot business includes a contract for 18 one-minute announcements for the Studebaker Co., in conjunction with "National Used Car Week."

Plan Radio Casting Offices in Chicago

CHICAGO, March 4.—A. N. Elyot, formerly with the Don Lee artists bureau in Hollywood, and Margaret Patterson, who was assistant production manager of the Affiliated Broadcasting Co. will open offices this week in the Mather Tower here for a new radio casting agency similar to the Hollywood Central Casting Bureau.

Although plans for similar radio casting offices in New York and Hollywood have been discussed, this is the first step toward actual organization.

Linton Wells to Circle World

SAN FRANCISCO, March 4.—Linton Wells, radio's "roving reporter" heard on the Magic Key Sundays, will broadcast from Guam, Midway and Wake, during a globe-girdling flight early next summer, he told local newsmen. The flight will start from New York across the Atlantic.

Sills Gets New Contract

Ted Sills has been signed to a new employment and management contract by Gene Grombach Productions, Inc. He has been senior director of Grombach productions for the past three years. Sills will direct a Broadway play during the coming season, but also will continue to direct the Grombach programs.

"Headline Heroes" New Series

CINCINNATI, March 4.—"Headline Heroes," a new program dramatizing unusual hazards encountered by police, firemen and others in public service has been started over WLW at 7:30 P.M. Thursdays.

No Help Needed

American Federation of Muscians here wired its west coast local yesterday, offering money for relief due to the flood.

The reply: "Extent of flood evidently greatly exaggerated in the east. No relief money needed."

Order Hearings on Radio Applications

WASHINGTON, March 4.—The Federal Communications Commission has directed that examiner's hearings be held on the applications of WBRC, Birmingham, for increase of night power from 1,000 to 5,000 watts; KOY, Phoenix, for change of frequency from 1,390 to 550 kilocycles; WNLC, New London, for change of hours from day to unlimited, and KTEM, Temple, Tex., for change of hours from day to unlimited with 100 watts power night, 250 watts day.

The commission has granted a modification of experimental authority heretofore granted KFAB, Lincoln, and WBBM, Chicago, for tests in synchronization, in order that they may employ a new method which, it is said, may lead to better results in the broadcasting of a program by two stations on the same frequency simultaneously.

Issue License for Minnesota Station

WASHINGTON, March 4.—An operating license to the Winona Radio Service for a new station, KWNO, to operate at Winona, Minn., on 1,200 kilocycles with 250 watts daytime only, has been issued by the Federal Communications Commission.

It also has been disclosed that licenses have been granted KALE, Portland, Ore., covering an increase in power from 500 to 1,000 watts, and WTAL, Tallahassee, for an increase in day power from 100 to 250 watts.

The commission tentatively has set April 5 as the date for an examiner's hearing on the application of Martin Anderson for a new 1,500-kilocycle station at Orlando, Fla., with 100 watts night, 250 watts day, and May 23 as a date for an examiner's hearing on the application of Peter J. Caldarone for a 1,270-kilocycle, 250 watt daytime station at Providence.

Plan Policy Change At KFAB in Lincoln

LINCOLN, March 4.—KFAB will go through an extensive change of policy in the next few months, leading to the classification of a farmer station, according to Don Searle, general manager, who has appointed Jiggs Miller as program director.

The other two Central States Broadcasting Co. links, KOIL, Omaha, and KFOR, Lincoln, will continue to serve the metropolitan areas with their smaller wattage.

With the many changes being put into effect, Searle also disclosed revision of the ad rates, which will ultimately bring about a 5 per cent increase. The increase is to cover the added costs brought on by recognition of the engineers' union and higher talent costs.

Radio Personals

JACK SKINNER of the CBS pr
department has resigned to go w
an agency. . . . Don Withycomb, m
ager of WFIL, is visiting here
Bob Crosby's band will replace
Kyser's unit in the Black Hawk,
cago, beginning March 30. . . .
U. S. Rubber Co. program featur
Ben Bernie is up for renewal any

+

Gloria Swanson will be Eddie C
tor's next guest. . . Benny Goodm
band has completed its tour and
be back in New York Tuesday for
Camel broadcast. . . Carl Nielsen,
represents 20th Century-Fox in D
mark, and who is now visiting h
was among the audience intervie
on the last "Vox Pop" show. . . .
Jarrett will join Al Pearce as g
soloist on Tuesday's Ford show.
"Both Sides of the Microphone;"
book on broadcasting, coauthored
John S. Hayes, assistant product
chief of WOR is now out.

+

San Francisco

Jack Meakin, NBC composer-di
tor here, and Evelyn Wells have c
posed a tune called "Carla Vanni,"
be used as a theme song for a
serial on San Francisco life, wri
by Miss Wells and appearing i
local newspaper daily. . . . Doro
Allen, KFRC contralto, has joi
Hal Dreiske's band (KPO) as vo
ist. . . . Capt. Dobbsie (Hugh B
rett Dobbs), heard daily on KJ
in "To the Ladies," is dickering
a five-a-week variety show on KF
and the Don Lee net. . . . Red Nich
orchestra is slated for a pair of
nighters here March 13-14. A
weeks later Chick Webb and
Fitzgerald will be the attractions,
KYA broadcasting. . . . A new
matic series by Malcolm Greenb
labeled "Twenty-Five Years A
has been added to the KJBS Sun
schedule.

Renew "Death Valley" Serial

The Pacific Coast Borax Co.
renewed "Death Valley Days,"
work serial, for an additional
weeks, through the McCann-Erick
agency. The renewal will keep
program on the air up to and incl
ing the broadcast of June 24.
series is heard Fridays at 8:30
M. on the NBC Basic Blue,
WLW.

Stoess to Try Opera on WLW

CINCINNATI, March 4.—The c
densed versions of Gilbert and S
van operettas, heretofore featured
William Stoess and his orchestra
WLW, will change on March 7, to
lections from grand opera for
first 15 minutes, with the other qua
hour of the program devoted to l
opera. The program is aired fro
to 9:30 P.M. Mondays.

Web Facilities Restored

Network facilities from Hollyw
impaired by the flood, have been c
pletely restored. Last night the t
coast-to-coast networks, NBC, Mu
and CBS, fed programs to the
work from Hollywood.

ert.
itelligent
nd
dispensable
the Motion
cture
dustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 53 NEW YORK, MONDAY, MARCH 7, 1938 TEN CENTS

erman's New KO Pact Is greed Upon

ntinues to Share in Profit of "A" Films

egotiation of the revised contract r which Pandro S. Berman is n complete charge of production RKO was completed on Saturday. ing of the papers is scheduled to place today.

ne revisions of Berman's contract, ch has a little more than two s to run, continue his participa- in the profits of the "A" pictures ch he will continue to produce and, ddition, increase his salary in line his added authority and respon-ities as head of the studio.

he exact number of pictures to produced by Berman will be de-d in the course of new season luction conferences to be held at studio with all company heads par-ating. These conferences are ex-ed to get under way on Wednes- or Thursday and may continue for or three weeks.

ith Berman formally designated to the post of studio head vacated fall by Samuel J. Briskin, RKO's

(Continued on page 6)

3C in Court Fight On a Montreal Tax

ONTREAL, March 6.—Canadian adcasting Corp. is in court again. s time the City of Montreal is after or failure to pay the municipal s tax. Corporation lawyers con-ed "the Crown may not be taxed" challenged the jurisdiction of the er court.

petition has been filed to prohibit order's Court from proceeding fur-with the action and the petition be argued in Superior Court ch 8. The city tax amounted to per cent on a $2,000 piano.

oscanini's 3-Year Contract Confirmed

BC late Saturday officially con-ed the reports that Arturo Tos-ni has been engaged for a period hree years to continue his cycles of rday night concerts.

oscanini will sail for Europe short-nd will return here in October. His nd cycle of concerts is expected to n over NBC networks some time

(Continued on page 9)

More Radio—P. 9

Chicago Allied to Resume Dual Fight

CHICAGO, March 6.—Allied here will continue its plans to fight double bills in the city, according to Aaron Saperstein, head of the local Allied unit.

Allied attorneys are understood to be preparing legal action against Balaban & Katz. The organization's active opposition to duals was halted during the recent drive of the women's clubs to combat duals, but when that movement failed, the independent exhibitors renewed their efforts to bring about the elimination of the practice, which was initiated locally by B. & K.

Parents in Nebraska Join Duals Campaign

OMAHA, March 6.—The second district of the Nebraska Congress of Parents and Teachers, through its board of managers, has gone on record endorsing the Omaha P. T. A. campaign against double features. Mrs. C. M. Ball of Fremont, second district president, made the suggestion that the board take this action.

Mayor Dan B. Butler is awaiting an opinion from the city legal department on a proposed ordinance prohibiting duals. A delegation from the Omaha P. T. A. has called on the Mayor to ask his support.

Canada Grosses Off 2.8% for Year 1937

TORONTO, March 6.—Gross receipts of all theatres in Canada declined an average of 2.8 per cent during the past calendar year as compared with the previous 12 months, according to official figures just released.

The statistics for cities show that Toronto, with its 102 theatres, had a total paid attendance of 22,301,324 for the year, the gross receipts being placed at $5,198,000. Montreal, with 62 theatres, had paid admissions which

(Continued on page 6)

Brandt Plans Vaudeville in Circuit Here

Declares Theatres Need New Stimulant

As a means of stimulating attendance, the Brandt circuit is speeding plans to introduce vaudeville in about 20 theatres in the metropolitan area, Harry Brandt declaring that arrangements are being made with the stagehands' and electricians' unions.

Brandt believes that theatres are putting too much stress on "outside attractions," like cash games, and that they have overdone such stimulants to a point where theatre operations now need a "hypodermic." This may be provided in stage shows in combination with films, he believes.

Screeno, which now runs seven days a week at some of the Brandt theatres, will be eliminated where vaudeville is

(Continued on page 2)

Schwartz Forms New Trailer Unit Here

E. Schwartz, who headed Ad-Vance Trailer Service, will reenter the trailer field with a new company to be known as Trailer-Made, Inc., with headquarters in the Film Center Building. Pathe Film Corp. is a partner in the new company, and it is understood that J. A. Sisto & Co., Wall Street investment house, also will be a participating factor in the new setup.

Operations of the new company will begin immediately. Schwartz headed Ad-Vance Trailer Service until it was bought out by National Screen Service seven years ago. He also produced a number of short subjects and also heads the Peerless Outdoor Advertising Co.

School's Survey Shows 162 Pictures Seen in 2 Months

In the two months of September and October, 1937, Brooklyn high school students viewed 162 Hollywood films, it was disclosed by a study of their picture preferences conducted by Joseph Mersand, director of the Institute of Adult Education of Boys High School, Brooklyn, and made public on Saturday.

Mersand's study was undertaken to determine the influence of films on students outside of the school building. Of the 162 films which had been seen, the students indicated the greatest preference for "Dead End" and "Captains Courageous." In noting these results, Mersand comments, "Certainly, teachers need not be pessimistic about the tastes of their pupils when the majority prefer such pictures."

Other films in the order of their preference indicated by the students were "Varsity Show," "The Road Back," "100 Men and a Girl," "Wee

(Continued on page 6)

20th-Fox to Increase Its Foreign List

Releases Will Run from Five to 15 Higher

Foreign subsidiaries of 20th Century-Fox will release an augmented product schedule during 1938-'39, the number of films being sold for next season exceeding the current program by from five to 15, depending on the country.

Selling has been under way for some time, and each subsidiary is offering a definite number of pictures. The Italian company is selling 30 films for next season. The increase is due to the demand for more product and reflects the popularity of the company's films abroad, the foreign department said.

The six-story building constructed by 20th Century-Fox in London to house its British organization headquarters will be opened officially in April, in time for the company's British convention to be held early in May. The sessions will be in the theatre incorporated in the structure.

The European premiere of "In Old Chicago" will be at the Tivoli in London on Thursday. The policy will be three shows a day at advanced prices for the extended run. The Paris roadshow engagement will open on or about April 1 at the Balzac. The Australasian premiere will be in Sydney within the next month.

Canada Wins Sales Drive of 20th-Fox

With the Montreal and Winnipeg branches placing first and second for total delivery in the 1937 S. R. Kent Drive conducted by 20th Century-Fox, Canada finished first in the fifth annual sales campaign which recently ended. For the first time a drive leader will receive the S. R. Kent prize for district leadership when James P. O'Loghlin, Canadian district head, will accept the award. William

(Continued on page 6)

Disavow Maxwell's Triple Quota Stand

By AUBREY FLANAGAN

LONDON, March 6.—Independent exhibitors have written to the Board of Trade disavowing the attitude of John Maxwell, head of Associated British Pictures, who favors the triple quota plan.

The exhibitors protested that Asso-

(Continued on page 2)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Legion Approves 16 Of 17 New Pictures

A total of 16 out of 17 new pictures reviewed and classified by the National Legion of Decency were approved for the current week, 13 for general patronage and three for adults, while one was classed as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Beloved Brat," "The Call," "Dawn Over Ireland," "Hawaii Calls," "Heart of Arizona," "He Couldn't Say No," "Little Miss Roughneck," "Mad About Music," "Meiseken" (German), "Merrily We Live," "La Paloma" (Spanish), "Sally, Irene and Mary," "When G-Men Step In." Class A-2, Unobjectionable for Adults—"Accidents Will Happen," "Condemned Women," "Halka" (Polish). Class B, Objectionable in Part—"Love, Honor and Behave."

Kentucky Games Legal

FRANKFORT, Ky., March 6.—Both houses of the Kentucky legislature have passed a measure legalizing theatre giveaways. The bill is awaiting the signature of Governor Chandler. The legislature has adjourned.

◂ Purely Personal ▸

PHIL REISMAN, CLIFFORD and MRS. REID, FREDERICK ULLMAN, JR., DOLORES DEL RIO, DOROTHY PETERSON and PAUL VINCENT CARROLL, author of the currently successful play, "Shadow and Substance," will arrive today on the *Queen Mary.*

•

LEE SULLIVAN will begin his first starring part in an Educational musical short at the Astoria studios this week.

•

JEFFERSON MACHAMER has returned from the coast. He is working on a story for his next Educational comedy.

•

RUSSELL MARKERT, Music Hall stage producer, and GUS S. EYSSELL, secretary of the theatre corporation, left Saturday on the *Monarch of Bermuda* for a week in Bermuda.

•

FREDERICK W. AYER is co-producer of "Empress of Destiny," which will open at the St. James on Wednesday. ELISSA LANDI and GLENN HUNTER are in the cast.

•

HARRY GOETZ, delayed in his departure from the coast by the California storms of last week, is expected here within the next few days.

LEO JUSTIN of the Walter Reade circuit, with MRS. JUSTIN, is en route to Hollywood by way of the southern states. They stopped off in New Orleans last week to see the Mardi Gras. They are due back in about five weeks.

•

A. PAM BLUMENTHAL, formerly executive vice-president of Grand National, will return tomorrow from Florida.

•

J. H. COOPER of Lincoln, Neb., will arrive in New York today to attend a meeting of Standard Theatres Corp., his Oklahoma City theatre operating subsidiary.

•

Y. FRANK FREEMAN, Paramount theatre head, managed to make his exit from Los Angeles despite crippled transportation facilities in Southern California, and will arrive in New York today.

•

C. C. MOSKOWITZ, Loew's metropolitan circuit head, plans to leave April 1 for a Florida vacation.

•

JOSEPH FRIEDMAN, managing director for Columbia in London, will arrive tomorrow on the *Paris.*

•

WALTER READE, SR., is due back today from Miami.

Few Security Sales Closed in January

WASHINGTON, March 6.—Transactions of film corporation officials and directors in the securities of their own companies in January were few and relatively unimportant, it was reported by the Securities and Exchange Commission in its semi-monthly summary.

The largest transactions reported were sales by Lehman Brothers of 1,853 shares of Paramount second preferred stock held for John D. Hertz, New York, director. At the close of January, the company still held 2,700 shares for Hertz.

Disposition by Renraw, Inc., of 700 shares of Warner Brothers preferred stock, reducing their holdings to 12,800 shares; disposition by Kirk W. Todd of Pittsburgh, director, of 100 shares of Grand National common, reducing his holdings to 150 shares, and acquisition by Loew's, Inc., of seven shares of Loew's Boston Theatres common, giving it a total of 98,552 shares, were the only other transactions reported.

Reports from persons becoming officers or directors of corporations showed that neither Leon Fromkess, New York, elected an officer in Monogram Pictures Jan. 21, or Matthew Fox, New York, elected an officer in Universal on Jan. 7, held any equity stocks in those companies.

Meet on School Films

CHICAGO, March 6.—The National Conference on Visual Education and Film Exhibition will hold its annual meeting at the Francis W. Parker school here, June 20-23. A special committee has been designated by the conference to handle arrangements for a banquet honoring Herman A. De Vry on his 25th anniversary in the motion picture field.

Daylight Time Again Scheduled in Canada

TORONTO, March 6.—Daylight saving will prevail once more this year in a majority of the cities in Eastern Canada, according to Toronto civic authorities who have taken the lead by decreeing the adoption of "summer time" for a period of no less than five months starting April 24.

The reply to arguments against the observance of daylight saving time for such a long stretch was that the matter was governed by the New York Stock Exchange, which turns the clocks on the April date. The Toronto Stock Exchange finds it necessary to follow suit in order to have the same hours for business each day, hence the whole city makes the change because of the stock brokers. The growing demand was for daylight saving only during the months of July and August, but in this the theatre men, women's organizations and others found themselves blocked. With Toronto adopting daylight saving, many other Canadian cities and towns may do likewise.

Disavow Maxwell's Triple Quota Stand

(*Continued from page* 1)

ciated British has already lent assistance to the Cinematographers Exhibitors Association and threatens that, should the plan become law, they will resist it in every way possible.

Plan Union Propaganda

LONDON, Feb. 24.—A propaganda scheme on behalf of trade unionism is to be launched in 100 British theatres for an experimental period of two months by the British Trade Union Congress.

Brandt Plans Vaudeville in Circuit Her

(*Continued from page* 1)

installed, according to William Bran Also, houses will be returned to si bills when the stage attractions a sufficiently strong to warrant the poli he said. Where the stage shows wa rant, they will be held for a week.

The Brandt circuit is willing pioneer in the move to bring vaudevil back to film houses, said Willia Brandt, but it will have to be on business basis, without inflated cos since the circuit plans to present t combination policy at present admi sion scales.

The arrangement will provide full weeks of playing time to sta performers in the New York are with the possibility of a hookup wi theatres in nearby cities which w provide a vaudeville circuit of 20 more weeks. The talent will be o tained wherever it can be obtained the best terms, Brandt said. A nur ber of obstacles have delayed puttir the policy into effect, but the circu looks for an early consummation its plans.

Lasky Raises Offer On His Son's Nove

Jesse L. Lasky raised his $7,500 bi for the film rights to Jesse, Jr. novel, "No Angels in Heaven," $10,000 just prior to his departu from New York yesterday, only discover that he will have to go high than that if he wants the story.

Lasky made the first bid after rea ing the novel while en route to Ne York, but was advised by his s that there were other bidders in t field. His second offer had not bee accepted up to the time of Lasky's d parture.

Erbb Dinner Wednesda

BOSTON, March 6.—The dinner i honor of William Erbb will be hel Wednesday evening at the Imperi Ballroom of the Statler. Erbb is ma ager of the New England division fo Paramount.

Wall Street

Slight Rise Marks Board

	Open	High	Low	Close	Net Chang
E. K.	154⅝	154⅝	154⅝	154⅝	+ 5/
E. K., pfd.	165½	165½	165½	165½	+1/
Loew	48⅜	48½	48⅜	48½	— /
Para.	9⅝	9¾	9⅝	9¾	+ /
Para. 2.	10⅛	10⅛	10⅛	10⅛	+ /
R. K. O.	3½	3¾	3½	3¾	+ /
20th Fox.	22¾	22¾	22¾	22¾	.....
Univ., pfd.	40	40	40	40	—5
W. B.	5¾	5⅞	5¾	5¾	.....

Little Curb Movement

	Open	High	Low	Close	Net Chang
G. N.	½	½	½	½	.....
Sonotone	1¾	1¾	1¾	1¾	— /
Trans-Lux.	2⅝	2⅜	2⅝	2⅝	.....

Loew Bond Gains

	High	Low	Close	Net Chang
Loew 3½s '46	98¾	98⅝	98⅝	+ /
W. B. 6s '39	66	66	66	.....

(Quotations at close of March 5.)

## YOST YELLED!

"Far more laughs than 'Topper'. Make more!"
BILL YOST, Consolidated Theatres.

SUCHMAN SHOUTED!

"Best comedy of the year!"
AL SUCHMAN, Consolidated Theatres.

RINZLER ROARED!

(*No statement from* HAROLD RINZLER of Randforce Circuit. *He was too exhausted!*)

KAPLAN KOLLAPSED!

"More than a laugh a minute!"
IRVING KAPLAN, Randforce Circuit.

BIRNBAUM BUSTED!

"Better than 'The Awful Truth'!"
JACK BIRNBAUM, Randforce Circuit.

VERYBODY EXPLODED!

I. Hirschblond
Toms River, N. J.
"Marvelous—Great show—Much better than 'Topper'—Many laughs!"

F. Ulliciny
Embassy Theatre
Newark, N. J.
"If we had more pictures like this we'd do better business"

H. Lowenstein
Cort Theatre
Newark, N. J.
"I enjoyed it very much. My audience will also!"

T. Lorenzo
New Paltz Theatre
New Paltz, N.Y.
"My audience will love it!"

el
t Theatre
klyn, N.Y.
well Comedy"

heatre
t, N.Y
ery enable picre!"

eligman
ssy Theatre
yonne, N. J.
t's a box-office smash"

Hal Roach and M-G-M present

"MERRILY WE LIVE"

starring CONSTANCE BENNETT · BRIAN AHERNE
with Alan Mowbray, Billie Burke, Patsy Kelly, Ann Dvorak, Tom Brown, Bonita Granville, Marjorie Rambeau. Screen Play by Eddie Moran and Jack Jevne. Directed by Norman Z. McLeod. Milton H. Bren, Executive Producer.
A Metro-Goldwyn-Mayer Picture.

ASK THE BOYS AT THE M-G-M TRADE SHOWS!

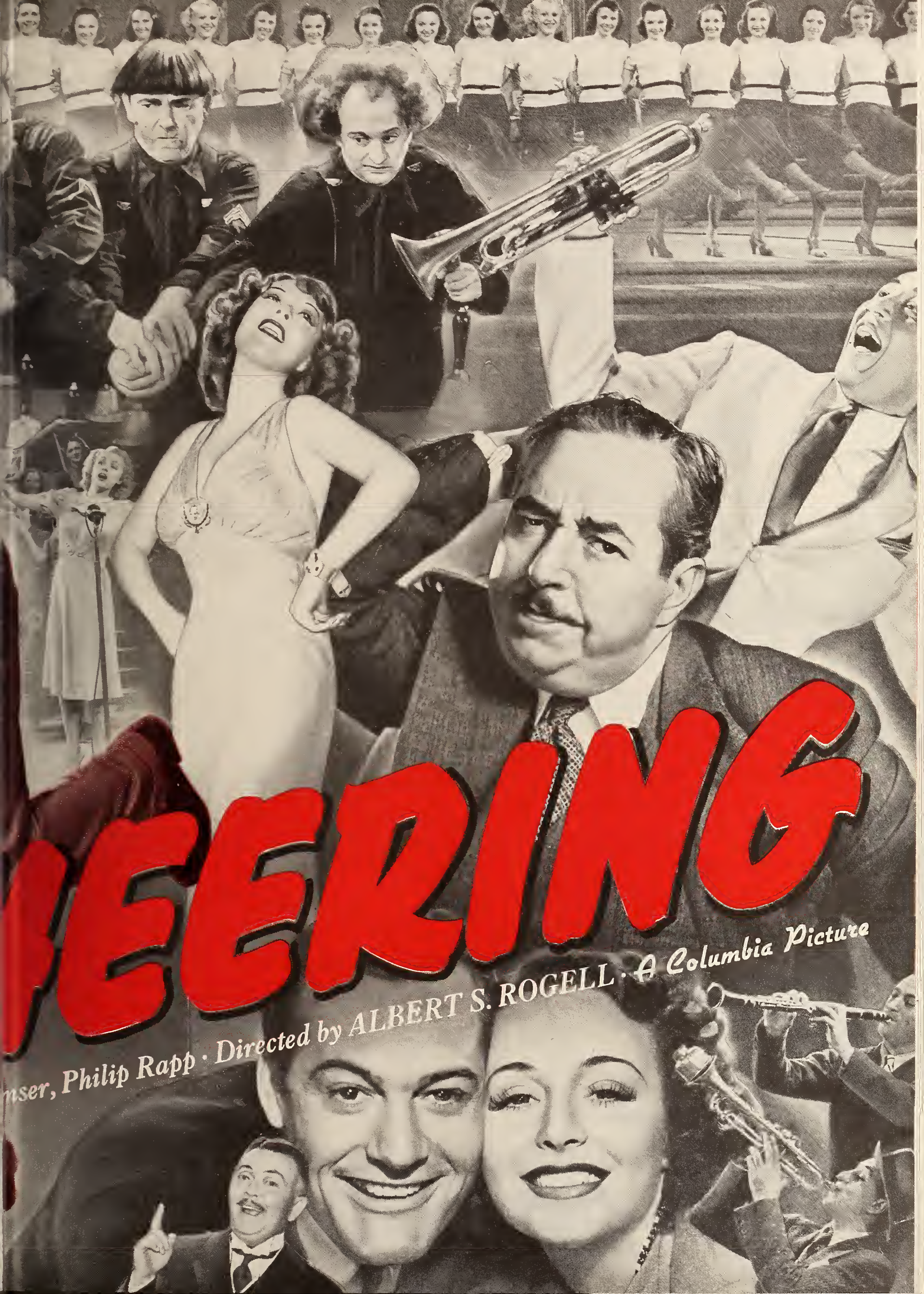
Boston, Mass. • Charlotte, N. C.
New Haven, Conn. • New York, N.Y.
Washington, D. C. • Richmond, Va.
Albany, N. Y. • Rochester, N. Y.
Syracuse, N. Y. • Buffalo, N. Y.
Dayton, Ohio • Cincinnati, Ohio
Columbus, Ohio • Lexington, Ky.
Charleston, W. Va. • Cleveland, Ohio
Detroit, Mich. • Pittsburgh, Pa.
Atlanta, Ga. • Dallas, Texas
Houston, Texas • San Antonio, Texas
Waco, Texas • Abilene, Texas
Amarillo, Texas • Memphis, Tenn.
New Orleans, La. • Tulsa, Okla.
Oklahoma City, Okla. • Chicago, Ill.
South Bend, Ind. • Indianapolis, Ind.
Madison, Wisc. • Milwaukee, Wisc.
Green Bay. Wisc. • Kenosah, Wisc.
Sheboygan, Wisc. • Denver, Colo.
Des Moines, Iowa • Waterloo, Iowa
Ottumwa, Iowa • Cedar Rapids, Iowa
Davenport, Iowa • Fort Dodge, Iowa
Wichita, Kansas • Salina, Kansas
Kansas City, Mo. • Omaha, Neb.
Norfolk, Neb. • Grand Island, Neb.
Carroll, Iowa • Sioux City, Iowa
Cape Girardeau, Mo. • Benton, Ill.
Flora, Ill. • St. Louis, Mo. • Quincy, Ill.
Mattoon, Ill. • Los Angeles, Cal.
Portland, Ore. • Seattle, Wash.
Sacramento, Cal. • Stockton, Cal.
San Jose, Cal. • Fresno, Cal.
San Francisco, Cal.

No Wonder the Critics Are Cheering

JIMMY DURANTE
the one and only "Schnozzola"!
WALTER CONNOLLY
as grand in comedy as in drama!
JOAN PERRY
the new sweetheart of millions!
CHARLES STARRETT
six feet two of romancin' he-man!
PROFESSOR QUIZ
the radio sensation of the hour!
GERTRUDE NIESEN
the hot-cha queen of torrid tempo!
RAYMOND WALBURN
professor of cuckoo rah-rahology!
THE THREE STOOGES
mad masters of daffy delirium!
BRODERICK CRAWFORD
star of B'way's "Of Mice and Men"!
HAL LeROY
tip-tapping his gaga way to the top!
ERNEST TRUEX · VIRGINIA DALE · CHAZ. CHASE
JIMMY WALLINGTON · LOUIS PRIMA with his band
and **JOHNNY GREEN**
AND HIS ORCHESTRA
a great jammin' dance aggregation!

START

Story by Corey Ford · Screen Play by Eugene Solow, Richard


EERING
nser, Philip Rapp · Directed by ALBERT S. ROGELL · A Columbia Picture

"Baroness" Is Surprise Hit, San Francisco

San Francisco, March 6.—The box-office surprise of the week was furnished by "Baroness and the Butler," on the same bill with "The Great Garrick," at the Paramount, the gross reaching $18,000.

Despite competition from the weather, with the first three good days of spring, followed by three more of storm, several other houses showed ample receipts. "Bringing Up Baby" drew $13,000 in its second week at the Golden Gate. "A Yank at Oxford" and "Love Is a Headache," aided by the personal appearance of Fannie Brice, took $8,000 at the Warfield and was held a third week. "The Hurricane" pulled $7,000 for its fifth week at the United Artists. This was considered sensational.

On the other side of the ledger "The Big Broadcast of 1938" and "Lady Behave" disappointed at the St. Francis with $5,000.

Total first run business was $79,100. Average is $87,800.

Estimated takings:

Week Ending March 1:

"BRINGING UP BABY" (RKO)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days, 2nd week. Stage: vaudeville. **Gross:** $13,000. (Average, $16,000)

Week Ending March 2:

"STAND-IN" (U.A.)
"MURDER ON DIAMOND ROW" (U.A.)
EMBASSY — (1,400), 15c-35c-40c-55c, 7 days, 3rd week. **Gross:** $4,000. (Average, $5,000)

"GOLD IS WHERE YOU FIND IT" (W.B.)
"LOVE ON A BUDGET" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,000. (Average, $17,000)

"START CHEERING" (Col.)
"BLACK DOLL" (Univ.)
ORPHEUM—(2,440), 15c-35c-40c-55c-75c, 9 days. **Gross:** $6,500. (Average, $8,500)

"BARONESS AND BUTLER" (20th-Fox)
"GREAT GARRICK" (W.B.)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $18,000. (Average, $13,000)

"BIG BROADCAST OF 1938" (Para.)
"LADY BEHAVE" (Republic)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days. **Gross:** $5,000. (Average, $7,000)

"HURRICANE" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 5th week. **Gross:** $7,000. (Average, $7,000)

Week Ending March 3:

"YANK AT OXFORD" (M-G-M)
"LOVE IS A HEADACHE" (M-G-M)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days, 3rd week. **Gross:** $8,000. (Average, $13,000)

Week Ending March 4:

"MAYERLING" (Pax)
CLAY—(400), 15c-35c-40c, 7 days, 5th week. **Gross:** $1,600. (Average, $1,300)

Republic After Berg

Republic is negotiating with Louis Berg, M.D., author of "Prison Nurse," to collaborate on the screen adaptation of "Internes Don't Tell," novel by A. L. Furman, which will go into production as soon as the script is completed. Martin Van Laas is working on a first draft.

RKO Buys Wormser Yarn

Hollywood, March 6.—RKO has purchased "Birthday of a Stooge," original story by William Wormser dealing with the companion of a film star.

Berman's New RKO Pact Is Agreed Upon

(*Continued from page 1*)

management setup is complete and on a normal operating basis once more. The deliberations on management have been under way since early last December and their progress has resulted in the retention of Leo Spitz as president of the company; the election of J. R. McDonough to a vice-presidency and to the board of RKO Radio Pictures, the principal production and distribution subsidiary; the designation of Berman, and the appointment of John J. O'Connor as vice-president and general manager of theatre operations. O'Connor succeeds Nate J. Blumberg.

Spitz, Berman, McDonough and Jules Levy will leave for the studio by train today. McDonough will remain at the studio indefinitely following the conclusion of the new season production conferences, in his capacity of financial liaison between home office and studio. His work, however, will bring him to New York at regular intervals.

Ned E. Depinet, vice-president in charge of distribution, is already at the studio.

Two Juvenile Cases Dropped in Quebec

Toronto, March 6.—Two of the 22 actions by the city of Montreal against exhibitors for alleged admission of juveniles under 16 years of age, were dismissed by Recorder Semple on a technicality because city officials had neglected to secure authorization of the Provincial Attorney-General for the prosecutions. Those dismissed were Raymond Bergan, manager of the Centre Palace, and Joseph Cytrynbaum, manager of the Perron.

Hearing of the 20 other cases has been deferred pending the outcome of negotiations between the theatres and the Quebec Government for a reduction from 16 to 12 years for the age limit of banned juveniles. The argument has been advanced that, under Quebec prohibition, children are prevented from seeing many valuable historical and educational features as well as entertainment programs.

Canada Wins Sales Drive of 20th-Fox

(*Continued from page 1*)

Sussman's eastern division finished first in the divisional race, only 1.3 points ahead of W. C. Gehring's central division.

Awards ranging from two weeks' salary to half of one week's salary will be given to employes of the other 13 branches placing in the total delivery drive, as follows: Indianapolis, Vancouver, Pittsburgh, Cleveland, Portland, Boston, Albany, New Haven, Cincinnati, Philadelphia, Calgary, Seattle and Minneapolis.

Ira Cohn's Pittsburgh branch won the $1,000 short subjects prize given by Educational. Dallas, Los Angeles and Salt Lake City also placed in this contest. Staffs will receive cash awards.

Winners in the Movietone News competition are Dallas, Minneapolis, Washington, Oklahoma City and Pittsburgh, with prizes ranging from 350 to $100. Awards of from $175 to $25 were won for ad sales delivery by Indianapolis, Winnipeg, New York, Seattle, Denver and Minneapolis.

Ontario Exhibitors Allowed to Cancel

Toronto, March 6.—Exhibitors of Ontario have been notified that they are privileged to cancel one feature from signed contracts with any film exchange for the current season for any feature which has been presented as a roadshow which is listed in the schedule with the exchange. The picture which has had a roadshow engagement cannot be cancelled by the exhibitor and the one which is withdrawn must be in the same category as the roadshow picture.

Three features have had roadshow engagements locally during the year, "The Good Earth," "The Great Ziegfeld" and "Lost Horizon."

Lombard, Powell Signed

Hollywood, March 6.—Teamed for the first time since Universal's "My Man Godfrey," Carole Lombard and William Powell have been signed by David O. Selznick to co-star in "American Beauty," story of a promoter who publicizes a rich, beautiful girl.

It is an original by Martha Madison and Vincent Gerbino.

School's Survey Shows 162 Pictures Seen in 2 Months

(*Continued from page 1*)

Willie Winkie," "Broadway Melody of 1938," "A Day at the Races" and "Double or Nothing."

The report champions classroom use of films and intimates that in addition to their educational value they may assist in elevating the entertainment preferences of students, thereby increasing the potential patronage for classical film themes. Mersand deprecates the significance of the numerous studies which have been made in an effort to trace the influence of Hollywood product on the manners and emotions of adolescents, characterizing them as "generalizations" and declaring that "their reliability is questionable." That films do exert an influence on students, however, he does not deny.

"Although a critic like Professor Mark Van Doren of Columbia may state that 'movies should have but one purpose—entertainment'," his report concludes, "the teacher knows that they mean much more to his students. They entertain, yes, but they teach; they may inspire; they often, unfortunately, degrade. They may spur to action. Above all, they may deserve scientific study because they are definitely an instrument of education."

Canada Grosses Off 2.8% for Year 193

(*Continued from page 1*)

almost equalled the Toronto total eve with 40 less theatres, the Montre aggregate attendance for the 1 months being 22,006,918. Gross receipts in Montreal totalled $4,797,30 or approximately $400,000 less tha that for Toronto.

The average admission price Toronto was 23.3 cents while that Montreal was 21.8 cents. The highe admission average in the Dominio was found at London, Ont., at 27. cents while the lowest was at S John, N. B., where the figure was 19. cents.

The 32 theatres of Winnipeg, Canada's third largest city, enjoyed a aggregate attendance of 7,205,53 with total gross receipts of $1,592,00 while Vancouver, B. C., showed tot paid admissions of 8,950,627 with total gross of $1,850,000 for the yea

The four largest cities of the Dominion, having one-quarter of all theatres in the country, had slightly mor than 60 million paid attendance durin the 12 months with total gross receipt of approximately $13,420,000.

Canadians Protest Condition of Film

Toronto, March 6.—Formal prote has been made to distributors by th Independent Theatres Association Ontario regarding the physical condi tion of films received from the ex changes.

Attention has been drawn to out-of frame splices, strained sprocket hole and the oily condition of the emulsio side of prints which spoil the pictur on the screen, the claim being mad that not sufficient prints are provide in Canada for the number of run The blame, according to General Manager N. A. Taylor, is due to lack inspection and periodic cleaning films after they have been returned the exchange offices.

One exchange has agreed to brin in one extra print of each feature picture in order to relieve the situatio while Paramount will employ a ma in the exchange to check prints, an obtain an extra print of each featu for this territory.

Toronto Curfew Fixed

Toronto, March 6.—The attendan of juveniles at midnight shows in fil theatres, whether on Sunday or an other night of the week, has bee barred under curfew regulations introduced by the Board of Police Commissioners after Mayor R. C. Da had admitted that he, for one, di not know that children were bein permitted to stay up late for thes shows. Word has gone out that children are not to be admitted after 1 P.M.

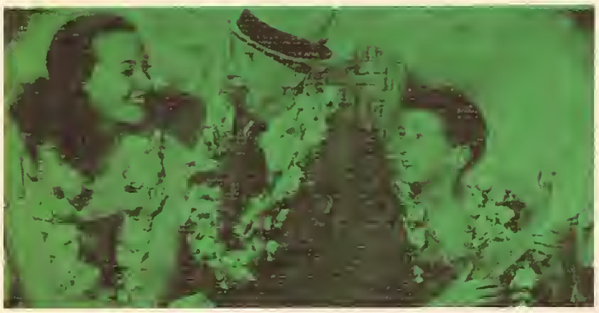
Buys Schroon Lake Hous

Joseph Rossi of Hoboken has purchased the Strand, Schroon Lake N. Y., from Joseph Giannini, and wil close the 400-seat house on April 1 for remodeling, to reopen it April 15 New sound and other equipment wil be installed.

Rossi until recently operated the Woodstock, Woodstock, N. Y. This house has been razed and a civic community hall will be built on the site If it is decided to run films in the hall, Rossi will direct operations.

THE SILVER-THROATED BOY YOU LOVE....

in a melody-melodrama thrilled with high adventure and the lure of the South Seas!...



THE WHOLE WORLD'S GON HAWAIIAN

. . and with it goes the songster star who's become one of the big sure-fir box-office breadwinners! . . Wonderful Bobb Breen . . at home in breathless action and tingling heart throbs—as a stowaway on a steame and footloose among cutthroats in the Paradis of the Pacific!

Hear him sing as he never sang before, raising the crowds to cheers and tears with "Down Where The Trade Winds Blow," "Hawaii Calls," and other great numbers!

BOBBY BREEN

IN

Hawaii Calls

NED SPARKS ★ IRVIN S. COBB
RAYMOND PAIGE and his ORCHESTRA
DIRECTED BY EDWARD F. CLINE · PRODUCED BY SOL LESSER
A PRINCIPAL PRODUCTION
SCREEN PLAY BY WANDA TUCHOCK

RKO RADIO PICTURES

Radio Personals ◀

ENE KRUPA, drummer in the Benny Goodman orchestra, is ming his own band. . . Birthday etings are in order for "Pretty tty Kelly"; the show is one year . . . Speaking of birthdays, at HN they were celebrated practically masse yesterday. Celebrants were ank Roehrenbeck, general maner; Gordon Windham, chief engier, and Jay C. Flippen, the "em ." . . Tommy Dorsey's band will ear at the Earle in Philadelphia, rch 11 to 17. . . Edward Startz, Dutch announcer now visiting e, will be interviewed on CBS by b Trout March 13. . . Edna May iver will be Al Jolson's guest March . . Bernice Beers is the new vocalwith Irving Aaronson on WHN. . . est stars on the Kraft "Music Hall" Thursday will include Miriam pkins and David Niven.

✚

ico Marcelli has been selected as sical director of the special program ny Wons will give on the Jeanette cDonald period next Sunday. . . v. Labert J. Lord, father of Phil rd, will retire from the ministry week.

earst Radio Unit To Dramatize Strip

nternational Radio Productions of llywood, transcription division of arst International Radio Sales, will duce a dramatization of the carn strip, "Jungle Jim." Another prom to be produced is the "Feature ry of the *American Weekly,"* a minute dramatization of a story h week in the *American Weekly.* asting, direction and promotion l be supervised in Hollywood by ward Esary, managing director of ernational Radio Productions.

esume AFM Disc Talks Today

he American Federation of Muans will resume discussions today the transcription and recording nse, with a settlement of the situa expected by the close of the week. s expected that the Federation body receive a committee representing transcription interests today. Phil ickes, National Association of adcasters' counsel, is expected to t with the Federation tomorrow.

ecommends Television Permit

ASHINGTON, March 6.—Examiner rge H. Hill of the Federal Comnications Commission has recomded granting the application of ith Radio Corp. for a construction nit for a new television station at cago, to operate in the 42,000-56,000 60,000-86,000-kilocycle bands with 0 watts power.

Liars' Club Going on Weekly

INCINNATI, March 6.—"The Inational Liars' Club," which will ure dramatized versions of seed and outstanding tall stories, will in over WLW at 7:15 P.M., .T., March 18, for a regular Fri feature. An orchestra under the ction of William Stoess will pro musical background.

Name Canada Group To Scan CBC Report

MONTREAL, March 6.—A House of Commons committee appointed to consider the CBC annual report and to investigate operations has been announced by Transport Minister C. D. Howe. Including himself, the committee comprises T. F. Ahern, A. L. Beaubien, Ernest Bertrand, George Bouchard, P. E. Cote, Vincent Dupuis, Sam Factor, H. S. Hamilton, F. D. Mackenzie, A. E. MacLean, J. A. MacMillan, Paul Martin, J. E. Paterson, Gordon Ross, Gray Turgeon, all liberals, and H. Barber, A. M. Edwards, J. E. Lawson, E. J. Wermanlinger, C. C. F. Leader, S. Woodsworth, conservatives, and C. E. Johnston Stor.

CRCX Dropped in Ontario

TORONTO, March 6.—In the current shakeup of the Canadian Broadcasting Corp. and, incidentally, with a Federal probe of its activities in the offing, one development has been the discontinuance of CRCX, chief shortwave outlet of the Canadian network.

The 500-watt transmitter, located at Bowmanville, Ont., 40 miles east of Toronto, is being withdrawn "for economy reasons," according to official announcement. As soon as matters are readjusted, however, the Canadian corporation may install a larger short wave station, it is intimated, as the comparatively low-powered CRCX had reached wide audiences in South America and Europe during the past three years.

New Music Program To Start Over WOR

A new musical show starring Carlo Morelli, a mixed choir and an orchestra conducted by Alfredo Antonini will begin on WOR Wednesday. and will be heard weekly thereafter at 8 P. M. V. La Rosa & Sons will sponsor, through the Commercial Radio Service. Additional new WOR business includes:

"The Lamplighter" to return March 6 at 2 P. M. for Julius Grossman Shoe Co. The agency is Sterling Advertising Co.

"Pet Club of the Air," featuring Stever Severn, has begun a new Saturday series under the sponsorship of the Doyle Packing Co. The Charles Dallas Reach Co. of Newark placed the account.

Wesson Oil Co. and Nu-Enamel Corp. have signed for participation in the Martha Deane series, the former through the Calkins & Holden agency, the latter through Neff-Rogow, Inc. The contracts are for one year each. Through Meldrum & Fewsmith, Inc., Cleveland, Time Tested Laboratories will begin a three times weekly five-minute transcribed series titled "Helpful Harry's Household Hints." Another series of five-minute transcriptions, for the Rival Packing Co., will start Wednesday at 4:45 P. M. Charles Silver & Co. is the agency.

WOR renewals include Ed Fitzgerald's programs for L. Bamberger & Co., and participation announcements on the "Uncle Don" show for International Vitamin Corp. and the Pioneer Division of the Borden Co.

Renew Emory's Contract

Bob Emory, who conducts "Rainbow House" and "This Wonderful World" on WOR, has been given a year's contract renewal by the station.

Called Back

San Francisco, March 6.—Off the air for seven years, Maurice Gunsky, sometimes called the "original crooner," was guest on a local variety show—at the request of a fan who remembered his voice.

The following week more than 7,500 listeners wrote in, asking for more. So Gunsky has been signed to appear weekly on the bill, conducted by Tom Breneman over KSFO.

Several New Deals Placed With WINS

A considerable amount of new and renewal business has been written at WINS since the recent appointment of A. Schillin as sales director. Following are the new accounts:

Michael's Department Store, six half-hour periods a week, and 18 five-minute news periods per week, through the Hyman Levy agency; the Howard Co., six 15-minute periods per week on the Alan Courtney show, through the Hyman Levy agency; Meier Credit Co., 28 announcements per week, also through the Levy agency; American Institute of Food Products, six half-hours per week "Women's Page of the Air" and six 15-minute periods per week "Foodcasters," through the Schick agency; American Clothes, Inc., six 15-minutes per week, placed direct; Abelson's, Inc., 50 spot announcements per week, direct; Riverbank Canning Co., six 10-minute periods per week on Alan Courtney's "Gloomchasers," through the Klinger agency; Harris Motors, spots, and Barney's, spots, through the Alvin Austin agency; Flemolyn, 12 five-minute periods per week through the H. M. Kieswetter agency and six 15-minute periods per week on "Song Contest" for Quick Washer, Inc., direct.

Renewals include Jad Salts, Postal Telegraph Co., and Empire Gold Buying Co.

Renew Harriet Parsons Show

The contract for Harriet Parsons' weekly broadcasts for Bromo Seltzer has been renewed for another 13 weeks. The renewal will keep her on the air at least until the end of June. Miss Parsons was originally signed for a short term following the failure of "Night Club of the Air" after one broadcast. J. Walter Thompson is the agency. The program is heard over the NBC-Blue Wednesdays at 8:30 P. M.

Steel Program Is Extended

"Musical Steel Makers," which made its debut on five stations of the Mutual network last January, yesterday was extended coast-to-coast, with the addition of the Don Lee network of California. Wheeling Steel Mills sponsors, through the Critchfield agency of Chicago.

KDYL Exploiting Programs

SALT LAKE CITY, March 6.—KDYL is exploiting the program popularity of shows it carries with mailing pieces calling attention to the poll preferences of the first five programs and the first seven personalities out of 10 selected by radio editors and critics across the country.

Three Leaving CBS Publicity Division

The CBS publicity department here has been cut by the resignation of two members and a leave of absence granted to another. Those who are leaving are Pat O'Toole and Jack Skinner. Holly Noble has been granted a leave of absence for at least eight months.

O'Toole, after being with the network for just a year, has resigned to join Leading Attractions, Inc., where he will plan programs and coordinate sales and sales pqromotion. Leading Attractions handles Edwin C. Hill, Cornelius Vanderbilt, Jr., Paul Sullivan and Adela Rogers St. Johns, among other attractions. O'Toole will take over his new duties today. Skinner will leave next week to join an agency, while Noble will leave in the spring to devote himself to free lance writing of fiction and plays.

Toscanini's 3-Year Contract Confirmed

(*Continued from page* 1)

in November. It is also considered likely that the maestro will make a personal appearance tour about the country in order to afford his hearers the opportunity to view the orchestra.

Prepare Educational Discs

A new series of 15-minute educational recordings is being prepared by WOR for distribution Sept. 15. The records will cover elementary science, art appreciation, nature study and astronomy, and all have been tested under actual classroom conditions. The records will be demonstrated by Roy Lyon of the WOR recording division at an educational convention in Atlantic City.

KFRU Closes Several Deals

COLUMBUS, Mo., March 6.—New business on KFRU includes five quarter-hours weekly for the Earl May Seed Co., through Presba, Fellers & Presba; announcements, direct, for the Archias Seed Co.; three five-minute transcribed periods weekly for Clark Gardner Nurseries, through the Northwest Advertising Co., and six quarter-hour periods weekly for the Interstate Nurseries, direct.

Writing Fourth Air Serial

Irna Phillips is formulating a fourth network serial which will feature Ireene Wicker. The serial is now in synopsis form and will be completed by spring. The three serials written by Miss Phillips are "Guiding Light," "Road of Life" and "Woman in White."

Shafer Quits KFOR for WKY

LINCOLN, March 6.—John Shafer has resigned as program director at KFOR here to join WKY, Oklahoma City. At WKY he will be sports and special events man. General Manager Don Searle of the Central States Broadcasting Co. has not yet appointed a successor at KFOR.

Radio Guild Prepares Terms

The Radio Writers' Guild, an affiliate of the Authors' League of America, has completed a list of conditions and terms which will be submitted this week to advertising agencies, networks, and others who employ radio writers.

DU PONT

Latitude

—That quality of a photographic emulsion which enables beautiful results over a wide range of exposures is an outstanding feature of Du Pont Superior Pan.

— For better pictures in your next production use Du Pont.

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BETTER THINGS for BETTER LIVING through CHEMISTRY

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ustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 54 NEW YORK, TUESDAY, MARCH 8, 1938 TEN CENTS

ouse to Get ill Taxing adio Grosses

Farlane Measure to Be Introduced Today

By BERTRAM F. LINZ

SHINGTON, March 7.—A bill pro- for the imposition of a 10 per ax on the gross receipts of asting stations will be intro- in the House of Representa- tomorrow by Congressman W. cFarlane of Texas.

bill will be offered before the and Means Committee as a ute for the Boylan bill pro- for wattage taxes, on which

dditional developments in dio yesterday on page 10.

ederal Communications Com- n last week made an unfavor- eport.

receipts tax, McFarlane con- will meet all requirements as scientific basis, which the com- n said was lacking in the Boy- ill and will result in a much r revenue than would the wat- evy, it being estimated that the ts of the stations are in the orhood of $140,000,000 a year.

ap Will Attack ennessee Statute

ap's attorneys will begin imme- preparation of an action attack- e constitutionality of the statute iting it from operating in Ten- , it was stated yesterday with turn to New York of Louis D. ch and Herman Finkelstein, attorneys, and E. C. Mills,

(Continued on page 8)

igley Award Lunch ill Be Held Today

roximately 40 of the industry's g executives in the east will be of Martin Quigley at a lunch- day at the Hotel Astor, in con- n with the judging of the Quig- rand Awards for 1937.

nners of the monthly Silver and e Plaques in the Managers' l Table exploitation competition tered in the competition for the Awards. The two winners will e a trip to Hollywood early in s guests of *Motion Picture Her-* They will travel on one of the d Airlines' new Mainliners.

Columbia to Keep List at 40 Features

Will Continue Westerns, Serials on Same Basis

Columbia will produce substantially the same number of pictures during the 1938-'39 season that have been scheduled for the current season, Jack Cohn, vice-president, stated on his arrival in New York yesterday from the company's studio.

For the current season Columbia scheduled 40 features, 22 westerns, four serials and 126 short subjects.

Cohn was accompanied east by A. Montague, general sales manager. Abe Schneider, Columbia treasurer, remained at the studio for further

(Continued on page 8)

Bergman Named Ad Head at Columbia

Maurice A. Bergman was appointed head of Columbia's advertising, publicity and exploitation departments yesterdav by Jack Cohn, vice-president. Bergman succeeds Hy Daab, who resigned the post three weeks ago.

Bergman assumes the post immediately. He has been an account executive with Lord & Thomas for the past four and one-half years and prior to that was advertising director of the Brooklyn Paramount for several years.

NEELY BILL WON'T WORK, SAYS KENT

Declares Independents Will Rue Day When It Becomes Law—Asserts Selling Will Have to Be Done in Exchanges

"Independent exhibitors of this country will rue the day the Neely bill becomes a law," declared S. R. Kent, president of 20th Century-Fox, in a statement issued yesterday.

"Setting aside for a moment the question of exhibitor grievances that may be legitimate, let me say that any exhibitor leader who tells his following that this legislation is for their good is either ignorant or false."

The remainder of the statement is equally biting in tone. Kent said it will be impossible to sell a picture that is not actually shown to an exhibitor; that it will also be impossible to furnish detailed synopses; that circuits will maintain buyers in exchanges, and that independents will be compelled to do the same.

"An article published this week states 'exhibitors can still buy in blocks under the Neely bill as before.' This is also misleading," Kent's statement continued. "Yes, they could if any producer were stupid enough to try and write an accurate description of the kind called for in this bill and run the risk of criminal prosecution and to be fined in addition. Actually the bill itself will make any sale impossible except the sale of a finished picture after screening. There isn't a man in the industry today who could take a finished picture, let alone a projected one for the future, and based on the finished picture write a descriptive analysis that would be safe or stand up—not that one couldn't be picked to pieces technically if someone wanted to—and, in my opinion, no producer would run the risk or could afford to run it."

Kent asked the question: "Where are the pictures to be sold?" and answers it by saying, "in the exchanges."

"And what can be sold under this bill?" he continued. "Nothing but

(Continued on page 5)

Kleckner Urges RFC Aid for Exhibitors

WASHINGTON, March 7.—Adoption of the legislation proposed to extend the Reconstruction Finance Corp.'s financial facilities to small business was urged here today by Joseph B. Kleckner, president of Motiograph, Inc., in testimony before the R. F. C. subcommittee of the Senate Finance Committee.

"If the proposed measures are adopted, it will be the first time since 1928 that exhibitors will be able to get credit for the rehabilitation of their theatres," Kleckner stated.

Kleckner was the industry's sole representative at the "small businessmen's conference" recently held in Washington.

Kent Points Out . . .

High points of S. R. Kent's objections to the Neely bill are:

Exhibitors will actually have to see every picture they buy, because it will be impossible to supply correct synopses in advance.

Selling will be done in exchanges. Circuits will maintain buyers there. Non-circuit buyers will have to do the same.

The moral issue raised by backers is a "smoke screen." Thousands of exhibitors bought "Ecstasy," which failed to pass a number of censor boards, on an individual basis, and thousands are showing so-called sex-hygiene pictures which cannot get Production Code approval.

Only a few companies will be able to maintain the additional inventories involved in having so many pictures on hand for screening.

"Any independent exhibitor who believes this bill is a triumph for the independent is writing his own bankruptcy."

Para. Given Stay On No. Dakota Law

FARGO, March 7.—Paramount and its theatre operating subsidiaries in this territory today won an uncontested temporary injunction restraining North Dakota officials from enforcing the state's affiliated theatre "divorcement" law after its effective date, March 22.

The Federal statutory court which granted the injunction set June 1 for trial of the Paramount action challenging the constitutionality of the

(Continued on page 8)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

Vol. 43 March 8, 1938 No. 54

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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WASHINGTON: Albee Building; Bertram F. Linz, Representative.
AMSTERDAM: 87 Waalstraat; Philip de Schaap, Representative.
BERLIN: Steulerstrasse 2, Berlin W. 35; Joachim K. Rutenberg, Representative.
BUDAPEST: 3 Káplár-u, Budapest II; Endre Hevesi, Representative.
BUENOS AIRES: Avallaneda 3949; N. Bruski, Representative.
COPENHAGEN: Vesterbrogada 20; Kris Winther, Representative.
HELSINKI: Fredriksgatan 19C; Charlotte Laszlo, Representative.
LONDON: 4 Golden Square, W. 1; Cable address, Quigpubco, London; Hope Williams, Manager.
MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Ullman Arranges for Pathe Spain Scenes

Arrangements for Pathe News coverage of the Spanish Civil War were made by Frederic Ullman, Jr., during his European trip, he said yesterday on arriving on the *Queen Mary.* Two cameramen have been stationed with the warring forces. The first clip from the front arrived here last Thursday.

Pathe staffs in Sweden and Austria have been augmented by arrangement with local organizations, and the newsreel's European crews now total about 20, he said.

While abroad Ullman arranged for distribution of French and German versions of "Quintupland," two-reeler on the Dionne quintuplets, which will be dubbed in Paris. The German version is for Austria and Switzerland.

Cliff Reid, RKO producer, also returned on the *Queen Mary.* His trip was a vacation. He will leave for the coast this week to begin work on "Blind Alibi," with Richard Dix.

To Open "Monastery"

"Monastery" will open tomorrow at the Squire under the auspices of the National Conference of Jews and Christians.

◂ Purely Personal ▸

JON HALL will arrive in New York from the coast today. He will be guest star on Kate Smith's air program on Thursday over WABC. He may make personal appearances in Loew houses in New York in connection with the run of "The Hurricane."

•

Wolfe Cohen, Warner Canadian district manager, arrived in New York yesterday to confer with Roy Haines, eastern and Canadian sales manager, and left last night for his headquarters.

•

Zack Freedman, in from the coast, reports that he caught the last train from Los Angeles on Tuesday just before the flood.

•

Dick Walsh, I. A. T. S. E. vice-president, has returned from an extended trip in the south.

•

Kenneth Clark of the Hays office was confined to his home yesterday with the flu.

•

Austin C. Keough, Paramount vice-president, is back at his desk following a brief illness.

•

Helen Westley, 20th Century-Fox player, has returned to the coast.

WALTER J. HUTCHINSON, 20th Century-Fox foreign distribution head, will arrive today on the *Santa Rosa* from a six-week South American and Caribbean survey.

•

Tommy Kelly and Ann Gillis, stars of "The Adventures of Tom Sawyer" were honored by Gov. James V. Allred of Texas on their arrival in Dallas for personal appearances.

•

Miriam Howell, Samuel Goldwyn's eastern story editor, will return to New York on Thursday, after a month on the coast.

•

W. A. V. Mack, G.B. home office representative, left for Minneapolis yesterday after attending the midwest sales conference in Chicago.

•

Martin Berkeley's play, "Roosty," has been acquired for production by M-G-M. Its Broadway run closed recently.

•

Charles Light, export manager of Alexander Film Co., returned yesterday from Havana.

•

Ben Smith has joined the G.B. sales staff and has been assigned to the Albany office.

Cuban Trade Treaty Puts Limit on Taxes

The U. S. Cuban trade treaty provides ample protection to American film distributors against confiscatory or unreasonable taxation on business done in the island, a spokesman for major distributors said yesterday in refuting reports published in a New York metropolitan daily that major company product was not being sold in Cuba because of excessive licensing fees against the distributors there. The reports also stated that the mayor of Havana was prepared to have enacted a tax against major American distributors on every showing of their pictures in Havana theatres.

Drop Health Note in Chicago Duals Fight

Chicago, March 7.—Plans for the establishment of an ordinance regulating the running time of shows here as a health move have been abandoned, it was stated today by Councilman Arthur Lindell.

Because of today's development anti-dual groups here will be forced to find some other method for the elimination of double features.

'Crew' Bill to Committee

Albany, March 7.—Assemblyman Robert J. Crews, Brooklyn Republican, tonight conferred with members of the Cities Committee in an effort to secure favorable reporting out of his amended "full crew" bill, backed by the State Federation of Labor and the I.A.T.S.E.

The Cities Committee will meet tomorrow to consider all legislation. Efforts to kill the "crew" bill are expected in committee.

Exercise Oland Option

Hollywood, March 7.—Twentieth Century-Fox has exercised an option on Warner Oland's contract.

Monogram's Quota Is Set at $5,500,000

Franchise holders of Monogram committed themselves to a sales quota of $5,500,000 during a Johnston Silver Anniversary Drive in honor of W. Ray Johnston, president, at their session in St. Louis at the close of last week. The sales drive will start at once and end Jan. 14, 1939, at which time a banquet is planned to celebrate Johnston's 25th year in the industry.

The company's 1938-'39 production schedule will include 42 features, 26 dramas and 16 westerns. Complete production details will be disclosed at the company's annual sales convention, April 24-27 at the Netherlands Plaza Hotel in Cincinnati.

A plan suggested by John Mangham of Atlanta, under which all salesmen will be placed on a bonus basis for sales exceeding a fixed quota in each zone, also was decided upon, and will be put into effect immediately. Johnston, Scott R. Dunlap, in charge of production; Edward Golden, general sales manager, and Leon Fromkess, treasurer, returned to New York from St. Louis yesterday.

Norton V. Ritchey, Monogram foreign export manager, now on a three-month tour of Latin America, has reported to the home office that he has closed contracts for all of the 1937-'38 product with International Films S.A. in Brazil and with Monogram Pictures de Mexico S.R.L.

Safety Law Closing Six

St. Louis, March 7.—Six theatres which will require alterations before they can conform with the newly established safety regulations will be closed for 10 days to enable them to make the proper changes, it was stated today by George W. Chadsey, director of public safety. Chadsey did not divulge the names of the theatres affected. Thirty theatres have agreed to comply with the safety law.

Reserves Decision In Local 802 Su

Decision was reserved by Just
Ernest E. L. Hammer in the N.
Supreme Court yesterday at the tr
of the injunction suit brought by
members of Local 802, American F
eration of Musicians, against the lo
to determine the validity of the
cently adopted bylaw which prohi
members earning more than $54 w
ly from holding more than one

The minority contend that the
law was adopted in violation of
union's constitution and that it wo
result in unfair discrimination. Va
ous witnesses testified that a music
who earns $18 for playing the sig
ture on a radio program could h
an unlimited number of jobs, wh
a more competent player, hired
appear three times weekly on the sa
program, would be limited to
job. The union contends that
bylaw was validly adopted and t
the classification is reasonable.

Orders Details in Suit

Casino Productions, Inc., a
Yermi Stern, who are suing Warn
for $500,000 damages as the res
of an alleged libel in the War
film, "Go Into Your Dance," w
ordered to file a bill of particulars
Federal Judge William Bondy in
U. S. District Court here yesterda

Managers' Union to Sign Contract Toda

Final touches to a basic agreem
on wages and hours between memb
of the League of New York Theat
and the Theatrical Managers, Age
and Treasurers Union are due tod
according to Gustave A. Gerber,
torney for the union.

The agreement will cover wages a
hours and will run a definite peri
probably one year, Gerber said.
to yesterday, 28 stage producers h
given the league power of attor
to act for them in the negotiations.

In addition, individual agreeme
are to be signed by the produc
granting the union recognition as
bargaining agent for managers, tre
urers and press agents. Gerber s
that when the negotiations have be
completed with the legitimate theatr
conferences will start on agreeme
covering film houses.

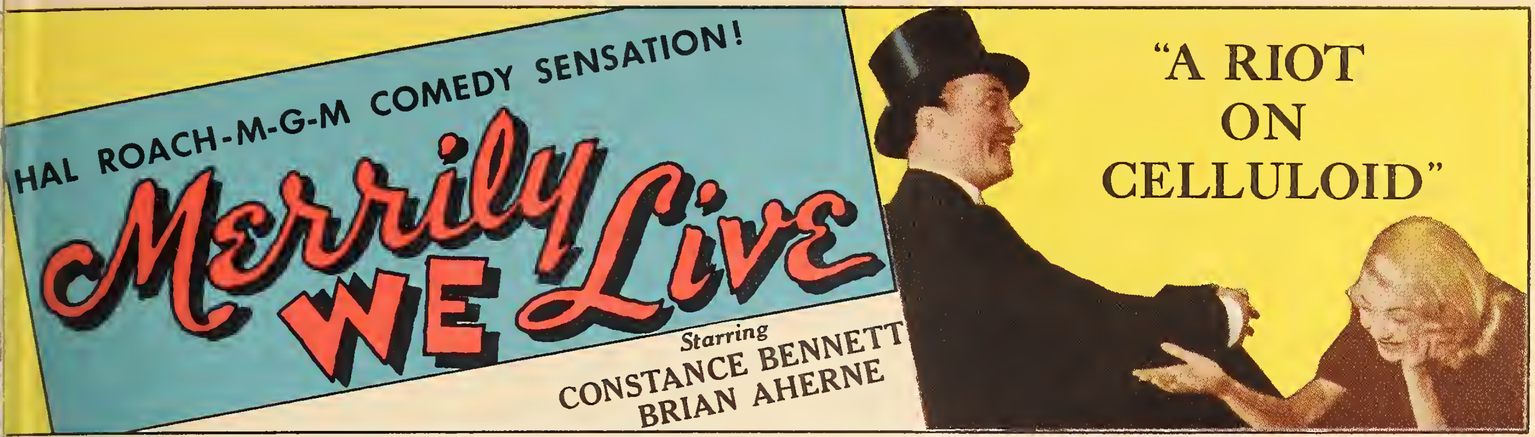
Local 306 Oldsters to Meet

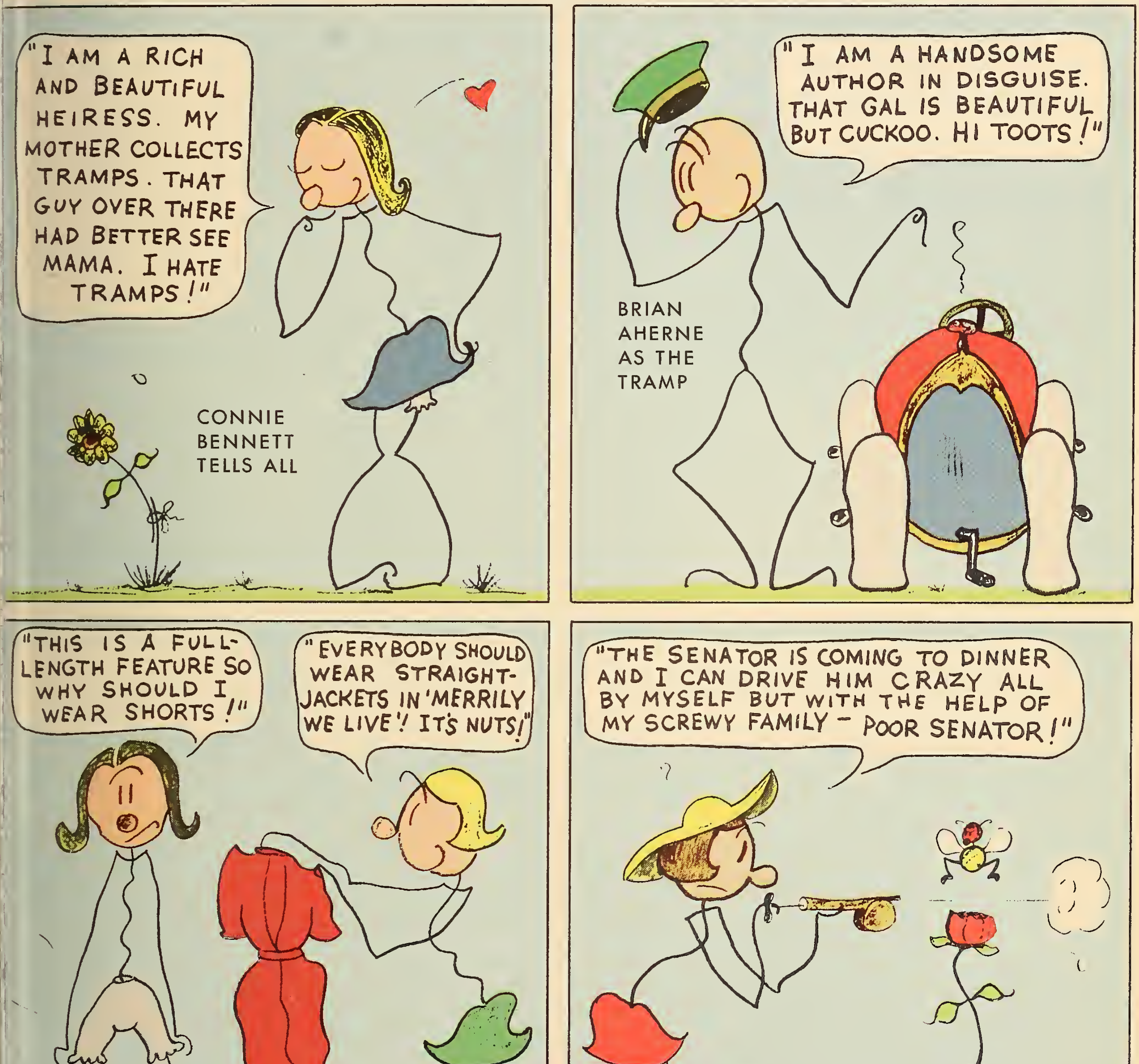
About 200 members of Local
who have served as projectionists
years or more will hold a reunion
night at the Martinique Hotel. A d
play of old-time projection equipm
will be held.

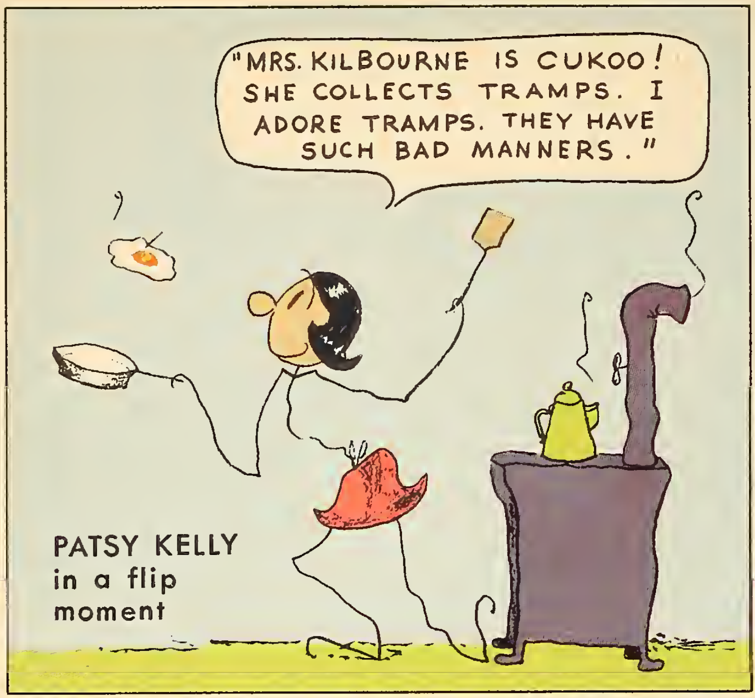
This is the first of events which s
nalize the local's 25th anniversa
They will be climaxed May 8 wit
banquet at the Hotel Astor wh
national officials and representati
from other cities will attend. T
committee is headed by Frank R
dock, vice-president, and Alex Po
and Jack Winnick.

Union Talks Indefinite

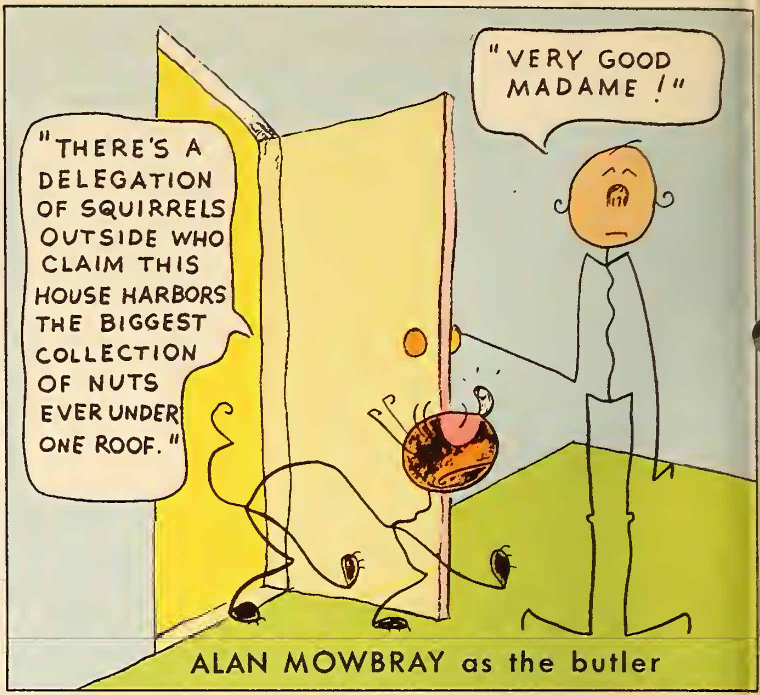
Resumption of conferences on
master agreement covering "ba
room" employes in 31 exchange cit
is now indefinite. John Gatelee
Boston, the I. A. T. S. E. spokesman
the negotiations, is on a tour of
changes, and Frank Phelps, of W
ners, who has been acting as advis
has been vacationing in Florida.
is expected back the end of this we


HAL ROACH-M-G-M COMEDY SENSATION!
Merrily WE Live
Starring
CONSTANCE BENNETT
BRIAN AHERNE
"A RIOT ON CELLULOID"

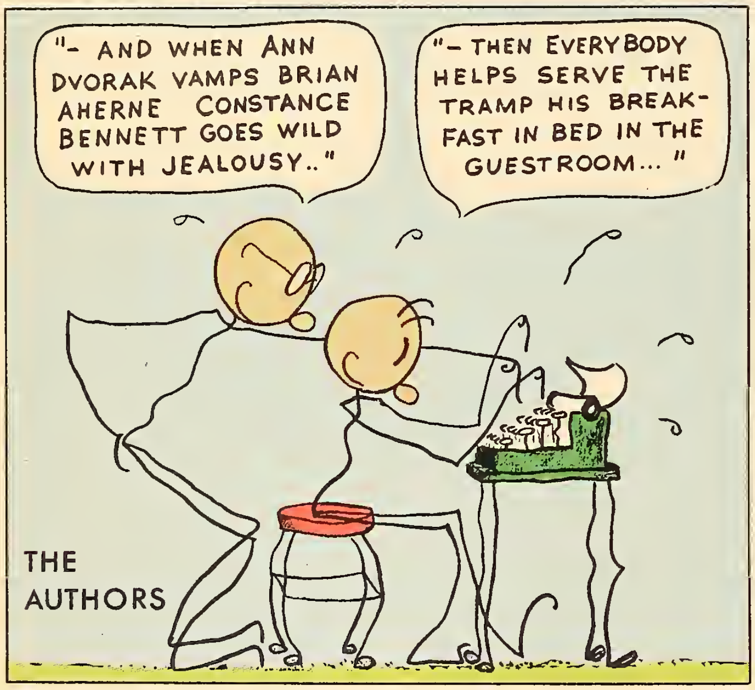

"I AM A RICH AND BEAUTIFUL HEIRESS. MY MOTHER COLLECTS TRAMPS. THAT GUY OVER THERE HAD BETTER SEE MAMA. I HATE TRAMPS!"
CONNIE BENNETT TELLS ALL
"I AM A HANDSOME AUTHOR IN DISGUISE. THAT GAL IS BEAUTIFUL BUT CUCKOO. HI TOOTS!"
BRIAN AHERNE AS THE TRAMP
"THIS IS A FULL-LENGTH FEATURE SO WHY SHOULD I WEAR SHORTS!"
"EVERYBODY SHOULD WEAR STRAIGHT-JACKETS IN 'MERRILY WE LIVE'! IT'S NUTS!"
CONNIE'S CLOTHES ARE SLINKY
"THE SENATOR IS COMING TO DINNER AND I CAN DRIVE HIM CRAZY ALL BY MYSELF BUT WITH THE HELP OF MY SCREWY FAMILY - POOR SENATOR!"
BILLIE BURKE WILL SLAY YOU


"MRS. KILBOURNE IS CUKOO! SHE COLLECTS TRAMPS. I ADORE TRAMPS. THEY HAVE SUCH BAD MANNERS."

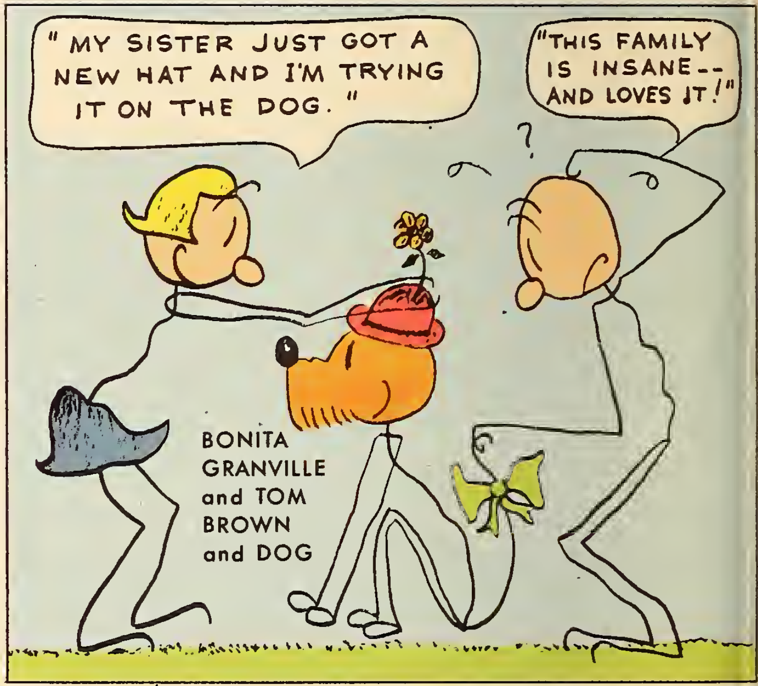
PATSY KELLY in a flip moment


"THERE'S A DELEGATION OF SQUIRRELS OUTSIDE WHO CLAIM THIS HOUSE HARBORS THE BIGGEST COLLECTION OF NUTS EVER UNDER ONE ROOF."
"VERY GOOD MADAME!"

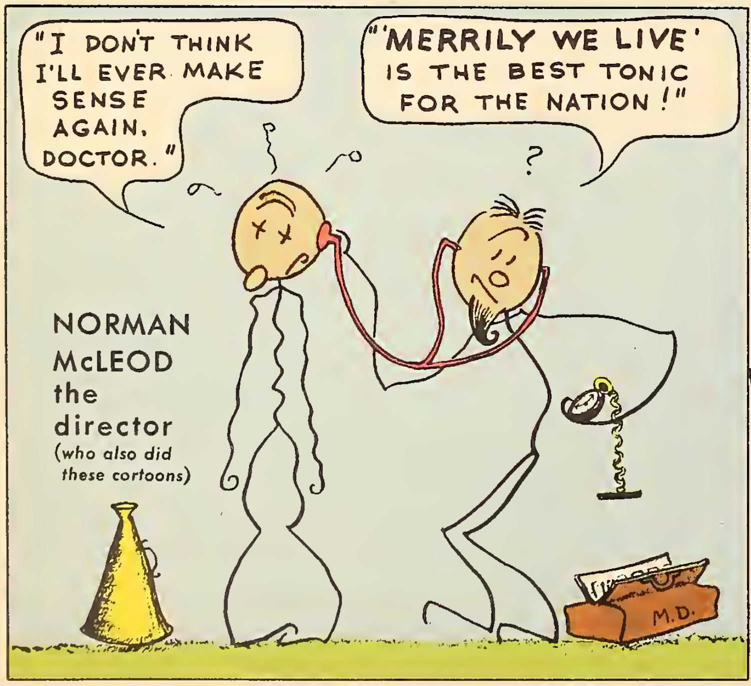
ALAN MOWBRAY as the butler


"- AND WHEN ANN DVORAK VAMPS BRIAN AHERNE CONSTANCE BENNETT GOES WILD WITH JEALOUSY.."
"- THEN EVERYBODY HELPS SERVE THE TRAMP HIS BREAKFAST IN BED IN THE GUESTROOM..."

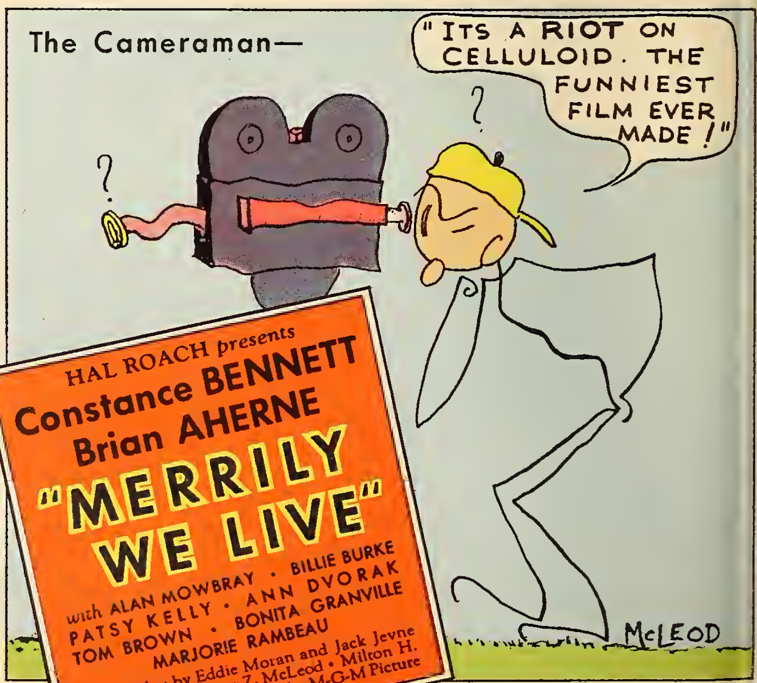
THE AUTHORS


"MY SISTER JUST GOT A NEW HAT AND I'M TRYING IT ON THE DOG."
"THIS FAMILY IS INSANE-- AND LOVES IT!"

BONITA GRANVILLE and TOM BROWN and DOG


"I DON'T THINK I'LL EVER MAKE SENSE AGAIN, DOCTOR."
"'MERRILY WE LIVE' IS THE BEST TONIC FOR THE NATION!"
M.D.

NORMAN McLEOD the director (who also did these cartoons)


"ITS A RIOT ON CELLULOID. THE FUNNIEST FILM EVER MADE!"
McLEOD

The Cameraman—

HAL ROACH *presents*

Constance BENNETT

Brian AHERNE

"MERRILY WE LIVE"

with ALAN MOWBRAY · BILLIE BURKE
PATSY KELLY · ANN DVORAK
TOM BROWN · BONITA GRANVILLE
MARJORIE RAMBEAU

Screen Play by Eddie Moran and Jack Jevne
Directed by Norman Z. McLeod · Milton H. Bren, Executive Producer An M-G-M Picture

eely Bill Won't Work, States Kent

(*Continued from page 1*)

hed product. It will add millions he inventories of every company he business, and instead of help- the exhibitor operating one or theatres against the circuit will do opposite. The circuits can and maintain buyers in every exchange er out of which they are served will have to. Their added cost be bad enough. Non-circuit ex- tors will have to do the same g. Does anyone think producers afford to wear out 300 or 400 ts shipping them out to be screened re they are purchased to every one the thousands of accounts they e? Certainly not. But how else to be done?

alled Worse Than British Law

t has been said that this bill is as drastic as the English law. In opinion it is twice as drastic in its lts. There you can hold a trade v which serves the purposes of the . Under this bill the producer, to safe, must screen each picture for y buyer. A trade showing for ers will not comply with the law, I see it, for the exhibitor who 't seen the picture. He must be ished with a synopsis. A picture ht have played in a thousand the- s and yet, under this bill, you ldn't lease it without screening it every account that hasn't seen it still furnish a synopsis. No com- y can maintain and service its ac- nts as it is now doing.

Where are all these exhibitors who nt or are going broke under block king? I can name all the leaders porting this bill and most of them e been in their organizations for r 20 years and have more theatres ay than they had 20 years ago. ere are major producing and ex- iting companies still in the courts reorganization, but how many in- endents are in the court or went ough them during the last three or r years? This company, for which peak, serves over 10,000 accounts I know the great and overwhelm- majority we sell to prefer to buy product as they are now buying it. is is a minority bill, worked up a minority with punitive purposes mind. Back of it is the old false of 'let the community choose your duct.' Will any exhibitor consult community before he buys a pic- e?

Moral Issue a "Smoke Screen"

The origin of this bill was founded h a background of morals behind yet morals in motion pictures are issue today and every exhibitor and r-minded member of the community ows it. This bill will not prohibit exhibitor from running any pic- e he wants to run, so the moral ue is a smoke screen. There are usands of exhibitors who bought their own accord the picture stasy,' which did not pass some of state censor boards and couldn't a seal of approval of the industry; d how about the socalled social hy- ne pictures being shown around s country today without the approval of the industry Production Code Administration? All these were bought singly, not part of any block, and have been shown in thousands of theatres.

"We have the same old clique with us who want to do anything to destroy the distributor-producers, when, in my opinion, the real destruction will be in the exhibitor ranks if this bill goes through.

"There are only a certain few companies, including this one, which can survive this bill if enacted, but there are certain other companies, in my opinion, that cannot survive because they lack the finances required to double their present inventories, as they will be compelled to under its machinery.

Sees Film Supply Hit

"There are thousands of independent exhibitors who can never maintain their present position by buying their pictures one at a time, as I say they will be forced to under this act. You will find in a year or two that the supply of pictures, which you already complain is insufficient in number, will be much less in number than it is today. Any independent exhibitor who believes that this bill is a triumph for the independent is writing his own bankruptcy, in my opinion, and I am very careful in expressing any opinion upon any legislation of this or any other kind and am not careless in my statements."

Mother of Mannix Dies

Mrs. Elizabeth Mannix, 72, mother of E. J. Mannix of M-G-M, died yesterday at her home in Fort Lee, N. J. Mannix was at his mother's bedside when she died. The funeral will be held tomorrow at Madonna Church in Fort Lee.

McKeever Mulvey's Kin

Stephen W. McKeever, president of the Brooklyn Dodgers, who died Sunday, was the father-in-law of James Mulvey, eastern representative for Samuel Goldwyn, and a director of the baseball club. Mulvey was present when McKeever died.

Rites for Gerety Today

James Edward Gerety, father of Tom Gerety of M-G-M's advertising department, will be buried this morning after funeral services at St. Agnes Church, Rockville Center.

Still Seek Stewart Body

The body of Lemuel L. Stewart, veteran film executive who lost his life in the California floods last week, is still being sought by authorities on the coast, it was stated here yesterday by Fred Stewart, his brother.

"Chicago" Grosses $8,054 in 8th Week

"In Old Chicago" grossed $8,054 in its eighth week of the roadshow engagement at the Astor. It is scheduled to open April 15 at the Roxy, following the close of the run at the Astor, but the definite date will depend on the length of previous runs of "Mad About Music," which will go into the Roxy Friday, and "Rebecca of Sunnybrook Farm," which will follow.

"Women in Prison" proved a strong grosser at the Rialto. It was held an extra day and finished last night at $10,000 for eight days. This is the theatre's best figure in several weeks. Two other prison films are doing well on Broadway, "Penitentiary" at the Globe and "Prison Nurse" at the Criterion.

"The Rat" gave the Globe $5,500, below the theatre's average.

20th-Fox Finishes 44 of 51 Features

Hollywood, March 7.—Forty-four of the 51 films scheduled for production by 20th Century-Fox in Hollywood for 1937-'38 have been completed, and the other seven will be finished by the end of May, according to present plans. Darryl Zanuck officially will start new season production on March 14, with vehicles scheduled to go before the cameras at the rate of two a week through the month of April.

"Tarzan Speaks" will be the second in Sol Lesser's "Tarzan" series for 20th Century-Fox. A late June or early July release is planned.

No Film Men Ask to Share Treaty Talks

Washington, March 7.—Publication today by the Committee for Reciprocity Information of its schedule for the hearings on the proposed reciprocal trade agreement with the United Kingdom, to open next week, discloses that as yet no representatives of the film industry have asked to be heard.

The only witness scheduled for any branch of the industry is F. H. Coregan of RCA Manufacturing Co., who will appear March 18 to discuss the situation with respect to radio, phonograph and film sound equipment.

Plan Adventure Series

Hollywood, March 7.—M-G-M is planning a series of adventure-mystery features similar to its Judge Hardy group. Chester Franklin will direct.

Phil Reisman Says RKO Gaining Abroad

RKO business abroad is up considerably over last year, reported Phil Reisman, general foreign manager, on his arrival yesterday on the *Queen Mary.* He was gone two months, during which he set a deal on "Snow White and the Seven Dwarfs" with the Gaumont British circuit and presided over a meeting of European representatives in Paris.

Reisman brought back with him bulging scrap books indicating that the press in England gave "Snow White" a great reception. He attended the opening of the picture at the New Gallery in London, where it is guaranteed a minimum of 20 weeks. It is being presented at an admission top of $2.25.

The film will be generally released in Europe in the fall and will be dubbed in every important foreign language, Reisman said. He will confer on the extent of the dubbing with Roy Disney, business manager for Walt Disney studios, who is due here this week en route to Europe.

Reisman said theatre business has improved generally abroad, and that his own observation in London and Paris was that the international tension has eased and that war is now more remote, especially since England is seeking to patch up its differences with Germany.

No successor has as yet been appointed to C. E. Hilgers, RKO managing director in France, who resigned recently. Hilgers submitted his resignation before returning to New York.

Berman West Today; RKO Contract Closed

With his revised contract designating him RKO production head formally closed yesterday, Pandro S. Berman will leave New York by train today. He will be accompanied by J. R. McDonough, RKO Pictures vice-president.

Leo Spitz, RKO president, and Jules Levy, sales manager, left on the Century yesterday and will make stopovers in Chicago today. The quartet will confer at the studio on RKO's new season production plans and will arrange for the company's annual sales meeting. Ned E. Depinet, vice-president and distribution head, is at the studio awaiting their arrival.

Berman's departure reportedly was delayed by the necessity for having the approval of the Irving Trust Co., RKO trustee, for his revised contract, the terms of which were agreed upon late on Saturday.

"Snow" Chicago Smash

Chicago, March 7.—"Snow White and the Seven Dwarfs" opened here Saturday in the worst sleet and snow storm of the year to record business. By noon the gross was $700 ahead of any previous Saturday, with a gross of $9,000 estimated for the day.

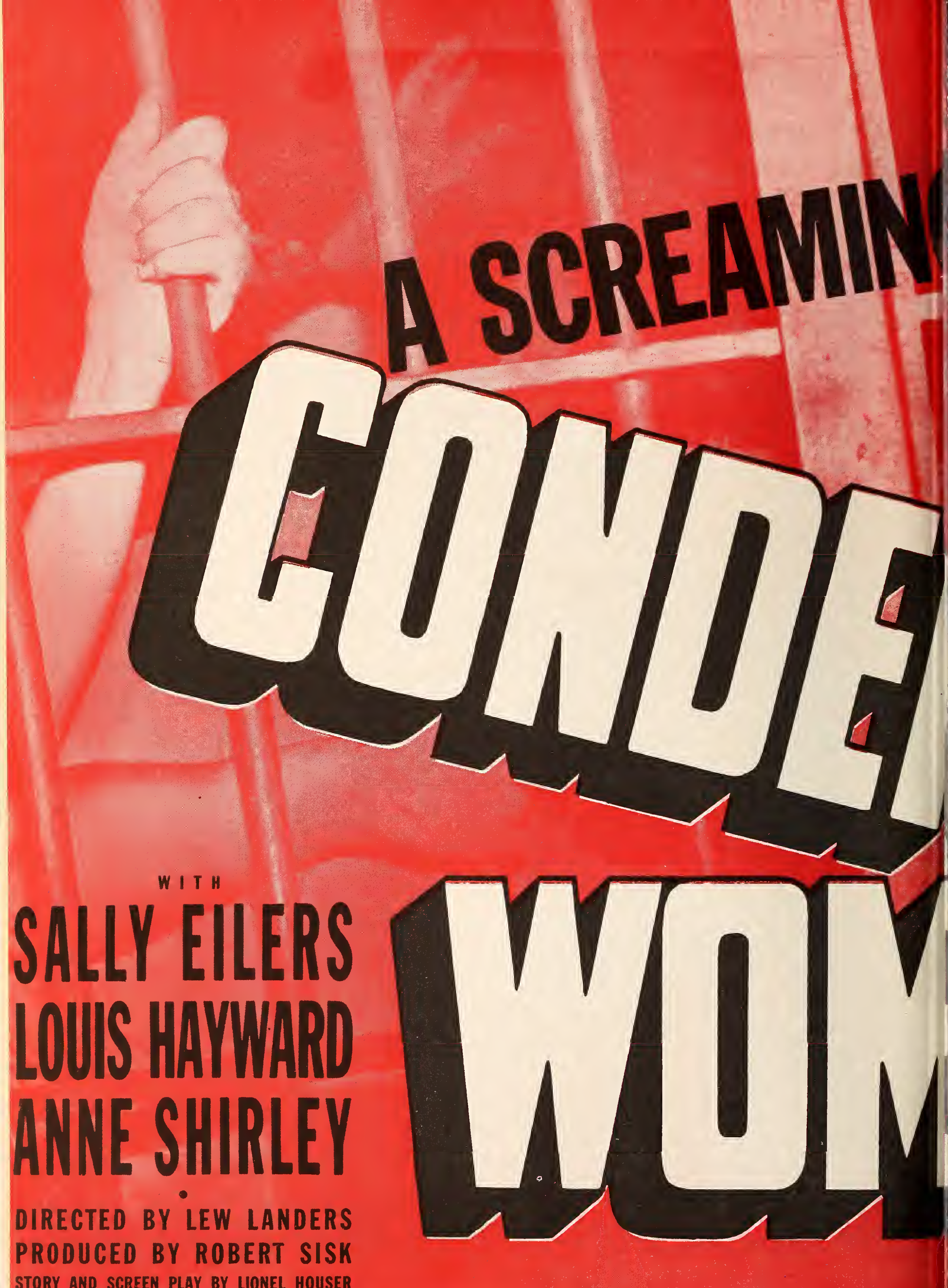
Eddie Silverman Wed

Yuma, Ariz., March 7.—Eddie Silverman, Chicago Essaness executive, was married here this afternoon to Velma Talbert, artists model. The couple left following the ceremony for a honeymoon at Palm Springs.

While Spitz Waited

While Leo Spitz, president of RKO, was waiting on the 16th floor of the RKO Building on Saturday night for Pandro Berman and O. C. Doering, attorney for the Irving Trust Co., a uniformed building guard stopped them in the lobby and told them they could not go up. The reason was that Berman did not have a little green pass required of those ascending to the RKO floors after hours, and issued to RKO employes.

Berman and the attorney had an appointment with Spitz to confer on Berman's producing contract, but it made no difference to the guard. "I have my orders," he insisted. Berman finally put in two telephone calls to Spitz's office and after a short wait a young man came down and verified that he had business to transact at RKO.


A SCREAMIN
CONDE
WOM

WITH

SALLY EILERS
LOUIS HAYWARD
ANNE SHIRLEY

•

DIRECTED BY LEW LANDERS
PRODUCED BY ROBERT SISK
STORY AND SCREEN PLAY BY LIONEL HOUSER

OCKET OF REALISM!

NED
EN
R K O
RADIO
PICTURES

RKO RADIO'S sensational picture of women convicts! . . . It dares to give you the inside story of life behind the bars, where female transgressors are more deadly than the male! . . . NO PUNCHES PULLED to hurl to your screen drama red-hot from the blazing inferno of hate and fear and desperation behind the brooding granite walls of a women's prison!

RIOT! FIRE! JAILBREAK! . . . Girls herded into iron cages at the point of a gun! . . . Somebody's sweetheart, somebody's sister, snarling like cornered beasts! . . . Can things like these be true? . . . See the amazing, startling, daring drama that tells it all — that bares the soul of a woman in love! . . . It's a show that you can go to town with the way you used to do in the good old days of honest-to-God MOVIE THRILLERS!

Columbia to Keep List at 40 Features

(Continued from page 1)

conferences with Harry Cohn, president.

Columbia will complete its plans for producing in England under the new British quota act following House of Lords action on the measure, Cohn said. Joseph Friedman. Columbia's British manager, will arrive from London tomorrow to confer here on the production arrangements. The Columbia vice-president indicated that at the present time the company favors the sending of its own production units to England, rather than retaining British producers to make the required quota pictures. He said that the company will discontinue production in Canada and Australia immediately as a result of the new Films Act, which does not allow credit against British quota requirements on pictures produced elsewhere in the Empire.

Cohn reported that flood damage to the Columbia studio was negligible and that only a few of the sets located in a valley were damaged to any appreciable extent, although shooting schedules were interrupted for the better part of two days. Departures from the coast were difficult with no trains leaving Los Angeles for two days, the Columbia executive reported.

Para. Given Stay On No. Dakota Law

(Continued from page 1)

North Dakota "divorcement" law. The injunction remains in effect against the state pending the outcome of the trial.

Attorneys for Paramount, Minnesota and American Amusement companies, the only theatre operating companies affected by the North Dakota statute, submitted their briefs to the court today. State officials and Allied States Association, the latter the sponsor of the "divorcement" measure, did not oppose the application for the injunction and entered no pleadings. The procedure eliminated all oral arguments before the court.

Spokesmen for Allied declared that the North Dakota statute litigation is regarded by the organization as a test case and that their desire to have the constitutionality of the law determined explained their failure to oppose the application for a temporary injunction.

Gensler Leaving Paramount

HOLLYWOOD, March 7.—Lewis Gensler, Paramount associate producer for the past two years and who has produced such pictures as "The Big Broadcast" and "Artists and Models," will leave the lot April 15, having been unable to reach an agreement with the studio over terms for a new contract. Gensler is now guiding the cutting of "College Swing." He plans a European vacation with his wife before announcing a new affiliation.

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TWA
first

SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday, Sunday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA

For further information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

Note to "Scrip" Holders

Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

SHORTEST-FASTEST TWA first COAST TO COAST

Test a Chimpanzee

Al Wilkie and Herb Berg of Paramount and representatives of four newsreels—Paramount, Movietone, News of the Day and Universal, with a flock of still cameramen gave a screen test to Anna, a four-year-old chimpanzee at Central Park Zoo yesterday.

The death of Jiggs, Paramount's trained chimp, caused it all.

They rode Anna in a baby carriage, had her play a piano, dressed her up, and had her eat at a table. The studio will decide whether or not she gets a job.

Freeman to Fix Date For Paramount Meet

A date and place for the spring meeting of Paramount theatre partners and associates will be decided upon within the next few weeks, Y. Frank Freeman, vice-president and theatre head of the company, stated yesterday on his return to New York from two weeks of conferences at the studio. Earlier plans for holding the meeting at the studio in the late spring have been definitely abandoned, he said, due to the fact that it would command too much of the time of studio officials at one of their busiest seasons.

Freeman conferred with Adolph Zukor, William LeBaron and other studio officials on picture types favored by the company's theatre operators and will present the conclusions reached during the studio conferences to Barney Balaban, Paramount president.

The Paramount theatre head denied reports that the company contemplated a change in its theatre operating relations with Joseph H. Cooper. Freeman attended a meeting with Cooper and Joseph W. Bernhard of Warners on current management changes being made in houses of the Standard circuit in Oklahoma City in which Warners and Paramount share an interest with Cooper. The latter will leave New York today for Oklahoma City.

Bank Night Lottery, Georgia Court Holds

ATLANTA, March 7.—The Georgia Supreme Court has refused to review a decision classifying theatre Bank Night as a lottery. The court's action was taken in the case of Frank Barber, of Albany, Ga., charged with operating a lottery in connection with Bank Night at his theatre.

After an Albany judge had overruled his demurrer in the case, Barber appealed. The Court of Appeals and later the Supreme Court upheld the judge's decision. The case now will be tried in Albany on its merits.

Walker to Aid Drive

Frank C. Walker has been named as treasurer of the Cardinal's Committee of the Laity for the 1938 Catholic Charities Appeal. The invitation to take the post was extended by Cardinal Hayes.

The drive will start in 370 parishes on March 27 and will continue to April 4. A general public appeal will be conducted by special gift committees of men and women from March 10 to March 26.

Ascap Will Attack Tennessee Statut

(Continued from page 1)

chairman of the Ascap administrati committee.

The trio completed arguments befo a Federal statutory court in Ne Orleans last week attacking a simil restrictive statute enacted in Florid The court reserved decision but is pected to act promptly on the Asc petition. The Tennessee action, whi is expected to be ready for filing ear in April, will complete the mus licensing society's legal defense again laws which were enacted last year ba ring it from operating in five states.

Ascap won an injunction restraini Nebraska from enforcing its restricti statute against the society last fa Arguments against similar laws e acted in Montana and Washingt were completed earlier, but the Feder statutory courts which heard the have not handed down decisions yet.

Teaching Aids Studiea

ATLANTA, March 7.—Under t supervision of the State Departme of Education, a series of district co ferences on the use of audio-visu aids in education began here toda Speakers were Dr. E. C. Dent, dire tor of the educational department RCA, and Dr. H. A. Gray.

Open Brandt Theatre

The Brandt circuit tonight will op its newest unit, the Earle, 73rd St. a Broadway, Jackson Heights. Borou officials, civic leaders and exchang men will attend the opening. T theatre, which seats 600, was co structed at a cost of $40,000.

Blank Return Delayec

DES MOINES, March 7.—A. H. a Mrs. Blank, who went to Honolulu January, had planned to return fr the coast last week, but were floc bound in Palm Springs.

Wall Street

Board Issues in Decline

	Open	High	Low	Close	N Cha
Col.	13¼	13¼	13	13	—1
Col. pfd....	34	34	34	34	...
Cons.	1⅜	1⅜	1⅜	1⅜	...
Cons. pfd.	5⅝	5⅝	5⅝	5⅝	—
E. K.	154½	154½	154½	154½	—
G. T. E. ..	11⅛	11⅛	11	11	—
Loew	48¼	48¼	46½	46½	—
Para.	9½	9½	9	9	—
Para. 2.....	9⅞	9⅞	9⅞	9⅞	—
Pathe	5¾	5¾	5¾	5¾	—
RKO	3⅝	3⅝	3½	3⅝	—
20th Fox ..	22½	22½	22	22	—
20th pfd....	29	29	29	29	—
Univ. pfd.	40½	40½	40	40	...
W. B.	5¾	5¾	5⅝	5⅝	—
do seller 5 days ..	5½	5⅝	5½	5⅝	...

Curb Moves in Fractions

	Open	High	Low	Close	N Cha
G. N.	½	½	½	½	..
Sonotone ..	1¾	1¾	1¾	1¾	—
Tech.	19⅛	19¼	19	19	—
Trans-Lux	2¾	2¾	2¾	2¾	+

Little Bond Change

	High	Low	Close	N Cha
Para. B'way 3s '55	59⅛	59	59	..
Para. Pict. 6s '55	92	92	92	..
Para. Pict. '47....	69½	69	69½	—
W. B. 6s '39.....	66	66	66	..

(Quotations at close of March 7)

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Around the Country

Montreal

John Murray Gibbon, general publicity agent of Canadian Pacific has concluded his Sunday night series of musical programs, "Canadian Mosaic." Replacing him over the CBC national network will be the Hart House String Quartet. . . . "Let's All Go to the Music Hall," Saturday nights, has been shifted forward half an hour starting now at 8 P.M. . . . Lewis Carroll's "Alice in Wonderland" is to be dramatized in serial form by CBC on Tuesday and Thursday afternoons in 15-minute spots. Chris Ellis is handling production and Junior Leaguers are to make up the cast.

✚

New Haven

WBRY's Question Mark program, which has a Sagal-Lou Dairy prize tieup, has been moved to a Monday at 10 P.M. spot . . . WICC's Connecticut Colonials will change personnel from the Ward-Berman New Haven orchestra to Gus Meyers' Bridgeporters at the end of six weeks, the Bridgeporters to carry on for the remainder of the year . . . WELI has gone into a two-a-week "It Happened in Hollywood" gossip period, handled by Vincent Palmeri, assisted by Muriel Kingsbury . . . Perry Lafferty, WBRY musical director, will present a "Hidden Melodies" contest program on the piano, with a Bijou Theatre tieup of 40 guest tickets a week.

✚

San Antonio

Bill McCabe, formerly with Universal Studios, is now managing KABC here. . . . Ernest Hauser is directing KTSA's staff orchestra. . . . Beeman Fisher, manager of WOAI, is back at the station following a three-week eastern trip. . . . "Versatillians" are now doing an early morning program on KONO. . . . William McCabe, new manager of Alamo Broadcasting Co., recently had King Howard Robinson and Ted Hills of KTRH as guests.

CBS Schedules 2 Periods

CBS has scheduled two sustaining periods to replace the Wrigley "Double Everything" and Vicks "Open House" series, which fade from the air March 20.

The following Sunday, March 27, Phil Cook's "Almanac" show will be presented in the "Double Everything" spot, 6:30 to 7 P. M., and "Manhattan Mother," a dramatic serial, will take the place of "Open House" from 7 to 7:30 P. M.

NBC Adds News Program

A 10-minute period of news especially prepared for Portuguese-speaking listeners has been added to the schedule of daily news broadcasts over W3XAL of the NBC International Division. The new period is broadcast at 5:15 P. M. daily except Sunday.

Arnold, Wray on Lux Show

Edward Arnold and Fay Wray will play the leading roles in "The Boss" in the Lux "Radio Theatre" March 14.

FCC Prepares Schedule for New Hearings

WASHINGTON, March 7.—The Federal Communications Commission today made public its schedule of hearings on broadcasting matters for the current week, as follows:

March 8, before an examiner: Application of National Life & Accident Insurance Co., for a 1,370-kilocycle station at Nashville, with 100 watts power night, 250 watts day.

March 9, before an examiner: Applications of Pawtucket Broadcasting Co. for a 1,390-kilocycle, 1,000-watt station at Pawtucket, WLAP, Lexington, for change of frequency from 1,420 to 1,270 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts, and WPAX, Thomasville, Ga., for increase of time from day to unlimited and increase of day power from 100 to 250 watts.

March 10, before the commission: Applications of Ellwood W. Lippincott, Inc., for a 1,310-kilocycle, 100-watt station at Bend, Ore.; Southern Broadcasting Corp. for a 1,200-kilocycle station at New Orleans, with 100 watts power night, 250 watts day (asking facilities of WBNO and WJBW); WBNO, New Orleans, for renewal of license; WBNO, New Orleans, for change of frequency from 1,200 to 1,420 kilocycles and increase of day power from 100 to 250 watts, and WRNL, Richmond, for increase of time from day to unlimited and increase of power from 500 to 1,000 watts.

March 11, before an examiner: Applications of George H. Payne for a 1,440-kilocycle, 500-watt station at San Jose, Cal.; Dan B. Shields, for a 1,210-kilocycle, 100-watt station at Provo, Utah, and Kathryn B. Gosselin for a 1,500-kilocycle station at Aurora, Ill., with 100 watts power night, 250 watts day.

March 11, before the commission: Application of Clark Standiford, L. S. Coburn and A. C. Sidner for a 1,370-kilocycle, 100-watt station at Fremont, Neb., and contesting applications of Southwest Broadcasting Corp. and W. P. Stuart for a 1,500-kilocycle, 100-watt station at Prescott, Ariz.

Spots de Luxe

Philadelphia, March 7. — There is an epidemic of production on spot announcements in local radio circles. Sound effects, trick gadgets and agency production men are commonplace on 30- to 100-word spots.

They range from the "moo" of a cow and the "crow" of a rooster to the sound effects of a ball game. But the best of the lot thus far was the deal signed by a soft drink sponsor for a 100-word announcement, including three sound effects: the pop of a cork, clink of glasses, and fizz of soda water.

Pick Williamson as Fizdale Executive

Al Williamson has been named vice-president in charge of the midwest office of Tom Fizdale, Inc., according to Tom Fizdale, head of the publicity firm, who arrived here from Chicago yesterday.

Williamson's appointment is concurrent with the announcement that the Fizdale organization has been appointed by Blackett-Sample-Hummert to handle publicity on all the General Mills radio shows as an additional assignment in Chicago.

Crosley Buys Finch Facsimile Apparatus

Powell Crosley, Jr., president of the Crosley Radio Corp., has placed an order for Finch facsimile equipment for WLW, according to word received from the Finch Laboratories here.

Later similar Finch equipment will be installed for WSAI, sister station to WLW, as well as equipment for the three Crosley short wave stations, W8XNU, W8XAL and W8XIR.

WHKC Adds a Half Hour

COLUMBUS, March 7.—WHKC, local Mutual outlet, which has been signing off at 8:30 P.M., has added one half hour to its time, and hereafter will go off the air at 9 P.M.

Sid Robards Moved to RCA

Sid Robards, of the NBC press department, has been transferred to the RCA publicity division. He will assume his new duties today.

Court Rules Radio Talk Not Libelous

DES MOINES, March 7.—Judge Russell Jordan of the District Court here has ruled in the $100,000 damage suit of Harold M. Cooper, involving a radio broadcast, that the acts complained of did not constitute libel because they were not printed or written.

Cooper had brought the libel suit against the Iowa Broadcasting Co.; WMT of Waterloo; Verne Marshall, publisher, and the Gazette Co. of Cedar Rapids. Judge Jordon stated the Iowa Broadcasting Co. was merely furnishing a medium by which Marshall's speech was transmitted to listeners.

The Iowa statute defines libel as the printing or writing of malicious defamation.

Johnstone Heads Air Unit at Biow Agency

Jack Johnstone yesterday joined the Biow agency as director of radio dramatics in the radio department of the agency. Johnstone succeeds Charles Martin, who resigned recently to join Universal Pictures.

Johnstone is best known in radio for his dramatizations and production work in the radio series, "Buck Rogers." At Biow he will write and produce the "Thrill of the Week" and "Front Page News" on the Phillip Morris program.

Foster Joins CBS Publicity

Michael J. Foster, formerly of the sports department of the *New York Journal*, has been added to the publicity staff at CBS.

▶ *Radio Personals*

ALFRED G. McCOSKER, p
dent of WOR and chairma
the board of the Mutual network
turned to his desk yesterday aft
month's vacation in Florida. . . .
Wood, formerly editor of *Radio*
is now editing the picture mag
Now and Then. . . . Louis K. Si
returned to Hollywood last night.
J. J. Arnone, NBC architect, is
in New York after seven month
Cleveland, where he worked on
construction of the new WT
studios. Llewellyn Moss, former
member of the mixed choral grou
the Kostelanetz show, has been si
as a staff singer at WHN.

Earl McGill to Instruct

Earl McGill, CBS director,
give a series of courses on radio
rection and production at the
University of Iowa at Iowa
starting June 13 for two weeks.
invitation came from Dr. Clay Ha
barger of the university's depart
of speech, who had occasion to obs
McGill's work for the network du
a recent visit here. The courses
include laboratory work and prog
production over WSUI, the local
tion. McGill also will repeat the
week course he gave last year at
York University on direction and
duction starting early in July.

General Supply in WNEW De

The General Supply Co. has si
"Make Believe Ballroom" for t
quarter-hours per week, for a th
week period, on WNEW. Sc
Advertising agency handled the
tract. The same agency has plac
contract with the station for five q
ter-hour news periods a week, fo
weeks. Other WNEW contracts
clude one for Davrigo Bros., five
announcements per week for
weeks through Neff-Rogow, and
spot announcements for the Studeb
Corp., through Roche, William
Cunnyngham, Inc.

Begin New WHN Show Tonig

"Illusions of 1938" is the title
new sustaining variety series w
will begin on WHN tonight at
P. M. The talent will include H
and Charles Tobias, Ross & Edwa
Phil Silvers and Don Alberts
chestra.

Renew Weber's Contract

Marek Weber, orchestra leader
rently conducting the "Carna
Hour'" on NBC, has had his cont
renewed through Consolidated R
Artists for another nine months, st
ing April 4.

Signs P. & G. Recording Dea

The Brinckerhoff Recording Stu
have received the contract for rec
ing the Procter & Gamble "Wifesa
shows. Gregory Williamson of Pe
& Ryan, Inc., handles the shows.

Wilkes Joins W. L. Post

Alan Dale Wilkes, formerly
Geenar Radio Productions, has jo
W. L. Post Co. He will be in ch
of radio production.

NOT REMOVE

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MOTION PICTURE DAILY

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Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 55 NEW YORK, WEDNESDAY, MARCH 9, 1938 TEN CENTS

Jezebel"

rners)

Hollywood, March 8.

s long since a picture to match is one for sheer power has from any man's camera. This r is of story, performance, osition and production, the re- of an extraordinarily congenial ling of screen and off-screen ts in a completely coordinated t. If "Jezebel" doesn't hang up office records from Caribou to Diego it will be because the ssion" has been misspelled the beginning.

+ +

may be said that Warners had rn out a crackerjack picture all that talk about jumping the on "Gone With the Wind." hing less than a knockout d have been branded a flop in echo of that publicity. But ebel" is no mere crackerjack ockout. It is a tremendous and endously earnest motion picture ining a maximum of sound tic and commercial ingredients is completely free of hokum. asoned and not especially opti- c preview audience left the ning feeling sorry for the girl gets the "Scarlett O'Hara" job e Selznick opus and for David elznick when the time comes start shooting. A sounder on, from the exhibitor point ew, is that "Jezebel" will have d a vein rich enough to sup- he box-office needs of that pic- and more in kind.

+ +

e power of "Jezebel" comes the play by Owen Davis. That rt craftsman drew most of it the history of that throbbing Orleans which also gave Cecil eMille his altogether different Buccaneer." Clements Ripley, n Finkel and John Huston lated Davis' three-walled stage to cinema dimensions and As- te Producer Henry Blanke bor- d William Wyler from Sam wyn to do the directing. All distinguished gentlemen are ed to begin dating their dis- on anew from here.

tte Davis, already immortal- for her sterling performance of g characterizations, was given ame role and a harder task any she'd had before. The ebel" of the story is about as

(*Continued on page* 4)

Warners Set New Air Show; Watch Company Is Sponsor

Los Angeles, March 8.—Warners, under the sponsorship of the Gruen Watch Co., on April 8 will inaugurate its second effort at a national radio program exploiting studio talent. Starting on that date a half-hour program utilizing unknown players on the Warner lot, plus appearances of studio "name" talent, will be heard over the California Radio System of six coast stations, three stations in New York and 14 other stations throughout the country.

Additional developments in radio yesterday on page 8.

The program will emanate from the Warner stations here, KFWB, and will present tabloid versions of past Warner pictures. The program will be titled "Encore Theatre Presented by Warner Bros. Studio Academy of Acting."

The program will be heard on the coast at 9 P. M., P.S.T. Other region times have not been set as yet, although a rebroadcast is certain. The stations in New York will be WMCA and two others not yet selected.

The other stations, in addition to the California Radio System are: WBZ, Boston; WHAM, Rochester; WCAU, Philadelphia; WCAO, Baltimore; WJAS, Pittsburgh; WGAR,

(*Continued on page* 8)

Expect Triple Quota to Be Reintroduced

By AUBREY FLANAGAN

London, March 8.—It is now considered probable that the controversial triple quota proposal, for inclusion in the Films Bill, will be reintroduced next week before the House of Lords committee which then will begin consideration of the measure.

It is indicated that the proposal may be offered in a somewhat modified form, however. The proposition already has been discussed at an unofficial meeting of members of the House of Commons.

Meanwhile, Lord Strabolgi, who has pronounced labor leanings, has proposed the abolition of the distributors' quota, with distributors permitted,

(*Continued on page* 7)

Judges Begin Work On Quigley Awards

Winning campaigns in the 1937 Quigley Awards were examined by 24 industry judges yesterday at the Hotel Astor, where the committee met to study the entries eligible for the annual Quigley Grand Awards. The 24 campaigns exhibited were those voted the plaques in the monthly awards competitions, sponsored by Managers' Round Table of *Motion Picture Herald.*

At a luncheon given by Martin Quigley in conjunction with the meeting, Terry Ramsaye, editor of *Motion*

(*Continued on page* 7)

Declares U.S. Films Meeting Latin Advance

"There is a wave of native film production and exhibition in Latin America today, but the American distributors have nothing to be disturbed about because Hollywood films, by their superior quality, are serving as a cushion upon which the bulk of Latin American exhibition rests and will continue to obtain most of the playtime south of the Rio Grande," declared Walter J. Hutchinson, 20th Century-Fox foreign distribution chief, on his return yesterday on the *Santa Rosa* from a seven-week inspection and sales trip.

At the same time, Hutchinson disclosed that his company's business abroad generally is running 20 per

(*Continued on page* 7)

New Postponement For RKO in Offing

Another postponement of the scheduled hearing on the RKO reorganization plan will be sought by proponents of the plan in U. S. District Court here on Friday, it became apparent yesterday following a meeting of the company's principal creditors. No final agreement on the form of amendments to the plan being sought by creditors in an effort to expedite the reorganization was reached at yesterday's hearing.

While progress toward an agreement on the amendment is reported to

(*Continued on page* 5)

Hays Office Protests on Neely Report

Says New Sentiment Has Grown Since Hearing

Protesting that no hearings were held by the Senate Committee on Interstate Commerce on the Neely anti-block booking bill prior to the committee's favorable report on the measure, the M.P.P.D.A., on behalf of its 26 producing and distributing members, made public its reply to the committee's report yesterday.

Pointing out that two years have elapsed since hearings last were held on the Neely bill, the report states that the moral fabric of motion pictures has been further safeguarded in that time through the operations of the industry's Production Code Administration and that the resultant improvement has been such as to give rise to a reasonable doubt that organizations and individuals who endorsed the bill two years ago on moral grounds would feel compelled to do so today. This situation, the report says, bears directly upon what is described as the primary purpose of the Neely bill, which is said to be "to establish

(*Continued on page* 5)

Court Authorizes 3 "Renfrews" for G. N.

Hollywood, March 8.—Phil Goldstone, through his Criterion Pictures, Inc., will produce for Grand National distribution three "Renfrew of the Royal Mounted" films under a court order filed today and approved by Federal Judge William P. James and involving Section 77B of the bankruptcy act which affects the reorganization of the distribution company. Philip Krasne, vice-president of Grand National, will be associate producer.

Grand National originally had announced four Renfrew films but only one was completed. Today's order authorizing the remaining three was obtained by Edward L. Alperson and Loyd Wright, co-trustees, upon representation that the G. N. distribution machinery should be kept active.

20th-Fox Sets First Of 6 English Films

Hollywood, March 8.—Twentieth Century-Fox will make the first of a group of six pictures in London this summer, it was stated here today by Darryl F. Zanuck. He added that Robert T. Kane, formerly in charge of New World Productions, a sub-

(*Continued on page* 7)

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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Spitz Is Named Head Of Palestine Drive

Leo Spitz, RKO president, has been appointed chairman of the amusement division of the Greater New York campaign of the United Palestine Appeal for aiding the Jewish settlement in Palestine. The division's activities will be started March 23 at a luncheon at the Astor honoring Dr. Abba Hillel Silver of Cleveland, national chairman.

Spitz's aides include Louis Nizer, associate chairman; Barney Balaban, David Bernstein, Gene Buck, Eddie Cantor, Jack Cohn, Max Gordon, Lee Shubert, Louis K. Sidney and Albert Warner, co-chairmen.

Fred Meyers RKO Film Buyer

Fred Meyers yesterday was named film buyer for the RKO theatres by John J. O'Connor, newly appointed operator of the circuit. Max Fellerman was promoted to the post of first assistant to Meyers in charge of film booking. There will be no other changes, O'Connor said.

Meyers will continue to supervise Syracuse, Rochester and Providence theatres. As booker for those cities he was assistant to O'Connor. Fellerman has been booking the New York circuit and other situations.

Now It Is a Cocoanut; Not Long Ago 'Twas a Pineapple

The arrival of a boxed cocoanut from RKO with an invitation to a party in honor of Bobby Breen and his new picture, "Hawaii Calls," follows closely the receipt of a pineapple from the same source. Custard pies were sent around some time back by Educational to call attention to the higher and "pieless" quality of the company's new releases.

On behalf of Paramount's "Romance in the Dark," the "squishiness" of ripe tomatoes from various gardening areas was tested and duly noted in the press. The same company, in the interests of the coming "Her Jungle Lover," arranged a screen test of a chimpanzee from the Central Park Zoo, attended by reporters and the newsreels.

The unadorned form—within police requirements, of course— was not so long ago employed by the Selznick coast publicity forces in a traffic-stopping endeavor on the Los Angeles streets in behalf of "Nothing Sacred." And the success of the "Snow White" campaign in Chicago encouraged a unique form of picketing by a woman who shed her clothes as a protest against what she termed the dummy actors in the picture.

From these bewildering press agent devices it might be interesting to suggest the composite goofy gag to top, if not end, all screwball gags. Here it is. No, on second thought and remembering the cocoanuts and pineapples, as well as the ripe tomatoes, your reporter refrains.

N. Y. Asembly Gets Anti-Ascap Measure

Albany, March 8.—An anti-Ascap bill, sponsored by Assemblyman R. Foster Piper of Erie County, has been introduced into the Assembly, on behalf of the small theatre owners in Piper's district who have been seeking relief.

The bill declares that any "combination," which is defined as authors, composers, publishers, owners of copyrighted vocal or instrumental musical compositions, is unlawful if it have determination and fixation of license fees or other imposts. The bill is modeled after the Florida law, which Ascap is now contesting.

Report Moran Bill Killed

Albany, March 8.—Motion Picture Daily was informed authoritatively today that the Moran five mills per foot film tax has been killed, as heretofore predicted. It is also understood that the bills to end discrimination have been killed in Assembly committees.

Assemblyman Charles Breitbart of Brooklyn and Senator Elmer Quinn of New York jointly are sponsoring a theatrical agency regulation bill modeled on similar lines to that of the DeMatteo resolution, claimed to have Commissioner Paul Moss' benediction.

Legislation sponsored by Senator John J. Howard and Assemblyman Harold Armstrong, strongly favored by the Labor Department, to give state troopers and sheriffs power to enforce safety and sanitary laws in isolated upstate communities was laid aside on order of passage both Monday and Tuesday. Passage is expected.

Opponents of the "full crews" bill, which requires two projectionists in New York and Buffalo in every booth, claim they have a majority on the Cities Committee, although the position of some members is not certain. Insiders claim, however, that the bill is likely to be referred to the Rules Committee without recommendation as a compromise gesture. The showdown will come Wednesday due to today's delay in committee meeting.

W. E. Sets Dividend

Western Electric directors' yesterday declared a dividend of 25 cents per share on the capital stock, payable March 31 to stockholders of record on March 25.

M-G-M District Men To Convene at K. C.

Paving the way for four regional meetings on next season's plans, M-G-M will hold a district managers' meeting in Kansas City Saturday and Sunday. The home office contingent will be headed by William F. Rodgers, general sales manager, and Al Lichman will come from the coast.

Rodgers and Lichtman plan to go to the coast together from Kansas City, and a regional meeting may be held in San Francisco on March 18. E. M. Saunders, western sales manager, also probably will attend.

The regional meetings will be held instead of a national sales convention and will be attended by Rogers and other home office officials. In addition to the west coast, meetings will be held in the midwest, south and east.

Also attending the Kansas City meeting, which will be at the Muehlebach Hotel, will be Tom Connors, Howard Dietz, William R. Ferguson, Allan Cummings and Eddie Aaron, all from the home office, and the following district managers: E. K. O'Shea, Charles Kessnich, Robert Lynch, Sam Shirley, Jack Flynn, George Hickey and Harris P. Wolfberg.

Bobby Breen at Ampa

Bobby Breen will headline the entertainment at the Ampa luncheon at the International Casino today. Others on the program will be Mrs. Leila Rogers, mother of Ginger Rogers and in charge of RKO's talent school; Joseph Ermolieff, European film director; Marina Schubert, singer; Judith Allen and Rudolph Field, publisher of *House and Field*.

"Dwarfs" to Comerford

"Snow White and the Seven Dwarfs" will play the 65 houses of the Comerford circuit as a result of negotiations just completed with RKO. The Disney cartoon feature will have the longest run in the history of the circuit and at advanced admission prices.

Mannix Rites Tomorrow

Funeral services for Mrs. Elizabeth Mannix, mother of E. J. Mannix, M-G-M producer, will be held tomorrow at Madonna Church, Fort Lee, N. J. Mannix is here from the coast for the funeral.

◂ Purely Personal

ROBERT RITCHIE, M- studio manager in London, arrived Monday, is recuperating an illness which confined him hospital before he sailed. He leave in a few days for coast ences.

•

Tex Rickards, advertising anc licity director of Motiograph, Ir Chicago, is visiting here. Josei Kleckner, president of the con will return today to Chicago a trip to Washington and Philade

•

Buster Crabbe has been book Fanchon & Marco with June gour for the Folly in Brooklyn 17. Later they will appear in ford and Bridgeport and other

•

Arthur A. Lee, G. B. vice- dent and general manager, will to the home office today.

•

Sam E. Morris, Warner vice- dent, and Mrs. Morris; Earle B of the Music Corp. of Americ Arturo Toscanini will leave on the *Queen Mary*.

•

Harold F. Oxley, manager o mie Lunceford, will leave Th for Pittsburgh to be on hand Lunceford and his orchestra o the Stanley.

•

Neil Agnew plans to leave week for a visit at the Para studio. Robert Gillham is due from the studio by the end week.

•

Sylvia Sidney, who has com her role with George Raft in and Me," will arrive today f indefinite stay.

•

Joseph Friedman, Columbia ish manager, will arrive on the tonight for several weeks of office conferences.

•

Sonje Henie is staying at the dorf, following her return from ida. She will leave for the coas few days.

•

Harry Arthur, Fanchon & executive, arrived yesterday fro Louis and plans to return lat week.

•

Bobby Breen takes daily s lessons at the Rockefeller Cen rink, in preparation for his ne ture.

•

Harold Hendee, director o search at RKO, tonight will before the Lions' Club of Plai N. J.

•

Scott Dunlap, Monogram p tion head, left New York last for Hollywood.

•

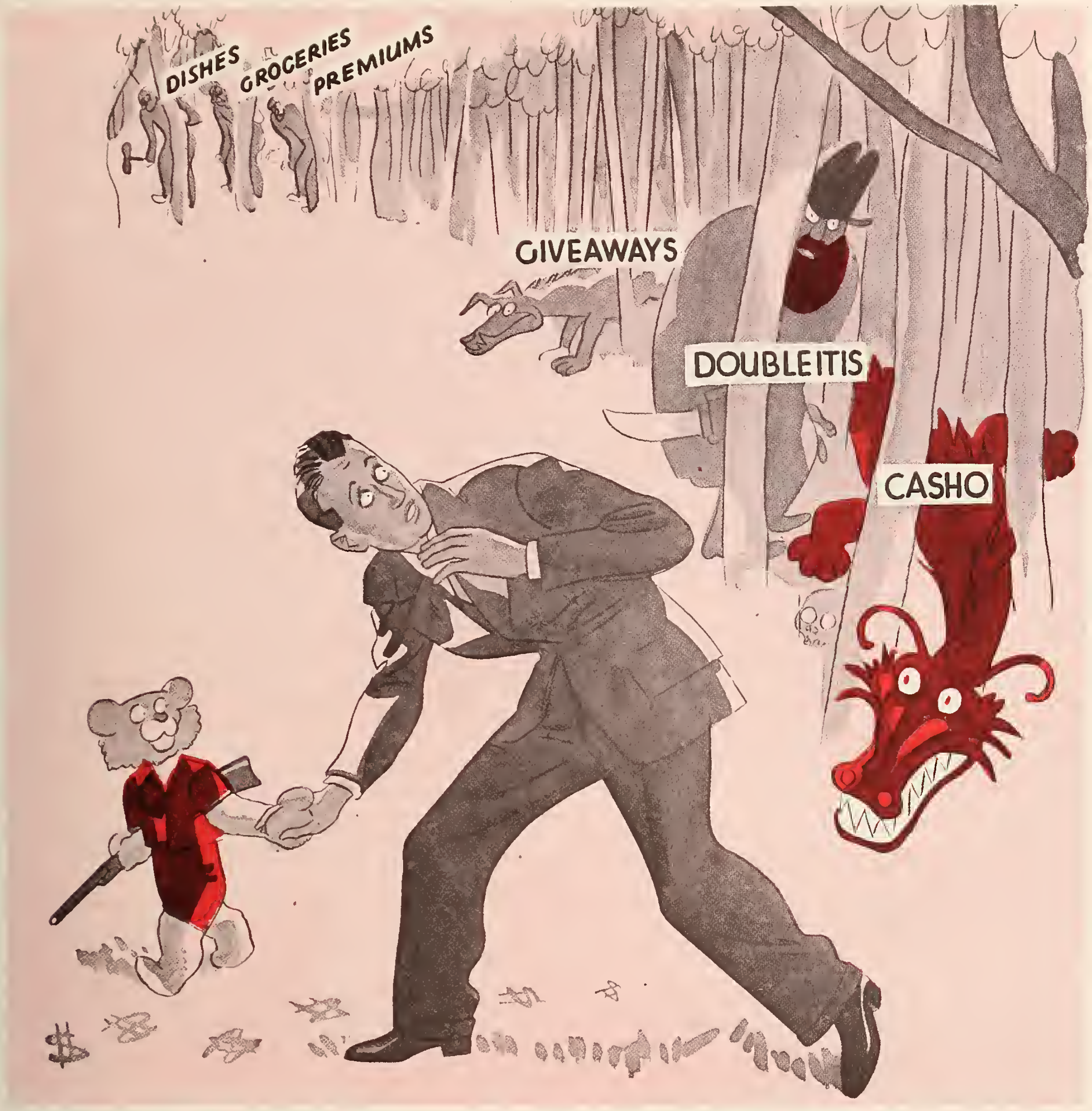
Joseph Friedman, Columbia's ager in England, will arrive to the *Paris*.

•

John Balaban, accompanie Mrs. Balaban, will arrive Fri

•

Sidney Lanfield will returr Florida today.



AND A LITTLE LION SHALL LEAD THEM!

ll the entertainment's on the screen when Leo, Jr. leads the way with is feature-value Short Subjects. More and more the proven box-office ppeal of M-G-M's Shorts results in program-building that builds a *steady* ientele. M-G-M Shorts are produced with every M-G-M feature facility!

SHORT TALK! Announcing a real novelty "An Optical Poem", one of the Miniatures . . . let's hear what your audience says! . . . The next "Crime Doesn't Pay" is "Miracle Money" . . . one of the best! Bob Benchley's "How To Figure Your Income Tax" is on the way! . . . Another Historical Mystery "The Ship That Died" . . . this series is going like wildfire! . . . Fitzpatrick's "Glimpses of Austria" just timed with the current news . . . this Technicolor series is tops! . . . Pete Smith's next "Three On A Rope" keeps up his amazing percentage . . . everybody loved the M-G-M Musical "Canary Comes Across" . . . have you noticed the swell Laurel-Hardy reissue results? . . . Jimmie Fidler's "Personality Parade" clicking big . . . The New Audioscopik is America's new hobby . . . M-G-M Shorts — but sweet!

"Jezebel"

(*Continued from page* 1)

unlikeable as skillful writing can make a heroine. Her playing of the part puts her at the top of the 1938 list of Academy nominations as of now. A less than perfect portrayal would have wrecked the picture and the player with it.

Henry Fonda, George Brent, Donald Crisp, Fay Bainter, Margaret Lindsay and Richard Cromwell are the other principals, playing remarkably balanced roles with finely measured precision. There is not an acting flaw in the entire footage.

+ +

Miss Davis plays a headstrong belle of New Orleans in 1850-'53 whose perversity results in the breaking off of her engagement to Fonda, an earnest young banker. When he returns from a trip north, bringing a northern bride, Miss Davis sets out to win him away from her, using her wiles on Brent to kindle Fonda's jealousy and inciting a duel in which Brent is killed. Family and friends turn against her. Then yellow fever comes to the city and Fonda is among the victims to be taken to an island leper colony for isolation. Miss Davis, repentant, persuades Fonda's wife to let her go along with him to what seems certain death, arguing that her superior knowledge of southern ways better qualifies her to save his life.

The plot coincides in no particular with popular pattern. Surprise twists of great dramatic impact arise from circumstances and develop naturally from characterization. Emotional passages are genuine and are not theatrically protracted. Historical background is immensely interesting for its own sake and figures vitally in the affairs of the characters.

"Jezebel" is a picture for any man's theatre and any customer's money.

Running time, 103 minutes. "G."

Wall Street

Light Movement on Board

	Open	High	Low	Close	Net Change
Cons.	1⅜	1⅜	1⅜	1⅜	.....
E. K.	153½	154½	152½	154½	.....
G. T. E.....	11	11	11	11	.....
Loew	46⅛	47¼	46⅛	47¼	+ ¾
Para.	9	9⅜	9	9⅜	+ ⅜
Para. 2.....	9¾	9¾	9½	9½	— ⅜
RKO	3½	3½	3½	3½	— ⅛
20th Fox ...	21½	21¾	21¼	21¾	— ¼
W. B.	5⅝	5⅝	5½	5⅝	.....

Curb Moves in Fractions

	Open	High	Low	Close	Net Change
G. N.	½	½	½	½	.....
Monogram	2⅛	2⅛	2⅛	2⅛	— ⅛
Tech.	18¾	19⅜	18½	19⅜	+ ⅜
Univ. Corp.	2½	2½	2½	2½	— ¼

Keith Bonds in Rise

	High	Low	Close	Net Change
Keith 6s '46......	87	86⅝	87	+1⅜
Loew 3½s '46.....	98⅝	98½	98½	— ⅛
Para. Pict. 6s '55	91¾	91½	91½	— ½
W. B. 6s '39......	66	66	66	.....

(Quotations at close of March 8)

Hollywood Preview

"Rebecca of Sunnybrook Farm"

(*20th Century-Fox*)

Hollywood, March 8.—Just as about 100 per cent of her devotees desire that she should be, Shirley Temple is about 90 per cent of this modernized conception of "Rebecca of Sunnybrook Farm." Singing, dancing, mimicing, exercising her magic personality, the central figure of a charming story that blends the bucolic savor of rusticism with the erratic hurly burly of radioland, she is the Shirley of old. Preview audience reaction, rattling in applause continuously and erupting into a roar at the conclusion, gave emphatic evidence that Shirley's "Rebecca" should take rank with the most successful in which she has been starred. Entertainment for any kind of audience, either urban or rural, it also is highly exploitable screen merchandise for any kind of exhibitor.

The story content being entirely alien to the theme of the Kate Douglas Wiggin novel, little other than the original title has been retained. Scenarists Karl Tunberg and Don Ettlinger have contrived a refreshing yarn which in concentrating on human interest compensates drama with comedy, includes a grown-up love story, but never lets the little star get out of the spotlight. The songs contributed by Mack Gordon and Harry Revel, Lew Pollack and Sidney Mitchell, Sam Pokrass and Jack Yellen, and the dances (Shirley alone and with Bill Robinson) arranged by Nick Castle and Geneva Sawyer skillfully accentuate the various moods. And as Allan Dwan has directed his material, star and supporting personalities there is showmanship for all.

Instead of being the Wiggin "way down east" heroine, Shirley is presented as an entertainment genius to whom Randolph Scott looks as the salvation of a radio program. Complications, brought about by Jack Haley's comic stupidity, cause the genius to be lost. Actually she has been dumped on Helen Westley at Sunnybrook by William Demarest, her stepfather, who no longer sees her as a meal ticket. As she softens the stern heart of Miss Westley, she becomes acquainted with Scott who, on vacation and not knowing her identity, uses her as a liason to promote his romance with Gloria Stuart.

Accidentally, Haley again discovers the voice, and, over the objections of Miss Westley, Shirley is presented on the breakfast food program which emanates from Scott's farm home. Preceded by comic sequences involving Miss Westley and Slim Summerville, she hears the program and against his wishes gives Shirley permission to continue. But Demarest, smelling easy money, returns to claim the child. His hopes are dashed when Shirley, impishly, loses her voice. As he walks out, she regains her talents and the finale features Shirley and Bill Robinson on the radio program as the Scott-Miss Stuart romance as well as the Summerville-Miss Westley affair culminate.

Running time, 80 minutes. "G."

New York Preview

"Crashing Hollywood"

(RKO)

Here is a satire on the film industry that provides an entertaining hour. There is clever blending of comedy, action, burlesque and atmosphere, highlighted by the performances of Lee Tracy, Paul Guilfoyle, Bradley Page, Richard Lane and Tom Kennedy. The action is lively and holds interest continuously.

Tracy, a writer, is en route to the film capital when he runs into Guilfoyle and Lee Patrick, an ex-convict, and his moll, respectively. After necessary incident to establish their relations the trio descends on Hollywood with a story based on the career of a notorious gangster. They have little difficulty in interesting Producer Lane. The first film is a success and the trio begin a fruitful collaboration on similar stories. Meanwhile Joan Woodbury is introduced into the yarn as romantic interest for Tracy. Eventually the real gangster known as "The Hawk" arrives and is looking for the person responsible for publicizing his career on the screen. He catches up with the aforementioned trio and a highly entertaining series of humorous mistaken identity devices are played out. After a running gun battle with Tracy "The Hawk" is taken by the police. Tracy, it seems, was thrown off a scaffold and winds up in a hospital with the attention of Miss Woodbury to speed his recovery.

Paul Yawitz and Gladys Atwater have concocted a breezy and exciting screenplay with many laughs. Lew Landers handled the direction. The supporting cast also offers George Irving, Jack Carson and Frank M. Thomas.

Running time, 60 minutes. "G."

Expect Hearing Sc
Upon Dallas App

A hearing of the major distribu appeal from the decision of the eral district court at Dallas ho that exhibition contracts regul subsequent run admission scales banning double featuring are il will be held by the U. S. Sup Court during the week of Marc if progress on the high court's endar continues at its present pa was learned yesterday.

The distributors' appeal from Dallas decision was filed in Jar and was placed on the Supreme C calendar at that time. The a seeks a review and reversal of lower court decision which found the distributors conspired togeth entering into contracts with the litzelle Interstate circuit which quired that certain pictures playe advanced admission prices be sh in subsequent runs only on s feature programs at designated missions.

Vacates Order on Vidor

Federal Judge Francis G. C yesterday vacated an order for th amination in Los Angeles of Vidor for Milton Rosenbloom, a torney, in connection with the of Films Sonores Tobis, Sc Anonyme against Charles Ch Charlie Chaplin Film Corp. United Artists on the grounds Rosenbloom was employed by U Artists. The examination will ceed before another attorney. complaint alleges that "M Times" was an infringement o plaintiff's film "A Nous La Lib An accounting of the profits, a manent injunction and damage sought.

Writer Sues Newspaper

Los Angeles, March 8.— Brooks, film and radio writer filed two damage actions in Su Court, charging libel and defan of character, the first seeking 000 from the Hollywood *Ci News,* Publisher Harlan G. P and Ed Sullivan, columnist, an second seeking $650,750 da from Eddie Cantor and four Does.

McKay to Resume
Legal Practice S

Willard S. McKay, whose re tion as general counsel of Uni was tendered several weeks a take effect with the expiration contract March 16, will resum practice of law thereafter, he yesterday. He will establish quarters in the law offices of S Rosenblatt, former NRA film co ministrator, and William Jaffe i International Building.

McKay, who was associated Universal for approximately 12 continues as special counsel fo company under a two-year agre reached recently.

Finish U. A. Theat

The private preview room bu the offices of United Artists has completed and is now ready fo Seating 50, the little auditori illuminated entirely by indirect ing, is sound-proof and air-condit Ben Schlanger was the designer

ays Office Protests on Neely Report

(Continued from page 1)

munity freedom in the selection ms."

he reply also recalls that the testi- ıy at the hearing two years ago never printed and that, as a re- , members of the present Senate mittee, now changed in its com- tion, do not have the benefit of testimony. It states that the com- ee was petitioned to hold hearings behalf of the industry prior to the nission of the report.

nswering Senator Neely's conten- that the primary purpose of the is to establish community freedom film selection, the producers and ributors point out that "in all but very smallest places in the United tes all of the motion pictures pro- ed are shown among the theatres ch serve any given area. The prob- of selectivity for different persons any given community is met en- ly by the achievement of an in- try which makes available all over United States expensively produced ion pictures at a low cost which mits their display at all places, and es the public so many pictures to ose from."

ims Independents Don't Benefit

enator Neely declared the sec- ary purpose of his bill is "to re- e the independent motion picture atre operators of a burdensome and nopolistic trade practice."

n their reply the film men state ly that there is no monopolistic ctice in the motion picture industry, if there were the bill would not vent it.

Nor are the present practices op- ssive or burdensome," the report es. "No exhibitor appeared who ed that he was put out of busi- s because he bought in groups or dvance of production. No producer eared who said he could not pro- e or distribute because the others tracted for groups of pictures.

It is necessary for the exhibitors know in advance the commitments y will have to make for motion ures to keep their theatres open it has been of distinct advantage exhibitors to know, for example, they can contract to be supplied the motion pictures of companies long experience and reliability."

Producers Cite Pact Demand

he 26 producers and distributors signed the reply offered a coun- ttack against "the theatre owners an organization of exhibitors who eared at the hearings in support the bill." They pointed out that e same theatre owners had tried make the members of their asso- ion enter into five-year contracts a distributing company they spon- ed, under plans whereby the dis- uting corporation arranged for the ribution of motion pictures to these ibitors of all the motion pictures be produced for a period of five s under a franchise contract, which gated the exhibitors to take them."

n conclusion, the reply states: hat makes exhibitors and distrib- s alike wish to contract for the showing of motion pictures in advance of their production is not any monopolistic design, but the legitimate desires of each to effect some safeguards in an enterprise of extreme commercial hazards. For years they have done so to their mutual benefit, to the benefit of the American industry, and to the benefit of the public."

The 26 producers and distributors represented by the reply are: Bray Prod., Inc., Caddo Co., Inc., Columbia Pictures, Cosmopolitan Corp., Cecil B. DeMille Prod., Inc., Walt Disney Prod., Educational Films Corp., First National Pictures, Inc., Samuel Goldwyn, Inc., D. W. Griffith, Inc., Inspiration Pictures, Inc., Jesse L. Lasky Prod., Loew's, Inc., Paramount Pictures, Inc., Pioneer Pictures, Inc., Principal Pictures Corp., Reliance Pictures, Inc., RKO Radio Pictures, Inc., Hal Roach Studios, Inc., Selznick International Pictures, Inc., Twentieth Century - Fox Film Corp., United Artists Corp., Universal Pictures Co., Inc., Vitagraph, Inc., Walter Wanger Prod., Inc., and Warner Bros. Pictures, Inc.

To Discuss Neely Bill

The Neely-Pettengill anti-block booking bill will again be a topic of discussion at a regular I.T.O.A. meeting today at the Hotel Astor.

New Postponement For RKO in Offing

(Continued from page 1)

have been made, there still remains a substantial amount of work to be done. Present indications are that another two or three weeks may be required to complete it.

In addition to finishing drafts of the desired amendments, proponents of the plan are anxious to obtain the advance approval of the proposed changes from all of the principal creditors before presenting them to the court. When this has been done, it is believed that the court will refer the amendments back to Special Master George W. Alger for hearing. It is believed that the court will not oppose a further adjournment of the hearing on the plan Friday because of its already indicated willingness to permit the proponents all the time required to explore the possibilities of speeding the reorganization of RKO by the course now being pursued.

The general aim of the amendments is to reduce the amount of debentures and preferred and common stock which will be outstanding upon reorganization of the company so that fixed charges against RKO thereafter will be more in line with current business prospects than are the charges which would be imposed under the plan as it now stands. This would necessarily mean a readjustment of the plan's provisions for treatment of the claims of creditors and security holders and, therefore, obviously involves numerous objections and prolonged negotiations.

Berman, McDonough Leave

Pandro Berman, newly designated production head of RKO, and J. R. McDonough, vice-president, left New York for Chicago yesterday where they will meet Leo Spitz, president, and Jules Levy, sales manager, today and proceed to the studio from there. The Hollywood conferences are scheduled to map the company's new season production plans, and will be concluded in two or three weeks.

By popular demand of exhibitors throughout the country, returning to the industry after seven years.

◆

E. SCHWARTZ
(In Association with Pathe Film Corp.)
is pleased to announce
A NEW TRAILER SERVICE
—AND HERE TO STAY

Meeting the need of exhibitor (and public) for low-priced, snappy, down-to-earth and up-to-the-minute trailers.

Produced by the founder and president of the old Advance Trailers, who successfully served thousands of exhibitors in previous years.

New Ideas and Novelties—Intimate Talk—Selective Music—Openings—Closings—Day Titles—Holiday Announcements.

WILL APPRECIATE HEARING FROM ALL OUR EXHIBITOR FRIENDS. WE ARE READY TO SERVE YOU AGAIN.

TRAILER-MADE,
INC.
E. SCHWARTZ
President
Film Center Building
630 NINTH AVENUE, NEW YORK CITY
IN STEP WITH THE TIMES—AND BORN OF LONG EXPERIENCE

Quebec Children Are Admitted to "Snow"

Montreal, March 8—With certain restrictions, which are being rigidly observed because of the desire of exhibitors to secure easement of the ban on juvenile attendance in film houses of Quebec, the Government of that Province has waived the prohibitory law on admission of children under 16 years of age by granting permission for them to see "Snow White and the Seven Dwarfs," the current attraction at the Palace.

The special provisions are that those under 16 years can be admitted only when accompanied by a parent or adult guardian, while no children can be admitted during school hours five school days of the week.

This is the second time in 10 years that juveniles have been officially permitted to see films in a theatre in the Province of Quebec. In the meantime, the fight goes on between exhibitors and the Government for a revision of the law.

Plan Wide Campaign For "Jungle Lover"

Paramount is planning a national advertising campaign for "Her Jungle Lover," which features Dorothy Lamour and Ray Milland. Neil F. Agnew, vice-president in charge of Paramount sales, yesterday stated that the campaign would follow the lines of that which advertised "Ebb Tide." The back pages of the *American Weekly* and *This Week* will be used for four-color copy. In addition, R. M. Gillham, director of advertising and publicity, will conduct a campaign in color roto sections in various parts of the country.

The combined circulation of the 52 newspapers in which the advertisements will appear totals 20,000,000.

More M-G-M Men Here

The fifth contingent of M-G-M foreign sales representatives who arrived here recently will start departing today. E. F. Johansen, manager at Osaka, will sail today on the *Queen Mary*. L. Andrews, Brisbane; Dave Lake, Sydney, and Carlos Niebla, Mexico City, are scheduled to leave Saturday. The men were given a trip to New York and Hollywood as a reward for sales performance.

"Time" Loss $19,000

Time, Inc., has reported a loss for the calendar year 1937 of $19,000 on the operation of the film series, "March of Time." The reel brought in $1,162,000 in revenue from more than 10,000 theatres throughout the world.

Eliminates Bank Night

Lakeland, Fla., March 8.—Manger Myron Booth of the Polk here has cancelled Bank Night. He made the announcement without comment nor did he say whether this policy might apply to other Sparks theatres.

Seek First Run Films

Omaha, March 8.—Officials of the Council Bluffs, Ia., Chamber of Commerce will take their fight to film companies' home offices for first-run bookings for Council Bluffs theatres, according to a statement from Secretary C. J. Mayer.

The Newsreel Parade

Movietone News
Vol. 20, No. 51
(20th Century-Fox)

The flood which ravaged a large section of Southern California and did considerable damage to Los Angeles is caught with expert clarity in this reel, and serves to bring an added interest and excitement to the issue. The manner in which the flood waters ripped out bridges, tore up railroad beds, washed out roads and turned a park into a lake on which two small ducks are seen having the time of their lives is a good newsreel job.

Florida's femininity in large quantities competes for the title of Miss Florida in a bathing suit, and "Names in the News" shows the Sultan of Muscat and Oman on a visit to the White House, the new French Ambassador after presenting his credentials to the President, and the Dowager Queen Mary, still hale at 71, on a visit to a London hospital.

Lew Lehr tries a hand at describing that quintuple marriage in Maine and gets himself entertainingly involved in relationships. The remarkable and successful test launching of one plane from another in the air in England is well photographed, and the sports division pictures the Santa Anita race with its flashing finish and the victory of War Admiral at Hialeah. Running time, 10 mins. A.

News of the Day
Vol. 9, No. 249
(M-G-M)

The outstanding feature of this reel, of course, is the scenes of the coast flood, and an excellent camera job has been done. A large part of the clip is devoted to aerial scenes, especially above Venice, Cal., and they are effective screen reporting, as are the shots of a home being swept into the rushing waters, the rescue of marooned persons and the destruction to bridges, roads and railroad rights of way.

The reel is otherwise interesting and well handled, featuring the address of Chancellor Schuschnigg of Austria to the Diet in Vienna, the successful launching of a small plane from the back of a larger one in flight in England, air scenes of the rocky and snow-covered terrain over which searchers are hunting for the still missing air liner.

The women's division features the most recent Florida bathing beauty contest, and the father and four sons from Maine who married a mother and four sisters. The thrill finish of the Santa Anita race on the coast, with no sign of a flood, and a huge bowling contest in Chicago complete the reel. Running time, 9 mins. A.

Paramount News
No. 62
(Paramount)

The camera triumphs over newspaper reports of the Southern California flood, in this release giving graphic portrayal of the havoc caused by the muddy waters. Half the reel's footage is given to the flood. This release is designated the "national extra," for all exchanges except those on the Pacific Coast, where an "advance extra" was pre-leased March 3.

The shots mainly are confined to the torrent in Los Angeles and Hollywood streets, where the waters rose to eight feet. Shots of the damage done to the studios are absent. There is enough of a picture, however, to convey what happened. Background sounds of roaring floods are well dubbed in.

The rest of the issue includes the exciting Santa Anita Handicap which Stagehand won, and the equally exciting Widener Stakes race which War Admiral captured at Hialeah; a successful test of the British "piggy back" plane, and some fine pin whacking in the American Bowling Congress championships in Chicago. Running time, 9 mins. F.

RKO Pathe News
Vol. 9, No. 66
(RKO)

Here are dramatic pictorial representations of a number of the big news stories from the front pages of the nation's newspapers of the last few days, brought to the screen with all the essentials intact and enhanced by the realism of the medium.

The flood in California leads off. The waters are shown raging through the streets of Los Angeles, Hollywood and Venice. The camera caught the serious aspect of the inundation in its most dramatic moments. There is a fine shot of a bridge in North Hollywood being washed out. Then there are scenes of a bowling contest in Chicago, the activities at the scene of the search for a missing airliner, the Sultan of Muscat and Oman in Washington, the President attending St. John's Episcopal Church in the Capitol on the fifth anniversary of his first inauguration; the new French Ambassador at the White House, a brewery explosion in New York, the two-in-one flying boat in a test flight and the Santa Anita Handicap with the closely contested finish. Running time, 8½ mins. P.

Universal Newsreel
Vol. 10, No. 647
(Universal)

There are a number of thrilling and dramatic scenes in this collection of film news which give the reel exceptional appeal. The flood in southern California is filmed from interesting vantage points. The comment is vivid and to the point. The best shot of the lot is one where a large, undermined house on the bank of a river topples into the rushing water.

The Santa Anita Handicap also offered an opportunity for exciting camera reporting when Stagehand and Seabiscuit tore over the finish line in a photo finish. The rest of the reel is an interesting assembly of sport, beauty contestants, aviation, glimpses of foreign dignitaries, President Roosevelt, a midget car in Paris, the St. Louis Cardinals at St. Petersburg, a bowling tournament in Chicago, and the havoc wrought by a blast in a New York brewery. Running time, 9 mins. P.

P. L. Palmerton to Sail

P. L. Palmerton, general foreign manager for Erpi, wil sail today on the *Queen Mary* for London conferences.

Congress to Receive AT & T Report Soo

Washington, March 8.—Report the Federal Communications Commi sion on its investigation of t American Telephone & Telegraph C will be submitted to Congress with two weeks, it was said today Chairman Frank R. McNinch.

The report, compiled by Commi sioner Walker, is now before the commission for consideration, Ninch said. It is in tentative form, b is not expected to be material changed before being sent to the Ca tol.

Members of the commission a keeping the contents of the rep confidential, but it is believed it w recommend that the telephone co pany divest itself of affiliated orga zations not engaged in telepho operations.

Form ADFI to Make Documentary Film

American Documentary Films, In identified by its owners as ADFI, h been formed by Raymond Rich As ciates to make films for both co mercial and non-commercial distri tion. Productions will feature curr achievements and problems in scien industry, agriculture, education a government.

Ralph Steiner and Willard V Dyke, two of the organization's dir tors, are known for their work "The Plough That Broke the Plai and "The River," both of which considered outstanding American do mentary films.

Allvine's Play a Hit

Hollywood, March 8.—Glen Allvine's "Knights of Song," a p based upon the experiences of bert and Sullivan, is to be held th weeks at the Pasadena Commun Playhouse, the first production to this length of run there in six yea

The play opened the night bef the storm started, March 1, but a good first week in spite of the f that the leading woman was maroo at her Chatsworth ranch during height of the storm.

Cooper Denies Change

No changes in the operation ownership of any of his western t atre interests are in prospect, J. Cooper, who is in New York fo few days, said yesterday, denying ports to that effect. Cooper is h for general conferences with Pa mount and Warner theatre offic who are associated with him in operation of theatres in Nebras Colorado and Oklahoma.

Mednikow in New Pos

Johnny Mednikow, formerly w E. Schwartz of Advance Tra Service Corp. and more recently w National Screen Service, has joi Trailer-Made, Inc., as central w ern district manager with headqu ters in Chicago.

Veterans to Benefit

The proceeds of the opening formances of "Life Dances On" the Belmont Friday evening will donated to the French War Ve ans of New York, a philanthropic ganization.

eclares U.S.
ilms Meeting
atin Advance

(*Continued from page* 1)

t ahead of last year, despite all
s of disturbances, and that sales
up even in war-torn Spain and
na. The improvement in the com-
y's product which made itself felt
his country last year is now show-
results in foreign territories be-
se of the later release, he said, and
l maintain 20th Century-Fox rev-
le at a high level to the end of this
r.

Hutchinson's tour of Mexico and
Caribbean area was his first and
s largely to acquaint himself with
territory. He found general con-
ons good, he said, and attributed
; to the maintenance of the price
oil.

Small Towns Go Native

The increased popularity of native
guage films, which has been mak-
inroads into the business of for-
n companies, is centered chiefly in
smaller towns, Hutchinson report-
Where an exhibitor buys 150
tures a year, 35 or 40 of these may
v be from Latin American studios,
since these theatres make a cus-
n of repeating these pictures, the
kings given domestic film purchases
y amount to 40 or 50 per cent of
total in some instances, he said.
But the large cities care more for
nerican pictures, and since they
ke up the large share of the play-
time, Hollywood films are leading
will continue to do so indefinite-
he added.

Native production in the Spanish
guage has received a great impetus
recent months as a result of "Alla
El Rancho Grande," made at a
all cost and estimated to return one
the largest grosses for a Spanish
guage film in the Latin market.

Hutchinson pointed out that pictures
this type are an exception. Fur-
more, he said, after two or three
cessful pictures, the Spanish Amer-
n producers will boost costs, with
result that they will be unable to
tinue earnings at the same rate.

Airlines Aid Distribution

The Pan American airlines have
ved a godsend to distribution in
ith America and in the Caribbeans,
said, since the planes make deliv-
s in 24 hours that formerly re-
red three of four weeks. He found
Latin American market entirely
erent from anything he had pre-
usly studied.

No changes in sales personnel were
le during Hutchinson's tour. "In
Chicago," which will be generally
ased here April 15, will not go
to Latin American exhibitors
l September or October, Hutchin-
stated.

He went from here to Mexico City
also covered the Caribbeans,
ador, Colombia, Venezuela, Port
Spain, the West Indies, Puerto
o and Cuba.

Hutchinson will attend the com-
y's annual sales conference in Kan-
City April 1 and 2 and later will
to Europe for the Paris and Lon-
conventions.

Judges Begin Work On Quigley Awards

(*Continued from page* 1)

Picture Herald, touched on the four-year history of the Awards project. He introduced Jack Goldstein, editor of Managers' Round Table, and Gertrude Merriam, associate editor. Ramsaye also presented Quigley, recently returned from a month's visit to the studios.

"The necessity of profitable exploitation and advertising on behalf of the motion picture to back up the product is apparent," said Quigley. "The campaigns displayed here today indicate what has been done and what further can be done to promote the prosperity of the industry."

He referred to the continued interest taken in the awards by competing managers and expressed his appreciation for the cooperation of those present. Those attending included:

E. W. Aaron, M-G-M; Al Adams, Republic; Mort Blumenstock, Warners; Lowell Calvert, Selznick International; Howard Dietz, M-G-M; W. R. Ferguson, M-G-M; Monroe Greenthal, United Artists; Hal Hode, Columbia; Morris Kinzler, Kayton-Spiero Co.; Irving Lesser, Roxy Theatre; Lou Lifton, Monogram; Arthur Mayer, Rialto Theatre; Charles E. McCarthy, 20th Century-Fox; F. J. A. McCarthy, Universal; Dan Michalove, 20th Century - Fox; Bob Neff, United Airlines; Lou Pollock, Universal; Arch Reeve, 20th Century - Fox; Leonard Schlesinger, Warner Theatres; Milton Silver, National Screen; Albert E. Sindlinger, March of Time; A. W. Smith, United Artists; Gordon White, Educational; Al Wilkie, Paramount.

Also present were Colvin Brown, general manager of Quigley Publications, and A-Mike Vogel, editor of MOTION PICTURE DAILY.

Final Para. Report To Be Heard Mar. 18

A final legal echo of the Paramount reorganization proceedings is scheduled to be heard in Federal Court here on March 18, when Judge Alfred C. Coxe receives the reports of the reorganization trustees and acts upon their petition for formal discharge.

Requests by Root, Clark, Buckner & Ballantine, trustees' attorneys, for additional fees of $7,500 with $747 expenses for preparing the final report will be heard at the same time. Price, Waterhouse & Co., accountants, have also filed requests for $8,190 fees and $680 expenses.

The final report reveals that a total of $297,726,993 in claims was filed, of which $208,318,416 were provided for under the plan; $44,857,398 were finally allowed; $20,351,613 were expunged; $5,779,618 were filed by wholly owned subsidiaries, and $18,419,901 had not been disposed of on the closing date of the report.

The report also showed that assets dropped from $149,851,254 in January, 1933, to $132,322,862 on June 29, 1935, for a loss of $17,528,391. The reserve of assets over liabilities also dropped $17,043,282 during the same period.

E. C. Rhoden Arrives

E. C. Rhoden, Fox Midwest division manager in Kansas City, arrived here yesterday for conferences with Spyros Skouras.

Expect Triple Quota to Be Reintroduced

(*Continued from page* 1)

through an agreement with the Board of Trade, to produce or distribute British films on mutually agreed terms.

John Maxwell, head of Associated British Pictures, who last week startled exhibitors with a strong statement in support of the triple quota plan, returned to a defense of the proposal today, contending that quality is more important than quantity. Using statistics, he argued against the threat of shortage brought up by exhibitors, stating that 90 "quickies" were made annually in the past two years, averaging 300 playdates each of three days. Multiplying the number of playdates by length of run by the number of films, he pointed to the resulting 81,000 "quota days." A British film costing £60,000, he said, will be booked for 1,500 playdates, chiefly for six days each. Thus, Maxwell said, similar computation would give a £60,000 film 270,000 "quota days."

Meeting Called by Webb

Last night's meeting of members of the House of Commons was called by Col. Baldwin Webb to enable American distributors to appeal to exhibitors on the grounds of prestige of the British screen. Present were Fayette Allport, representative of the Hays Office in London; Sam Eckman, M-G-M head here; Francis Harley of 20th Century-Fox; Charles Metcalfe, retiring president of the Cinematograph Exhibitors' Association; Kenneth Nyman, incoming president; Maxwell, and Robert Morrison, member of Parliament.

Distributors Back Maxwell

Maxwell's stand was supported by the distributors, while the exhibitors were adamant, claiming that even if the triple quota is applicable to exhibitors as well as distributors, the circuits still would have a monopoly. At another meeting today, Neville Kearney of the Federation of British Industries and Capt. Richard Norton canvassed members of the House of Lords seeking support for an amendment to raise the exhibitors' quota to a starting figure of 20 per cent.

20th-Fox Sets First Of 6 English Films

(*Continued from page* 1)

sidiary of 20th Century-Fox, will be executive producer and Monte Banks will direct. Kane left today for New York with William P. Conselman, writer. The party, according to present plans, will sail Saturday for England aboard the *Paris.*

Two of the 20th Century-Fox films will star Gracie Fields and two will feature Annabella, who first will complete her current commitments here. The first film will be "Husbands Beware," from the unpublished novel of James M. Cain and will star Annabella. Conselman will do the script and Monte Banks will direct the production.

CEA Banquet Is Attended by 900

LONDON, March 8.—More than 900 attended the annual banquet of the Cinematograph Exhibitors' Association at Grosvenor House tonight. Ernest Brown, Minister of Labor, was the guest of honor, and 10 Members of Parliament were present, as well as members of the House of Lords and civic leaders.

Kenneth Nyman, new president of the C.E.A., recognized Brown's presence as a formal notice of the Government's satisfaction over current relations in the trade between labor and employes, as well as the acceptable functioning of the conciliation boards. Nyman paid a tribute to the tact and cordiality of officials of the Board of Trade, and entertained the gathering with a few jokes aimed at the distributors.

Czechoslovak Pact To Include Films

WASHINGTON, March 8.—Negotiation of a special agreement with Czeshoslovakia to cover films is under way, according to the State Department, in connection with the new reciprocal trade agreement with that country, made public last night.

The department explained that films were not included in the reciprocity pact, but that the Czech Government has expressed its willingness to bind the present import duty on exposed films and to accede to some of the other requests that have been made for more favorable treatment of our pictures in that market.

Warners Will Speed British Production

To speed up plans for Warners' production in England under the new quota laws, Sam E. Morris, vice-president in charge of foreign activities, will leave tomorrow on the *Queen Mary.* He will spend from two weeks to a month at the Teddington studios. Morris anticipates that the new quota will definitely be known by the time he reaches the other side. He will be accompanied by Mrs. Morris.

A. Solomon, Teddington studio manages, is now on the coast, and is scheduled to return to London shortly to start this year's production.

"Buccaneer" Pulls $28,000 3rd Week

"The Buccaneer" finished with a gross of $28,000 for its third week at the Paramount. The first week's gross was $62,000 and the second $38,000.

The Strand will hold "A Slight Case of Murder" a third week beginning Saturday. The Rialto has dated "Start Cheering" for March 16. "Storm in a Teacup," London Films picture, will have its American premiere at the Little Carnegie on March 21.

Schlesinger on Coast

HOLLYWOOD, March 8. — Leon Schlesinger, producer of cartoons for Warner release, is here to confer with Norman Moray, who will arrive tomorrow, and other Warner and Vitaphone officials with regard to the production of a feature length cartoon.

Radio Talent Union Claims Progress Made

Satisfactory progress has been made to date by the American Federation of Radio Artists in its effort to unionize radio talent, according to the *Bulletin*, A.F.R.A. organ, the second issue of which was published yesterday.

Both sides are pressing negotiations in "a sincere effort" to conclude an agreement, the *Bulletin* states. The only contract obtained locally by A.F.R.A. to date, however, is with WINS.

A.F.R.A. progress nationally, as reported by the *Bulletin*, is as follows:

In Philadelphia the entire announcing staff of KYW, NBC outlet there, has affiliated with A.F.R.A. Organization is continuing with an A.F.R.A. charter expected shortly.

Active in Frisco

In San Francisco negotiations are in progress all along the line, with contracts close to signing with KJBS, KQW, KFPY, KGW-KEX and KGGC. The *Bulletin* reports that Consolidated Radio Artists, Inc., recently attempted to establish an artists bureau in place of the defunct NBC artists bureau. In answer, the unit resolved that actors would sign no more blanket representation contracts; that contracts must contain a 30-day cancellation clause for the artist as well as the agency. Actors here now are paying agency fees only on specified shows.

In Cincinnati, A.F.R.A. reports a preliminary wage and working conditions agreement is ready for presentation to WLW; in Detroit, the A.F.R.A. roster includes every Detroit station, with 65 per cent of all eligible talent signed; in Pittsburgh, the entire announcing staff of KDKA, NBC outlet, has joined A.F.R.A. Chicago, according to the *Bulletin*, is 97 per cent organized; the Los Angeles chapter has a membership of 1,400; in St. Louis, 80 per cent of all eligibles have signed with A.F.R.A.; a new chapter has just been formed in Shreveport, La.; a new chapter also is reported in Denver.

The *Bulletin* contains a statement by Frank Gillmore, head of the Associated Actors and Artistes of America, regarding reports that the I.A.T.S.E. intends claiming jurisdiction over performers. Gillmore voices astonishment over the report. He says a strong letter of protest by him to A. F. of L. President William Green regarding the rumor brought a reply from Green with assurances that up to the time of the A. F. of L. convention in Florida no such request had come before the executive board.

Set Catholic Charity Program

Dr. John Finley, editor of the *New York Times*; Lily Pons, Monsignor Fulton J. Sheen and the Paulist Choir will be among the speakers and artists heard over WOR from the annual Cardinal's Conference on Catholic Charity, March 13, from 3 to 4 P. M. The conference will take place in the grand ballroom of the Waldorf-Astoria Hotel.

NAB, AFM Discuss Independents' Pact

Philip Loucks; special counsel for the National Ass'n of Broadcasters, met yesterday with the executive board of the American Federation of Musicians to discuss the problem of the independent, unaffiliated stations relative to the A. F. M.'s demands upon them for an agreement on the employment of staff musicians similar to the pact negotiated recently with the Independent Radio Network Affiliates.

Mark Woods, NBC vice president and treasurer also appeared at yesterday's meeting on behalf of the transcription companies. A re-drafted form of the A. F. M.'s proposed license for disc manufacturers was presented to Woods by Joseph Weber, president of the musicians' union, which will be discussed by the transcription interests at a special session today. In its original form, the license met with the objection of the manufacturers on the ground that it would involve them with the government through trade restraint clauses.

The issue is expected to be settled at the next meeting, set yesterday for March 24.

Loucks Influence Strong

The appearance of Loucks at yesterday's transcription meeting gave the independent stations a voice on this matter which is so vital to their existence. Actual negotiations for a separate agreement to bind the independent stations will not be undertaken until the transcription matter is completed.

The basis of assessments for the independent stations will not differ from that used in the I.R.N.A. settlement, which was approximately 5 per cent of the gross income of each station. Weber indicated, however, that he was considering exempting stations with a gross income of $20,000 a year and less.

A delegation of phonograph record manufacturers will meet with the A. F. M. today.

Thomas Is Appointed WOR Sales Manager

Eugene S. Thomas, for the past two years assistant sales manager at WOR, yesterday was named sales manager by Frank Braucher, station vice-president in charge of sales.

Thomas joined WOR in 1934 as a member of the sales promotion staff. Prior to that he was with the H. W. Kastor agency and was manager of the National Radio Auditorium, sponsored by Atwater Kent. The sales manager's post at WOR has been open for some time.

General Mills on Ball Games

General Mills will sponsor descriptions of five baseball games from southern training camps over WNEW, with Earl Harper at the microphone. The first game will be broadcast March 23.

Neil KCMA Sales Manager

Kansas City, March 8.—Larry Sherwood, general manager of KCMA, has named Jack Neil as sales manager to succeed A. F. Schliecker, resigned.

Watch Firm Takes Warners' Air Show

(*Continued from page* 1)

Cleveland; WXYZ, Detroit; WMAQ, Chicago; WLW, Cincinnati; KWK, St. Louis; KRMP, Des Moines; WGR, Buffalo; KSTP, St. Paul and KOA, Denver.

Under the terms of the 13-week deal with Gruen, which includes options, the studio will have complete control of the program, the point which caused the dispute with Lord & Thomas and American Tobacco Co. for "Your Hollywood Parade," which will leave the air March 23. The only Gruen participation will be in the commercial announcements.

The first program will have Gloria Dickson and Ronald Reagan as the featured players in a dramatization of "One Way Passage."

Jack Warner, commenting on the new show, today stated:

"For years I have hesitated to issue any publicity regarding this Academy of ours. I thought it was not wise to bring these people to the public's attention until they were ready for pictures. The Academy has more than justified its existence. In its time it has been associated with such personalities as Wayne Morris, Errol Flynn, Patric Knowles, Anita Louise, Olivia de Havilland and Priscilla and Rosemary Lane. I am proud to say that we consider it one of our most successful efforts."

Kalmus Sues NBC on Song

An infringement suit against NBC was filed by Edward F. Kalmus in the U. S. District Court here yesterday for an alleged unlicensed broadcast of the plaintiff's song, "Roadways," over WJZ on Dec. 17. The complaint seeks a permanent injunction, an accounting of the profits and damages.

Linton Quits WMCA Post

Ray Linton, WMCA representative in Chicago, has resigned, according to word here from Bert Lebhar, the station's sales director. No successor has been named.

NBC Offers Netwo Service to Accoun

Through a special arrangement w affiliated stations, NBC is now off ing advertisers network service at lected periods hitherto used for lo programs.

Networks during these restric hours may consist of some static from both the Red and Blue. T procedure will be to offer the grams to stations on one basic work, but if any station prefers retain the time for local or spot the network advertiser has the opt of making his program available any other NBC affiliated station that city. The first advertisers sch uled to avail themselves of this n arrangement are Chesterfield and G eral Mills, whose series are to be shortly on NBC.

Would Ban Politics In School Progran

All partisan political speeches, co mercially sponsored programs those involving objectionable pro ganda will be banned from use classrooms in New York if the reco mendation of a special committee radio education is adopted by Board of Education. The report submitted yesterday.

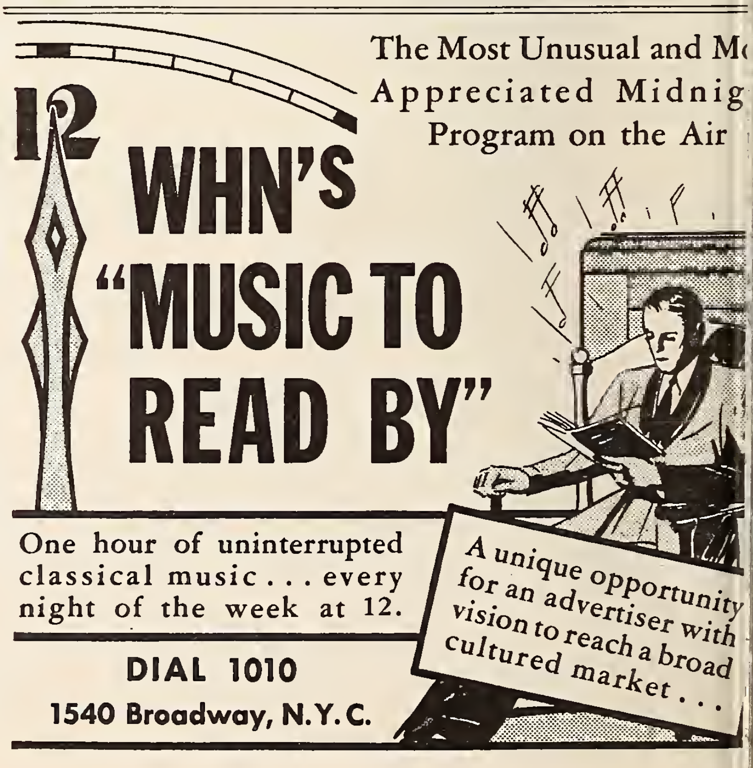
The committee's report urges t radio be used in schools "only wh it is more effective than other av able supplemental aids to instructio The committee also has asked t scripts for all programs sponsored the board for use in the schools submitted to the superintendent schools before being broadcast.

Open New Mutual Series Toda

Martha and Hal will start a series of programs over Mutual toc to be heard each Wednesday, Thu day and Friday from 9:45 to 10 A.

Wilson Back from Florida

Cincinnati, March 8.—L. B. V son, president and general mana of WCKY, is back in town after s eral months in Florida.



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L. 43. NO. 56 NEW YORK, THURSDAY, MARCH 10, 1938 TEN CENTS

xplain Czech tand on Film Trade Treaty

S. Opposed Move for Separate Pact

By BERTRAM F. LINZ

VASHINGTON, March 9.—Refusal he Czech negotiators to have films uded in the reciprocal trade agree- nt signed this week was acceded with reluctance by the State De- tment, it was disclosed today with lication by the department of notes ween the United States and Czecho- akia arranging for the develop- nt of a separate treaty on films.

he notes were exchanged March tween Assistant Secretary of State ncis B. Sayre and Vladimir Hur- , Czech minister to Washington.

n his note to the minister, Sayre nted out that the Washington Gov- ment had requested improved treat-

(Continued on page 7)

arner Radio Show Setup Is Clarified

IOLLYWOOD, March 9,—Clarification he original Warner announcement cerning the studio's radio show for Gruen Watch Co. was made here erday by John Clark of Trans- rican, who said that only the Cali- ia Radio System would carry the w "live," and that transcriptions to be sent to the additional 17 ions which will carry the program. Transamerican Radio & Televi- Corp. is the Warner agency.

he program is to start on the Cali- ia Radio System, a chain of six ions, on Friday. The other sta- s will start airing the transcribed

(Continued on page 8)

rosley Net Loss in '37 Equals $376,914

INCINNATI, March 9.—The Cros- Radio Corp. has reported net loss $376,914 for the year ending Dec. 1937, after deducting depreciation rges of $233,153. Flood and fire es in the early part of 1937 were rged off at $343,314. This com- es with a net profit of $1,237,056, al to $2.26 a share, in 1936. Net s in 1937 were $18,735,450, against 583,213 in 1936.

he balance sheet as of Dec. 31,

(Continued on page 8)

More Radio—P. 8

Dropping "B" Films Can End Duals: Arthur

Calls Longer "A" Runs The Solution

Elimination of "B" pictures would result in the abandonment of dual bills, in the opinion of Harry C. Arthur, operator of Fanchon & Marco theatres, who is here for a short stay. The policy is in force in the circuit's St. Louis theatres.

"When the production heads blame the exhibitors for the increase in 'B' product, claiming that they are forced to make pictures of this type because of the prevalence of double billing, they are putting the cart before the horse," Arthur said yesterday.

"It's been the influx of 'B' pictures which has forced the exhibitors to adopt twin features and to extend them. The solution, as I see it, is to make only 'A' films, and extend the

(Continued on page 4)

Heads of Interstate Plan Depinet Dinner

DALLAS, March 9.—Karl Hoblitzelle and R. J. O'Donnell of Interstate Theatres are sponsoring what they plan to be a national tribute by exhibitors to Ned E. Depinet, RKO vice-president in charge of distribution, to be held at the Baker Hotel, March 26, the 30th anniversary of Depinet's entrance into the industry.

Depinet began his film career in the

(Continued on page 4)

Erbb Gets a Horse

Boston, March 9.—William Erbb was presented an $800 saddle horse at a testimonial dinner in his honor at the Hotel Statler last night. The horse was not present. It was delivered today at the Erbb home at Situate.

Production Falls To 33 After Rain

HOLLYWOOD, March 9.—With Republic closed for several days because of disrupted 'phone and power lines, production fell off to 33 pictures in work, as only three started during the week while the worst storm in years hit the studio area. Six finished, 26 are being prepared, while 46 are in the cutting rooms.

Monogram started "Female Fugitive"; Universal, "Lady in the Morgue," and Warners, "Boy Meets Girl."

The tally by studios:

Columbia finished one, shooting one, preparing zero, editing three; Goldwyn, zero, zero, zero, zero; M-G-M, one, three, two, six; Monogram, zero, one, zero, zero; Paramount, zero, six, three, seven; Principal, zero, zero, zero, one; RKO, two, two, four, five; Roach, zero, zero, zero, one; Selznick, zero, zero, zero, zero; 20th Century-Fox, one, seven, seven, four; Universal, one, four, four, three; Wanger, zero, one, zero, zero; Warners, zero, eight, six, sixteen.

No short subjects were started, or are shooting. One each finished at Columbia, M-G-M, RKO and Roach. Three are being prepared, and seventeen are being edited.

Trade Units Discuss Bill

Myers of Allied Asserts Neely Measure Offers Selection Right

By CLARENCE LINZ

WASHINGTON, March 9.—Assertions that the Neely block booking bill, if enacted, would compel the selling of pictures one at a time, that block booking must be abandoned and that it will be impossible to sell pictures before they are completed were denied today in a statement signed by Abram F. Myers, general counsel of Allied States Association.

Myers' formal statement was in reply to that of Sidney R. Kent and other critics of the Neely measure. The Allied leader asserted that "the

(Continued on page 4)

MPTOA Declares Retail Prices Would Follow On All Pictures

The Neely-Pettengill bills, if enacted, would impose retail prices on group as well as individual picture buys, since no price reductions would be permitted under the law regardless of the number of pictures bought in any deal, independent exhibitors are warned in the current M. P. T. O. A. bulletin, issued yesterday over the signature of Ed Kuykendall, president.

The lengthy exposition on the Neely bill, to which the entire seven and one-half page bulletin is devoted, analyzes the measure in detail and concludes that in operation it would place severe

(Continued on page 4)

French Quota For Half-Year Is Exhausted

Dubbing Is Thus Halted Until July 1

By PIERRE AUTRE

PARIS, March 9.—An extremely disturbing situation to American companies distributing in this country arose yesterday when it was learned that the quota of 94 foreign films exceeding three reels in length which are allowed dubbing permits under the French law for each half-year is already exhausted for the first six months of 1938.

The exhaustion of the quota means that no additional dubbing licenses will be granted by the French censoring authorities before July 1, 1938.

Trade sources here today found it difficult to understand how the dubbing quota has already been exhausted for the current six-month period, in view of the fact that major American companies, which took out only 60 dubbing licenses for the first six months of 1937, are far from having already taken that number during January and February of this year.

As a result of inquiries instituted to determine the complete list of dubbing licenses granted by the censor since Jan. 1, it is indicated that many dubbing licenses have been taken by French distributing companies buying

(Continued on page 7)

Brandt Asks Return Of Arbitration Plan

A plea for the reestablishment of arbitration boards or a similar forum for the conciliation of distributor-exhibitor disputes was made by Harry Brandt, president of the I. T. O. A., at a meeting of the organization at the Hotel Astor yesterday.

Brandt declared that boards of this type would prevent much litigation and campaigns for passage of legislation to regulate the industry. He said the old arbitration boards served a useful

(Continued on page 4)

Berman's Contract Signed at Chicago

CHICAGO, March 9.—Pandro Berman's new contract placing him in full charge of RKO production was signed here last night by Leo Spitz. Berman said the production schedule would be one of the heaviest in the company's history.

J. R. McDonough's duties as vice-president will be worked out at the

(Continued on page 4)

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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Quigley Plaque Is Presented in Paris

PARIS, March 9.—The Bronze Plaque denoting a second place victory in December competition for the Quigley Awards for exploitation, conducted by the Managers' Round Table of *Motion Picture Herald*, today was presented to Elias LaPinere, M-G-M publicity manager, at the American Embassy here.

The presentation was made in the Ambassador's office by Edwin C. Wilson, Charge d'Affairs, in the absence of Ambassador Bullitt, who is at present in the United States. In attendance were Harold L. Smith, Hays office representative in Continental Europe; Allan Byre, manager of the French branch of M-G-M, and the Paris representative of Quigley Publishing Co., Pierre Autre.

"White" Hits Hub Record

BOSTON, March 9.—RKO has managed to get "Snow White and the Seven Dwarfs" out of the Memorial. It stayed four weeks and grossed a new record, $144,000.

It will open tomorrow at the RKO Boston in conjunction with a new vaudeville policy.

Purely Personal

CRESSON E. SMITH, western and southern sales manager for RKO, will hold a rally in the Ned E. Depinet drive at the Atlanta exchange on Sunday. WALTER BRANSON, drive captain, and HARRY MICHALSON, short subject manager, will arrive from the coast Saturday afternoon.

•

CAPT. EDOUARD CORNIGLION-MOLINIER, French producer who is associated with JOHN E. OTTERSON in a film venture here, is expected to return in about two months, after he completes a film in England.

•

ALISTAIR SIM, who recently finished work with JESSIE MATTHEWS in G. B.'s "Sailing Along," will leave today on a freighter for a three-month vacation in the West Indies.

•

PAUL LEVY, manager of the Broadway in Brooklyn, has completed his 28th year with Loew's. He started as assistant manager at the old Bijou, Brooklyn.

•

JOHN HICKS, Paramount foreign distribution head, now in Lima, is expected soon in Santiago and Buenos Aires, on his South American trip.

•

FRANK KENNEBECK, Paramount exploitation director for India, left yesterday on the *Queen Mary*, to return to his headquarters in Bombay.

•

CEDRIC GIBBONS and his wife, DOLORES DEL RIO, are in town for a few days on their return from abroad, before going on to the coast.

•

HARLAN THOMPSON, Paramount producer, will arrive tomorrow from the coast accompanied by his wife, MARION SPITZER.

•

JOHN and ELMER BALABAN arrived in New York yesterday from Chicago for conferences with Paramount home office officials.

•

JOHN DUNNE of the J. H. Hoffberg Co. is touring the Comerford circuit in Pennsylvania on exploitation for "Kathleen."

•

P. L. PALMERTON, Erpi general foreign manager, sailed yesterday on the *Queen Mary* for conferences in London.

•

DAVID A. BADER and GEORGE PAL, who arrived from London last week, will leave for the coast late this week.

•

HARRY BRANDT spoke on station WMCA last night in connection with the I. T. O. A. annual ball April 2.

•

ABE SCHNEIDER, Columbia treasurer, is expected back in New York on Monday from the coast.

•

MYER BECK, U. A. director of publicity, flew to Kansas City yesterday.

•

AL ROSEN, manager of Loew's State, has been doing some radio broadcasting.

•

EMANUEL SILVERSTONE of London Pictures left yesterday for Toronto.

•

HARRY GOETZ is scheduled to leave Hollywood today for New York.

JOHN E. OTTERSON and BERNIE SOBEL of M-G-M saw some friends off on the *Queen Mary* yesterday. WILLIAM ARMSTRONG, director of the Liverpool Repertory Theatre, sailed on the boat.

•

SAM FARBER, formerly associated with Universal, M-G-M and Ad-Vance Trailer, is now special representative for Trailer-Made, Inc.

•

MAX GORDON has returned from Florida.

•

. . . Cincinnati

JEROME M. JACKSON, operator of a suburban house which bears his name, has been elected president of the Ohio Shrine Council.

MAURICE WHITE, head of the Libson-White circuits, is spending a 30-day vacation in Florida.

EDWARD BURKHARDT, 20th Century-Fox salesman, is ill with pneumonia. R. O. LAWS is handling the West Virginia territory until BURKHARDT recovers.

•

. . . Omaha

DEWITT GREEN of RKO has been ill with the flu.

HAROLD MARSHALL, U.A. exploiteer; WILLIAM FOGLE, M-G-M sound technician; JOHN MCGEEHAN, RKO exploiteer; J. S. MACLEOD, M-G-M maintenance man, and NORMAN H. MORAY, W.B. salesmanager, were recent visitors to Omaha exchanges.

WILLIAM TRITES, assistant manager of the Rivoli, Hastings, Neb., was in town recently on business.

RALPH D. GOLDBERG, veteran theatre chain owner, and MRS. GOLDBERG are vacationing in Los Angeles.

•

. . . Pittsburgh

DAVE LEFF, independent exhibitor, and LIBBY HOROWITZ have announced their engagement.

GEORGE JAFFE and his brother, MILTON, have gone to Hot Springs for several weeks.

MRS. MIKE CULLEN, wife of the Penn manager, is recovering at the West Penn Hospital after an operation.

JOE HILLER parted with his adenoids the other day and GEORGE TYSON is recovering from an attack of neuritis.

Breen at Ampa Today

Bobby Breen will give the Ampa his own lowdown on being a "Hollywood junior he-man," at the International Casino today. He said yesterday he was tired of being known as a "softy" and in his talk today would try to convince his listeners that he actually deserved "tough" roles. Later in the afternoon he will be honored at a party by RKO in the Hawaiian room of the Hotel Lexington and then will entrain for the coast.

Kent West Tomorrow

S. R. Kent, president of 20th Century-Fox; John D. Clark, vice-president in charge of distribution, and Charles E. McCarthy, advertising and publicity director, will leave tomorrow for the coast to set new season plans with Joseph Schenck and Darryl Zanuck. They will go from Hollywood to the company's annual sales conference in Kansas City, April 1 and 2.

Warners to Resum
British Films So

Warners' British production at
dington studios will be resume
the end of March or early in
when terms of the new film quota
be definitely known, said Sam E.
ris, vice-president in charge of fo
activities, before sailing on the
Mary yesterday. The studios
been closed since January pe
passage of the Films Bill.

Reports from London that th
pany would make 15 films at
dington during the next 12 m
were described by Morris as i
rect. No program will be set, he
until after his arrival in London
expects to return in about a m
A. Solomon, Teddington studio
ager, who was here and in
wood on an inspection trip, ret
with Morris.

Also sailing was Paul L. Pa
ton, general foreign manager for
en route to London and Paris for
ferences with the company's rep
tatives. He said Erpi's bu
abroad got off to a good star
year. While the company has
continued its reproducer bu
here, it has retained it in f
countries, in addition to recor

Academy Banquet
To Be Held Toni

LOS ANGELES, March 9.—Th
nual Awards Banquet of the Ac
of Motion Picture Arts and Sc
will be held here tonight at the
more Bowl, having been post
from last Thursday, when the
flood marooned a number of p
scheduled to attend, including
Capra, president, who will presi
night.

Bob Burns, the comedian, w
as master of ceremonies at the
quet, while Capra will introdu
various persons who will prese
statuettes and plaques to the w
in the several divisions.

A new award this year will
trophy for the Irving Thalberg
orial Award, which is in the fo
a sculpture of the late producer's
mounted on a solid base. The
will go to the producer who is
sidered to have contributed m
production quality during the
year. Approximately 15,000 vot
the various awards, including
who are not actually members
Academy.

Japan to Honor Coch

TOKIO, March 9.—The Ja
Government will honor the m
of the late Tom D. Cochrane, f
representative here of Univers
Paramount for his service to th
anese film industry with a
ment proposed by Premier K
The Home Ministry is prepa
scroll and the Dai Nippon
Association will provide a j
vase.

"Chicago" Out Apri

"In Old Chicago" will be r
nationally April 15 and is book
general showing in the first r
addition to the few dates
ahead.

The first foreign booking is
the Tivoli, London, March 10
Paris and other overseas da
follow.

SING SING'S WARDEN LEWIS E. LAWES WROTE

OVER THE WALL

and

WARNER BROS. GAVE IT DYNAMITE FILMING AS ONLY WARNER BROS. CAN!

Screen Play by Crane Wilbur and George Bricker • Directed by Frank McDonald • A Cosmopolitan Prod.

Dropping "B" Films Can End Duals: Arthur

(Continued from page 1)

playing time on them, which would bring both exhibitors and the studios more revenue. It would help the industry generally.

"Theatres are extending playtime on the bigger pictures now, but every time our circuit holds a big picture, we find ourselves overbought on the 'B' product. If the distributors would permit us to select our product and eliminate some pictures, it would be a different matter."

Arthur arrived here this week for periodic conferences at the F. & M. office and to talk over matters pertaining to the operation of the Roxy.

Business in F. & M.'s 32 theatres in St. Louis is better than last year, he said, and the stage show policy at the first run Fox, now in its third week, is showing good results. Arthur said that nine weeks of stage shows have been booked for the Fox, and he hopes to make the policy permanent. The problem is, however, to get a sufficient number of headliners to maintain a standard.

The policy was inaugurated with Fred Waring and his band. The second week saw a Major Bowes unit called "Collegiate Revue," and this week the Fox is presenting a number of Hollywood personalities. Al Pearce will headline a show and Mae West is booked for the week of March 18.

Won't Revive Giveaways

Arthur does not intend to reinstate giveaways which were abandoned last week by the circuit in St. Louis after three or four months. At first the policy was adopted for Tuesday nights, but after a while is was found that business was no better on those nights and the circuit began giving away dishes and kitchenware every night. When grosses showed no improvement, the circuit discontinued the gifts, Arthur said.

A realignment of the circuit's management placed Leto Hill in charge of the Fox, in addition to which he will supervise the two other first runs, the Ambassador and St. Louis. George Wiegand, formerly comptroller of the St. Louis Amusement Co., has been made supervisor of the neighborhood second runs in this subsidiary. Hill succeeded H. M. S. Kendrick, who resigned.

George Woods, who was in charge of several neighborhood theatres, was made manager of the St. Louis, replacing James Gleason, who was transferred to the Fox as assistant to Hill. Marvin Casmir, who resigned as publicity director at the Fox and was succeeded by Les Kaufman, formerly with Columbia in New York, plans to enter the advertising business for himself in St. Louis.

Consolidated Reports

Consolidated Film Industries, for the fourth quarter of its fiscal year, reports a profit of $64,732 after taxes and charges. This compares with a profit of $162,606 for the third quarter and $143,225 for the fourth quarter of the previous year.

Sell Ads on Glasses

M-G-M's "New Audioscopiks" short requires the audience to wear a special type of colored glasses. The Loew circuit estimates its requirements as more than 3,000,000 pairs of the glasses, and managers are selling advertising on the "specs" to defray the cost. The New York theatres are almost out of the red on this item, with 1,186,000 out of its 1,263,000 requirement spoken for by advertisers.

Omaha Officials Say Duals Up to Parents

OMAHA, March 9.—Anti-dual groups here have decided the whole question "is up to the parents" following a ruling by the city's legal department that the city council has no legislative control over the exhibition of double features.

Mrs. H. T. Jones, president of the Omaha Parent Teachers Association Council, said, "We admit that, after all, it is largely up to the parents to control their children." This group, which started the drive here, expected more support from Mayor Dan Butler, who has gained a nationwide reputation on his censorship activities. The legal opinion stated that the city has power to legislate for protection of public health, safety and welfare only when citizens are unable to protect themselves.

Sears to Coast Soon

Grad Sears, Warners distribution head, plans to leave for the coast late this month to set the release schedule for next year with H. M. Warner and production executives.

Klan Suit Decision Withheld by Court

ATLANTA, March 9.—Federal Judge E. Marvin Underwood in U. S. District Court today took under advisement the motion of Warner Brothers Pictures, Inc., and Vitagraph, Inc., to dismiss the $100,000 damage suit brought by the Knights of Ku Klux Klan.

The Klan charges the film "Black Legion" identified some characters as Klan members and made certain damaging references to the organization. The suit was filed Aug. 10, 1937.

Owens Suit Off Calendar

The patent infringement suit brought by Freeman H. Owens against Erpi and Stanley-Mack Strand Corp. was marked off the calendar by Federal Judge John C. Knox in the U. S. District Court yesterday when the case was called for trial. Judge Knox ruled, however, that the name could be restored when both sides are ready for trial. There had been nine previous adjournments.

Owens claims infringement of sound patents. He seeks triple damages, a permanent injunction and an accounting of the profits.

Columbia Managers Will Confer Here

Columbia district sales managers will meet with home office executives here tomorrow and Saturday to map plans for the final weeks of the Montague "Good Will Sales Campaign."

District managers who will attend the meeting are Sam Moscow, Phil Dunas, Carl Shalit, Sam Galanty and Nat Cohn. Home office executives who will participate include A. Montague, general sales manager; Rube Jackter, Lou Weinberg, Louis Astor and Max Weisfeldt.

Berman's Contract Signed at Chicag

(Continued from page 1)

studio, Spitz said, and an announ ment will be made later.

Jules Levy planned to close a c tract with Balaban & Katz yesterc for exhibition of "Snow White a the Seven Dwarfs," but John Balal was called to New York. It is und stood that RKO is demanding the p ture be shown on a single fe basis.

"Bringing Up Baby" will go i Chicago March 25, the first RI picture to play B. & K. first run. is understood that this is a part the "Snow White" deal.

Spitz left for the coast. He pects to return to New York in ab two weeks.

Heads of Interstate Plan Depinet Dinn

(Continued from page 1)

southwest and it is for that rea that his anniversary will be celebra here. Industrial leaders in exhibiti production and distribution, as w as notables in the political and so life of the southwest are expected attend.

Brandt Asks Retur Of Arbitration Pl

(Continued from page 1)

function except that they were u as collection agencies by the distri tors.

He discussed the Neely-Petten bill, outlining features which he s would be harmful to exhibitors a increase the cost of doing busin Members also discussed the legis tion and the meeting voiced una mous opposition to the anti-block bo ing and similar bills, it also was ported.

Garbo-Stokowski to W

ROME, March 9.—Greta Garbo a Leopold Stokowski will be married Taormina, Sicily, it was stated h today by the M-G-M office, and W lace Beery will be the best man. date was given.

Trade Units Discuss Bill

Myers of Allied Asserts Neely Measure Offers Selection Right

(Continued from page 1)

manifest purpose of the bill is not to censor pictures or to hamstring the producers in making pictures" but merely to "afford a right of selection to independent exhibitors and the theatregoing public."

Opponents of the bill, said Myers, have been thrown "into a panic."

The Allied executive analyzed the provisions of the bill, declaring that its major purpose is "to confer on independent exhibitors at least some of the advantages which the great chains enjoy under their selective contracts" and to restore to them some of the rights which they enjoyed years ago when pictures were sold by name with an outline of the story and with mention of the directing and acting personnel."

Myers declared that Allied has no need to apologize for its efforts to settle industry disputes from within, and said that to assert that exhibitors who favor the bill are prompted by a spirit of vengeance or are acting in bad faith is not a legitimate argument against the merits of the bill.

MPTOA Declares Retail Prices Would Follow On All Pictures

(Continued from page 1)

cost burdens on exhibitors as well as distributors and would "force the business into the hands of three or four giant companies." It asserts that the trade "abuse" which the measure seeks to correct stems from "an inadequate (picture) selection for the small independent exhibitor," but contends that the selective right "has to be in the contract, not in an act of Congress."

The bulletin states that a 20 per cent unconditional cancellation privilege in the contract, long championed by the M. P. T. O. A., would solve the problem and do away with the inspiration for such legislation as the Neely bill. By implication the bulletin charges distributors with the responsibility for the measure through repeated failures to participate in trade practice regulatory programs with exhibitors.

Declaring that the Neely bill "will without doubt do more actual damage to the small exhibitors' business than it will to the big distributing companies against whom it is ostensibly aimed," the M. P. T. O. A. bull points out that the "only way a tributor can do business and not br the law is to put a price on each ture, no matter how many he has offer, that will make a good deal the distributor if only that one ture is bought by the exhibitor, rigidly maintain that price. If he duces it in any respect, because exhibitor may be willing to buy m than one picture, the distributor subject to criminal indictment an penitentiary sentence."

"Thus, instead of insuring a re selection of pictures at the whole prices that the exhibitor can affor pay, the act by criminal penal forces the distributor to main without variation retail prices on wholesale buys."

The bulletin also warns exhibi that the bill's appeal to local c munities to influence the selectior pictures to be shown in the local atre is an invitation to "organ groups in the community, the chu people, women's clubs and civic ganizations" to dictate or influe local film bookings.

IT'S SMART TO PLAN FOR SUMMER NOW!

THE RESPONSE TO MY FIRST ANNOUNCEMENT HAS BEEN TERRIFIC! LAST SUMMER I GAVE SHOWMEN **"TRADER HORN", "HELL DIVERS", "MANHATTAN MELODRAMA", "NAUGHTY MARIETTA"**. THEY WERE LIFE-SAVERS! NOW LOOK WHAT'S AHEAD FOR THIS SUMMER!

for MAY

The mutineers join the ravishing maidens of Tahiti; children of nature in their Garden of Eve.

MUTINY ON THE BOUNTY

The $2,000,000 film sensation of the century—100,000,000 movie-goers want to see this masterpiece again!

Charles LAUGHTON · Clark GABLE · Franchot TONE

for JUNE

San Francisco in flames — greatest spectacle of thrills and romance ever screened!

SAN FRANCISCO

New patrons demand it! Everybody wants to see it again!

Clark GABLE · Jeanette MacDONALD · Spencer TRACY

for JULY

Robert
Louis
Stevenson's
TREASURE
ISLAND

It will always live for the millions who have read it!

TREASURE ISLAND

The most famous of romantic adventures—just the sort of Summer action that the B. O. needs!

Wallace BEERY · Jackie COOPER · Lionel BARRYMORE

for AUGUST

The beloved picture in which W. C. Fields and Freddie Bartholomew scored their greatest screen triumphs!

DAVID COPPERFIELD

This great cast on your theatre front is Summer dynamite!

W. C. FIELDS · Lionel BARRYMORE · Madge EVANS
Maureen O'SULLIVAN · Edna May OLIVER · Lewis STONE
Frank LAWTON · Freddie BARTHOLOMEW
Elizabeth ALLEN · Roland YOUNG

SK YOUR M-G-M BRANCH TODAY

-*You'll thank Leo when the thermometer goes UP—UP—UP!*

"Murder" Big Grosser in 2 Coast Houses

Los Angeles, March 9.—"A Slight Case of Murder" with "Sergeant Murphy" at the Warner Downtown and Hollywood were the outstanding first run grossers here during a week of heavy rain. At the former the combination drew $18,700, over par by $4,700, and at the latter $16,700, over by $4,700.

"Snow White and the Seven Dwarfs," in its 11th week at the Carthay Circle, went over the house average of $10,000 by $148. "Merrily We Live" and "Paradise for Three" at the Chinese were good for $14,004. "Bringing Up Baby" and "Squadron of Honor" at the Pantages took $7,400 over average.

Total first run business was $109,300. Average is $105,700.

Estimated takings for the week ending March 9:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 11th week. **Gross:** $10,148. (Average, $10,000)

"MERRILY WE LIVE" (M-G-M)
"PARADISE FOR THREE" (M-G-M)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $14,004. (Average, $12,500)

"MAYERLING" (Pax Film)
ESQUIRE—(900), 55c-$1.10, 7 days, 8th week. **Gross:** $2,200. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 7 days, 8th week. **Gross:** $4,800. (Average, $8,000)

"KARL FREDERIK REIGNS"
(F. O. Renard)
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,800. (Average, $1,200)

"BRINGING UP BABY" (RKO)
"SQUADRON OF HONOR" (Col.)
HILLSTREET—(2,700), 30c-65c, 5 days, 3rd week. **Gross:** $6,400. (Average, $6,500)

"MERRILY WE LIVE" (M-G-M)
"PARADISE FOR THREE" (M-G-M)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $13,648. (Average, $14,000)

"BRINGING UP BABY" (RKO)
"SQUADRON OF HONOR" (Col.)
PANTAGES—(3,000), 30c-65c, 5 days, 3rd week. **Gross:** $7,400. (Average, $7,000)

"BIG BROADCAST OF 1938" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days, 2nd week. Stage: Nell Kelly, F. & M. revue, Maury Cross and his orchestra. **Gross:** $13,500. (Average, $18,000)

"A SLIGHT CASE OF MURDER" (F. N.)
"SERGEANT MURPHY" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $18,700. (Average, $14,000)

"A SLIGHT CASE OF MURDER" (F. N.)
"SERGEANT MURPHY" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $16,700. (Average, $12,000)

Seek End of Price War

Minneapolis, March 9.—Progress is being made toward ending the price war that has been waged between the Berger Amusement Co. and Baehr Brothers at Brainard and Bemidji, it was learned here today.

The Brainard situation remains unchanged for the moment, with 10 cents for a dual bill still maintaining, while at Bemidji the price is back to 15 cents for a dual bill.

W. H. Workman, district manager for M-G-M, who has been working toward an agreement, has left for a two-week vacation in Florida.

Gale Quits Directorate

London, March 7.—Major A. J. Gale, treasurer of the Cinematograph Exhibitors' Association, has resigned from the board of directors of Screen Pools, Ltd.

Hollywood Preview

"The First Hundred Years"

(M-G-M)

Hollywood, March 9.—Norman Krasna concocted an engaging, natural story of marriage difficulties. Melville Baker turned in a screenplay that ripples with clever dialogue and which is full of intriguing situations. The property was placed in the capable hands of Robert Montgomery, Virginia Bruce, Warren William, Binnie Barnes, Alan Dinehart, Harry Davenport, Lee Bowman and several other accomplished players to bring it to screen realism. Taking his story, production material and personnel, Richard Thorpe directed with a showmanship flair. The result is that "The First Hundred Years" should prove a popular attraction in a majority of theatres. In many cases it may emerge as a happy surprise. In either instance exhibitors have a wealth of material with which to work in an effort to arouse interest.

In a gay, semi-sophisticated treatment, the story considers the problems which young married people encounter. The married life of Montgomery and Miss Bruce founders on the rocks of misunderstanding of each others' duties and responsibilities. Miss Bruce, preferring to continue her career as a theatrical agent, refuses to leave New York for New Bedford where Montgomery gets a job. Eventually as William, Dinehart, Miss Barnes and Bowman have a hand in the doings, their case winds up in Domestic Relations Court where Dinehart's erratic legal ethics force Miss Bruce to provide for her husband's support. There is more amusement as complications arise further threatening the pair's happiness until there is the discovery that Miss Bruce is to have a baby which, of course, paves the way for a reconciliation.

Here is Montgomery back in the type of role which brought him success. Miss Bruce expertly plays the harassed wife who can't make head or tail of anything. Miss Barnes and Dinehart check in with agreeable characterizations.

The picture should generate word of mouth comment of a beneficial nature.

Running time, 70 minutes. "G."

New York Preview

"Condemned Women"

(RKO)

There are elements of an interesting story, good direction, convincing performances and ample exploitation angles in "Condemned Women." It is plausible melodrama that offers a realistic slice from life as it is lived in a woman's prison. There are such standbys as disillusioned prisoners, the observance of the criminal code, colorful characters in drab uniforms, a "break" and the romantic twist.

Sally Eilers plays the convict who has neither hope, ambition nor any other interest in life. She comes to the prison with bitterness toward everything. But hope flares up when she meets Louis Hayward, the prison physician, who enlists her aid when a typhoid epidemic breaks out. She falls in love with him. Meanwhile she is framed by Lee Patrick, for whom she has little use. The warden, George Irving, learns of the Eilers-Hayward romance and explains to the girl the ultimate outcome of their infatuation. More or less in desperation Miss Eilers joins Miss Patrick in an escape. Miss Patrick is mortally wounded during the ensuing excitement, but the pair make their getaway. Later Miss Eilers is tricked into recapture and in a well-acted courtroom scene the entire affair is satisfactorily concluded. Anne Shirley in a featured role gives a good account of herself as a trusting girl who takes the rap for her fiance so that he may continue his law studies.

Robert Sisk produced. Lew Landers directed. Nicholas Musuraca's photography offers a number of interesting studies in prison atmosphere. The supporting cast includes Leona Roberts, Esther Dale, Netta Packer and Richard Bond.

Running time, 77 minutes. "G."

Shapiro Returns West

Victor M. Shapiro, until recently publicity director for Major Pictures, left for the coast last night after a stay of five weeks here. He said he was considering a proposal to open a public relations office on the coast for film and industrial accounts and also a deal with the Baer Laboratories. He may return shortly.

Globe Planning Two

Two stories are in preparation by Globe Productions, which made "The Spirit of Youth," and production on a second feature will shortly start on the coast. Martin Finkelstein, vice-president of the company, will leave tomorrow for Hollywood to establish headquarters at the Grand National studio.

Mae West and "Danger" Top Chicago Drav

Chicago, March 9.—Mae West personal appearance at the Palac gave that Loop theatre top honors the box-office. Business for the w was $36,000 which was nearly a re ord. The film attraction was "Doub Danger." The gross was $17,00 above average.

At the Apollo "In Old Chicago continued to do excellent business fo a fifth week and the gross was $13,10 which was $5,100 above normal. Th second week of "Goldwyn Follies took in $24,000, which was $6,000 be ter than average. This picture wa held a third week.

Total first run business wa $155,800. Average is $122,500.

Estimated takings:

Week Ending March 3:

"IN OLD CHICAGO" (20th-Fox)
APOLLO—(1,400), 75c-$1.50, 2 shows dai 7 days, 5th week. **Gross:** $13,100. (Av age, $8,000)

"BIG BROADCAST OF 1938" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 da Stage: Shep Fields and Revue. **Gro** $32,500. (Average, $32,000)

"PAID TO DANCE" (Col.)
GARRICK—(900), 35c-55c-65c, 7 da **Gross:** $5,200. (Average, $6,500)

"GOLDWYN FOLLIES" (U.A.)
ORIENTAL—(3,490), 35c-55c-75c, 7 da 2nd week. Stage: Sylvia Clark and Rev **Gross:** $24,000. (Average, $18,000)

"DOUBLE DANGER" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 da Stage: Mae West and Revue. **Gro** $36,000. (Average, $19,000)

"CRASHING HOLLYWOOD" (RKO
STATE LAKE—(2,776), 20c-40c-55c, days. Stage: Borrah Minnevitch and Rev **Gross:** $12,800. (Average, $13,000)

Week Ending March 4:

"BARONESS AND THE BUTLER"
(20th-Fox)
ROOSEVELT—(1,300), 35c-55c-75c, 7 da **Gross:** $14,000. (Average, $11,000)

"YANK AT OXFORD" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75 days. **Gross:** $18,200. (Average, $15,000)

Sign Kentucky Game Bi

Frankfort, Ky., March 9.—Gove nor Chandler has signed the measu which legalizes all cash or mercha dise giveaways where purchase of ticket is not necessary for particip tion.

Conn. Decision Due in Month

Hartford, March 9.—Following hearing of the Connecticut Bank Nig test case in the Supreme Court Errors, a final decision is expected April or May.

Lewis Gets Fifth Ave.

Martin J. Lewis, formerly ma ager of the 55th St. Playhouse, t day will take over operation of t Cinema de Paris, sometimes called t Fifth Ave. Playhouse, from A. Kaplan, who was in charge sever years. Lewis has formed Fifth Av Films, Inc., which has leased t theatre. The theatre's foreign fil policy will continue. Kaplan will co tinue operation of the Cinema in D troit.

Loew Unit to Pay $3.5

Marcus Loew's Theatres Ltd. h declared a dividend of $3.50 on t seven per cent preferred stock payab March 31 to holders of record Mar 19.

rench Quota For Half-Year Is Exhausted

(Continued from page 1)

American films of independent ducers. Apparently the films were n for dubbing and release as sup- ting films to accompany French ures on double bill programs, and ked *en bloc* by exhibitors.

he majority of the 94 films per- ted each half-year are from the ited States, which accounts for y 75 per cent of the quota on bed product.

istributors Here Uninformed

o word, officially or otherwise, been received at a late hour yes- lay either at the Hays office or in or distribution circles here rela- to the exhausting of the French ta on dubbed foreign product for first half of 1938, it was ascer- ied.

t was pointed out that the same ation developed last year, and that eral major American distributors, order to obtain release of certain ortant pictures, arranged adjust- its with the French authorities ereby permits already issued were hdrawn on some product and li- ses issued for the important films substitutes for those withdrawn.

ew Books "Mayerling"

ollowing its extended run at the narte, "Mayerling" has been booked several engagements by the Loew uit. According to Charles C skowitz the picture has been set the largest number of playdates en to any foreign language film. ayerling" is the first French sub- to play the circuit. It runs with French dialogue with superim- ed English titles.

Ban Obstetrics Film

HILADELPHIA, March 9.—The State rd of Censors has banned "The th of a Baby" from exhibition in state.

Wall Street

osses Predominate on Board

	Open	High	Low	Close	Net Change
....	12½	12¾	12½	12¾	— ¼
s.	1⅜	1⅜	1⅜	1⅜	.....
s. pfd.	5⅜	5⅜	5⅜	5⅜	— ¼
v	47	47⅝	47	47	— ¼
......	9⅛	9½	9	9	— ⅜
1.....	85½	85½	85½	85½	—2
2.....	9¾	9¾	9¾	9¾	— ¼
ne	5½	5½	5½	5½	— ¼
)	3½	3⅝	3½	3⅝	+ ⅛
Fox ..	21¾	22½	21¾	22½	+ ¾
pfd. ..	28½	28½	28½	28½	— ½
B.	5⅝	5⅝	5½	5½	— ⅛

Little Curb Change

	Open	High	Low	Close	Net Change
N.	½	9/16	½	9/16	+1/16
ogram .	2⅛	2⅛	2⅛	2⅛	.....
tone ..	1⅞	1⅞	1⅝	1¾	— ⅛
......	19	20	19	19	— ⅜

Bonds Hold Levels

	High	Low	Close	Net Change
v 3½s '46....	98¾	98⅝	98⅝	.....
Pict. '47....	70	70	70	.....
B. 6s '39	66	65¾	66	.....

(Quotations at close of March 9)

C.E.A. in Talks on Newsreel Televising

By AUBREY FLANAGAN

LONDON, March 9.—The Cinematograph Exhibitors' Association today discussed the televising of newsreels. W. R. Fuller, secretary of the C.E.A., denied that orders had gone out for a boycott against offending distributors. He indicated that a meeting will be held shortly with the newsreel companies.

The meeting entered into discussion of the triple quota proposal. Alec Smith, spokesman for the Scotch exhibitors, declared he had no fear of the plan, expressing the belief that it would help American companies to make good British films and prevent the production of Hollywood "quickies" for this market. Charles P. Metcalfe, retiring president, supported the contention made by Ken Nyman, new president, at the C.E.A. banquet last night, when he urged that the proposal be examined first by the new Films Council. Meanwhile, it was indicated that the exhibitor organization will watch closely the progress of the bill in the House of Lords.

Newsreel House Will Go into AP Building

A newsreel theatre will be located in the Associated Press Building in Rockefeller Center, which is now under construction. Leases were signed this week by Newsreel Theatres, Inc., which will operate the theatre as its fifth unit. Occupation is expected about Dec. 1.

Francis Carter Wood, Jr., treasurer of the company, said the location was considered especially good for a newsreel house. The site is on the north side of 50th St., facing Rockefeller Plaza. A 10-year lease was negotiated by Clark T. Chambers. The house will have 450 seats, and plans are being made by John Eberson in association with Reinhardt & Hofmeister, architects for the building.

Cantor Says Europe "Discovering" Him

Europe is just "discovering" Eddie Cantor, he found out yesterday. He said he had received a letter from Bill Goetz in London giving him glowing reports of how his picture, "Ali Baba Goes to Town," is being received abroad. He said the reception, comparatively, is better than in this country.

"Over there they're just discovering that there is an Eddie Cantor," Eddie observed.

He said he would be around the east four or five more weeks and then return to the coast. His second picture for 20th Century-Fox will start in October or November, he said, under his commitment of one film a year for the company.

Approve Cullman Report

The final accounting and report rendered by Howard S. Cullman, trustee in reorganization for the Roxy Theatres Corp., was formally approved by Federal Judge Francis G. Caffey in the U. S. District Court here yesterday.

Judge Caffey also ordered payment in full of fees and allowances to attorneys, expert witnesses and protective committees, in accordance with his previous decision.

Operator Bill Sent To Rules Committee

ALBANY, March 9.—The "full crew" bill, providing additional jobs for projectionists in New York and Buffalo was sent to the Assembly Rules Committee today, with no record vote. MOTION PICTURE DAILY learned from a reliable source that proponents of the Crews amendment had a bare majority in the original committee. The Cities Committee held its meeting with neither supporters nor opponents appearing, despite the advance indication that an informal hearing might be held with State Federation of Labor President George Meany appearing.

Upon learning of the committee action, Assemblyman Crews asserted he would exert himself in an effort to obtain a favorable report from the Rules Committee prior to adjournment, scheduled now for March 16 or 17. Bills before the Rules Committee are always considered alive in view of the scores of measures usually reported out and passed the last two days of a session.

The Senate today passed a bill by Senator Howard giving state troopers and sheriffs jurisdiction over enforcement of laws in theatres in certain communities.

Otherwise Wednesday was a "slaughterhouse" day with many bills killed in committee. Unsubstantiated reports that at least one of the Rossi theatre bills and that of Assemblyman Flynn had been killed were current. The Assembly Public Service Commission Committee today killed a measure by Assemblyman Arthur Doran intended to put radio corporations and stations under the Public Service Commission.

Canada Film Imports From U. S. Show Gain

WASHINGTON, March 9.—Exports of films to Canada last year totaled 21,145,000 feet valued at $654,000 as compared with 17,276,000 feet valued at $578,000 in 1936, it was reported tonight by the Department of Commerce in an analysis of American-Canadian trade.

Imports from Canada included 165,142,000 feet of unexposed film valued at $1,149,000 compared with 177,322,000 feet valued at $1,322,000 in 1936.

Melville Stoltz Dead

ST. LOUIS, March 9.—Melville Stoltz, veteran theatre man, is dead here at the age of 79. He was former manager of the Shubert-Jefferson and American theatres. He is survived by his widow, two daughters, Mrs. Max A. Wiltern and Mrs. Melvin Barkon, and one son, Franc Arnold.

Milton J. Winn Dies

KANSAS CITY, March 9.—Milton Jay Winn, manager of the Osage, Kansas City, Kan., died suddenly. Winn was a brother-in-law of R. R. Biechele, secretary of the K. M. T. A., and chief barker of the Variety Club. Funeral services will be held tomorrow

Korda Resumes Shortly

LONDON, March 9.—Alexander Korda is planning to resume production some time this month with his first the screen version of "Lions Starve in Naples." Michael Powell is expected to direct.

Explain Czech Stand on Film Trade Treaty

(Continued from page 1)

ment for pictures in Czechoslovakia and that the latter had requested separate negotiations on the ground that, by their nature, films are different from other commodities of trade.

"The Government of the United States has been unable to agree with the position of your Government that motion pictures should not properly be included in trade-agreement negotiations," he stated. "It has, however, with considerable reluctance agreed to the proposal of your Government that the treatment of American motion pictures in Czechoslovakia be made the subject of a separate agreement between the Governments.

"The assent of the Government of the United States to this proposal is predicated upon the understanding that the agreement thus envisaged will be concluded as soon as possible. It is further understood that, pending conclusion of an agreement with respect to motion pictures, the Government of the Czechoslovakian republic will not adopt any measure which would affect American motion pictures adversely in relation to the treatment which they are now accorded in Czechoslovakia."

In an acknowledgement of the note, Hurban agreed that the Czech Government will not adopt any restrictive measure against American films pending consummation of the agreement, which will be negotiated at the earliest date possible.

Government Details Family Film Costs

WASHINGTON, March 9.—Thirty cents out of every dollar spent for amusements in American villages goes to the film theatre, it was reported tonight by Dr. Louise Stanley, chief of the Bureau of Home Economics of the Department of Agriculture.

Making public the result of interviews with 9,407 white, American, non-relief families in 140 villages in 20 states, Dr. Stanley reported that the average expenditure for film attendance per family ranges from $10 per year in Pennsylvania, Ohio, Michigan, Wisconsin, Illinois and Iowa to $16 in North and South Dakota, Kansas, Colorado, Montana, North and South Carolina, Georgia and Mississippi.

The figures were gathered as part of the first nationwide study of American family income and expenditures ever made by the Government.

In New England, it was shown, the average family expenditure for pictures is $12 per year, or 30.5 per cent of all recreational expenditures; in the central and Atlantic states, $10, or 29.2 per cent; in the mountain and plains states $16, or 29.7 per cent; in the Pacific states, $15, or 29.1 per cent, and in the southeast $16, or 36 per cent.

A separate study of negro families in the southeast showed that their average expenditure for theatres, while but $3, represented 36.8 per cent of all amusement expenditures, the highest percentage of any group.

KEHE Sale on Coast By Hearst Confirmed

Hearst Radio, Inc., here yesterday confirmed the sale of KEHE, Hearst station in Los Angeles, to Earle C. Anthony, owner of KFI and KECA, both in Los Angeles. The reported sale price was $400,000.

KEHE has a power of 5,000 day watts and 1,000 watts night. It is understood that KEHE will be used to replace KECA as the Los Angeles outlet of the NBC Pacific Blue network.

F. C. C. Hearst Hearing Set

WASHINGTON, March 9.—The Federal Communications Commission said yesterday it would hold a hearing April 15 on the application of Hearst Radio, operating KOMA in Oklahoma City, for a construction permit to operate on 1,480 kilocycles and 10 kilowatts with unlimited time.

FCC Studying Way to Act Upon Complaints

WASHINGTON, March 9.—Development of a policy to be adopted by the Federal Communications Commission for handling informal complaints against broadcasting stations was undertaken today by a committee composed of Commissioners McNinch, Payne and Sykes.

Complaints reaching the commission in the past have been handled either by individual members or by the law division, but there has been no definite procedure. It is the opinion of Chairman McNinch that every complaint received should be considered and, where necessary, taken up with the station involved.

Warner Radio Show Setup Is Clarified

(*Continued from page 1*)

version of the program in approximately two weeks.

After the initial program on the California Radio System the series will switch to another presentation day, Wednesdays at 9 P. M., P. S. T. The other stations will carry the show at different times and on different days, depending upon time availability at each station.

Clark will leave for New York Friday night after witnessing the first program at KFWB, the Warner station here which is a member of the California Radio System.

Crosley Net Loss in '37 Equals $376,914

(*Continued from page 1*)

1937, shows current assets at $5,739,463, and current liabilities at $1,812,806. At the end of 1936, these items were $5,786,532 and $1,006,140, respectively. In addition to operating WLW, WSAI and the short wave station, W8XAL, the company operates plants for the manufacture of radio receiving sets, electric refrigerators and other electrical products.

Garroway KDKA Announcer

PITTSBURGH, March 9.—David Garroway, from the NBC studios in New York, where he served as page, guide and guide trainer, has been added to the KDKA announcing staff, filling a vacancy that has existed for several weeks.

Gift to Maestro

Arturo Toscanini, before sailing on the *Queen Mary* for Europe yesterday, was presented an inscribed platinum watch chain by the members of the NBC symphony orchestra.

David Sarnoff, Lenox R. Lohr and John Royal saw the maestro off.

Six Recorders Talk Contract with AFM

Representatives of six of the major phonograph record manufacturing companies, including American, Decca, RCA-Victor and Brunswick, met with the executive board of the American Federation of Musicians yesterday to discuss revisions in the license form written by the A. F. of M. for that group.

New terms are understood to have been submitted to the recording interests, with further discussions deferred until next Tuesday.

F. & M. Books McWilliams

Fanchon & Marco has booked Jim McWilliams, who conducts the "Uncle Jim's Question Bee" program, into the State, Hartford, for an indefinite period. McWilliams will conduct his question bee from the stage Mondays, Tuesdays and Wednesdays of each week. Edith Holder, singer, through a booking by Fanchon & Marco, will open at the Fox in Detroit on Friday, where she will be featured with Shep Field's orchestra.

John McCosker Quits WOR

John McCosker, nephew of A. J. McCosker, WOR and Mutual head, has resigned from the program department of WOR. Replacing him is Leonard Leonard, formerly of the *New York Post*. Al Helfor, formerly of WLW, has joined the announcing staff of WOR, replacing Howard Doyle, resigned.

Hanssen Gets KFOR Post

LINCOLN, March 9.—Replacing John Shafer, who will go to WKY, Oklahoma City, on March 18 as special events and sports announcer, Jack Hanssen, assigned to special events with KFAB-KFOR for two years, has been named KFOR's program director. Shafer had the post for about two years.

Start on WLS Transmitter

CHICAGO, March 9.—Work on the new WLS transmitter located southwest of Chicago will start this week. More than $250,000 will be spent on the new equipment, which calls for a 50-kilowatt RCA transmitter and the erection of a 586-foot Truscon tower. Plans call for having the new transmitter ready for operation by Oct. 1.

Takes Over WCKY Program

CINCINNATI, March 9.—Ann Hunter, formerly at WLS, Chicago, has taken over the WCKY "Household Hour," succeeding Mary Jane Dunphy.

Is WRTD Musical Director

RICHMOND, March 9.—George Conrad Rianhard, Jr., has been named musical director of WRTD, the Richmond *Times-Dispatch* station.

Several Contracts To CBS Coast Unit

LOS ANGELES, March 9.—The CBS west coast division has received several new and renewal contracts for the Columbia Pacific and California networks.

Bayuk Cigars, Inc., has inaugurated a new program series on KNX-KFSO, featuring Sam Baxter in "California Sports Review." The program is heard three times a week. McKee, Albright & Ivey of Philadelphia is the agency.

Starting at once, "Headlines on Parade" with Knox Manning will be extended from the CBS California network, KNX-KSFO, to the Pacific network, KNX, KSFO, KOIN, KIRO, KVI, KFPY. The sponsor is the Euclid Candy Co., and the Sidney Garfinkle agency placed the business.

On KNX, the CBS owned and operated station in Los Angeles, new and renewal contracts include a contract for 52 weeks for Quaker Rugs; a 26-week contract for the Refrigeration & Air Conditioning Co.; participation in "Sunrise Salute" by the Charles H. Mayne Co., and renewals for 52 weeks of a Sterling Products show, "Easy Aces."

CBS Closes Several New Program Deals

CBS new business just set includes contracts for programs for the Griffin Shoe Polish Co., Household Finance Co., two special programs for the Pennsylvania State Publicity Commission, and a renewal contract for the Continental Baking Co.

The Griffin program will start some time in April and will fill the 10 to 10:30 P. M. spot on the network soon to be vacated by Benny Goodman, who will shift to a new time for Camel cigarettes. Bermingham, Castleman & Pierce is the agency for the Griffin series.

Household Finance Co., with a program currently on NBC, will transfer to CBS the first week in April, with a definite starting date still to be set. The special programs for the state of Pennsylvania are booked for March 14 and March 29, with music plus talks by Governor Earle. Walker & Downey of Pittsburgh is the agency. "Pretty Kitty Kelly," five-time-a-week script series for the Continental Baking Co., has been renewed for a year through Benton & Bowles.

Chevrolet Renewing Disc Series on KNX

HOLLYWOOD, March 9.—Chevrolet's "Musical Moments," transcribed series, has been renewed on KNX for 13 weeks, through Campbell-Ewald.

Oneida, Ltd., has placed a new series of transcribed "Peggy Tudor" programs on KNX to run 11 weeks. Batten, Barton, Durstine & Osborn is the agency.

New participant on the Fletcher Wiley-KNX programs is the Broadway Department Store, daily for 13 weeks, through the Jefferson Kaye Wood agency. Poinsettia Dyers and Cleaners is another local account signed for participation in the Fletcher Wiley show.

New Program Starts on WCPO

CINCINNATI, March 9. — "Dance With Music" is the title of a new weekly program at WCPO.

▸ Radio Personals

RAY HAMILTON, WNEW ing organist, is the father new baby girl. . . . O. B. Ha NBC chief engineer, has departe Philadelphia to inspect the new K studios. . . . Ray Guy, NBC fac engineer, has gone to Washing network business. . . . Norman win, of the 20th Century-Fox licity staff, will do some poetry ing on the RCA "Magic Key" NBC Sunday. . . . C. A. Cutler, manager of Nehi, Inc., and T Wayne of the James A. Green ag arrived yesterday for the first program.

✚

Gertrude Niesen, who will sai Paris tomorrow, will be heard bon voyage interview with Radie ris over Mutual tonight at 6:4 Lawson Zerbe is featured in a show on WHN, "The Idea change". . . Jim Harkins of the Allen hour will be the guest of Kent on his noonday show WNEW Saturday. . . Roy S will be an added starter on the Smith show tonight. . . H. B. ner will be in the cast of "The Monday night in the Lux " Theatre". . . Boris Karloff and Lugosi will appear with Feg M Sunday in "Seein' Stars."

✚

WNEW and Stan Shaw scor terrific publicity break in the cu issue of *Pic*, with a four-page torial layout on the "Milkman's nee.". . . . With Harry Hersh WMCA's drama critic on leav Hollywood, the midnight theatr views are handled by Martin Sta

Bunker NBC Coas Production Mana

HOLLYWOOD, March 9.—W Bunker, Jr., yesterday was appo production manager for the Hollywood studios. Bunker wi in charge of all production acti under the supervision of John S low, western division program d tor.

Bunker joined NBC as anno and producer in 1936.

Start New WKRC Program

CINCINNATI, March 9. — Rhythm Rockers" is a new susta program aired each Monday a A. M. over WKRC. The instrume ists, who devote the quarter-hou riod to modern swing, are Gladys organist; Ruth Lyons, pianist; Ji Feilden, accordionist, and Bob guitarist.

Carter Stays at WMCA

A change in plans will keep Carter at WMCA, it was learned terday. Carter, chief announcer, announced his resignation last He will not retain his post as announcer, however, but will ha commercial shows and special e broadcasts.

Kemp Forming Sales Unit

CINCINNATI, March 9. — A Kemp, New York, is here for 30 organizing a sales promotion de ment at WKRC, local CBS-o station.

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43. NO. 57 NEW YORK, FRIDAY, MARCH 11, 1938 TEN CENTS

-G-M Policy n Percentage ales to Stay

ardstick" System Is Based on Grosses

-G-M's "yardstick" sales policy, er which percentages are based the performance of films at the -office, has proved equitable and be continued in 1938-'39, the com- 's sales department declared yes- ay. The policy was inaugurated Al Lichtman two years ago. Maxi- n percentages are set for an ex- ed maximum gross and a gradu- scale of percentages obtains for sses below that figure.

was said that in view of the suc- of the policy, and its reception by bitors, it is considered unneces- to hold a general sales conven- this year, since the sales forces find little change in sales methods. thermore, the new season pro-

(Continued on page 9)

'OA Moves to Get RFC Theatre Loans

he I.T.O.A. has asked its mem- to submit applications which the nization will present to the Re- truction Finance Corp. for Gov. nent long-term loans for theatre bilitation.

he organization intends to help re such loans for exhibitors where are merited. John Manheimer, utive secretary, in charge of this k, is receiving applications.

arry Brandt, president, plans to e for Washington on Monday to er with Government officials.

cNinch, Roosevelt Talk Station Taxes

ASHINGTON, March 10.—Frank IcNinch, chairman of the Federal imunications Commission, today erred with President Roosevelt rding the possible taxation of dcasting stations, but following meeting refused to say whether decision had been reached or to lge any details of the conference. Ninch said merely that he had to the White House to discuss question and also to talk with the sident regarding foreign broad- ng, doing this as a member of a mittee now studying the subject.

More Radio—P. 12

Academy Honors to "Zola," Spencer Tracy, Luise Rainer

Los Angeles, March 10.—Before an audience of over 1,300, the Academy of Motion Picture Arts and Sciences last night at the Biltmore Bowl bestowed the awards for cinema achievement during 1937. Warners' "The Life of Emile Zola" was designated the outstanding production and Luise Rainer and Spencer Tracy were named as the stars contributing the year's oustanding screen performances. Miss Rainer was honored for her work in M-G-M's "The Good Earth," and Spencer Tracy for his part in M-G-M's "Captains Courageous."

The Irving G. Thalberg Memorial Award, presented this year for the first time, to the producer who showed the most consistently high quality of production achievement in pictures which he personally produced in 1937, was presented to Darryl F. Zanuck.

Leo McCarey was voted the directional palm for "The Awful Truth."

Two supporting players were honored, Joseph Schildkraut for his work in "The Life of Emile Zola" and Alice Brady for her portrayal in "In Old Chicago."

William A. Wellman and Robert Carson were named as writers of the best original story—"A Star Is Born" —while first prize in the adaptation di-

(Continued on page 6)

New RKO Plan Provides More Cash at Start

The cash position of RKO upon reorganization will be improved by approximately $4,650,000 if amendments to the company's reorganization plan sponsored by Atlas Corp. are approved by creditors and the court in place of the original reorganization plan, it was learned yesterday.

Although a program of amendments has been completed, individual proposals are subject to continuing negotiations with security holders' and creditors' groups, whose consent to the alterations in the reorganization plan is being sought prior to the submission of the amendments to the Federal court. For this reason, the proponents of the plan will ask a further

(Continued on page 5)

Triple Quota Introduction Now Definite

By AUBREY FLANAGAN

London, March 10.—It is now definite that the triple quota proposal will be reintroduced into Films Bill consideration by the Government during the committee stage on the measure in the House of Lords, which is expected to open next Monday.

Viscount Swinton, Government spokesman, will propose an amendment permitting films made at a labor cost of £30,000 and total cost of £60,000 to be counted as triple value under the distributors' quota. The proposal, however, will limit the number of films which may be thus counted to 50 per cent of the total distributor quota, in an effort to meet

(Continued on page 5)

Ze Ampa, She Go Russian et French und Hawaii—Pouf!

It might have been labeled an "all-nations" party at the Ampa meeting yesterday at the International Casino with Russians and French at the dais to season the Swedish and Scotch among the membership and Bobby Breen on hand to tell about his experiences in Honolulu. What saved the day for the stars-and-stripes was the ham 'an eggs some of the members were able to wangle.

Young Master Breen, making the first of his two personals of the day, had a good straight man in Ralph Rolan, Ampa president, and, coincidentally enough, of RKO, which is releasing "Hawaii Calls." Encouraged by Rolan, the starlet spoke of his experience in the islands and was nice enough to precede his remarks with the hope he was not boring his listeners. At the microphone, the duo took a Bergen-McCarthy stance, but the

(Continued on page 2)

Appeals Court Hits Dual Ban In Sales Pact

Phila. Ruling Based on Concerted Action

Philadelphia, March 10.—The prohibition of double featuring by means of contract clauses forbidding the showing of one feature on the same program with a second feature was held to be a violation of the anti-trust laws by the U. S. Circuit Court of Appeals here today. The decision was handed down in the Perelman case against major distributors, which has been in the local Federal courts since May 28, 1934.

Attorneys for defendant distributors intimated that they may apply to the U. S. Supreme Court for a writ of certiorari, although no decision has been made yet and several sources expressed doubts as to the strength of the possible grounds on which the high court could be expected to grant a review.

While the decision makes it illegal for more than one distributor at one time to employ the contract clause

(Continued on page 10)

Kirkmeyer, Seltzer Win Quigley Honors

Winners of the 1938 Quigley Grand Awards in the competition sponsored by the Managers' Round Table of *Motion Picture Herald* are Ted Kirkmeyer, manager of the Rio, Helena, Mont., and Jules Seltzer, publicity man, Warner Theatres, Philadelphia. Kirkmeyer will receive the silver award and Seltzer the bronze.

The judging was done by an industry committee of 24. Twenty-four campaigns which had been voted the monthly plaques during 1937 were in

(Continued on page 6)

Assembly Committee Kills Moran Measure

Albany, March 10.—It was confirmed today that the Moran tax on films had been pigeonholed in the Assembly Ways and Means Committee. Other anti-theatre bills which died a-borning included one by Assemblyman Nicholas A. Rossi, preventing ticket sales when seating capacity had been reached and a measure stipulating a matron for each 35 children of 16 or under.

Assemblyman Daniel Flynn also revealed that his measure calling for

(Continued on page 9)

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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U. A. Drive Hitting New High—Schaefer

Sales volume greater than that reached during any period in the history of United Artists has been recorded during the company's Better Business Drive, which is now entering its final month, it was stated yesterday by George J. Schaefer, vice-president and general manager. Quotas set by the sales department, under the direction of A. W. Smith, Jr., have been exceeded by 10 of the 32 branch offices.

As the drive enters its final month Haskell Masters' Canadian district is leading, followed by Bob Mochrie's southern territory. Third to sixth places, respectively, are held by far west, midwest, central and eastern.

Ione Friedman Married

Ione Friedman, daughter of Harry Friedman, operator of the Academy in Newburgh, was married at the Hotel Astor last night to Maurice H. Sussman of Brooklyn. By coincidence, the wedding day was the bride's 20th birthday as well as the 21st wedding anniversary of her parents. The newlyweds will sail today on the *Empress of Australia* for a southern cruise.

Ze Ampa, She Go Russian et French und Hawaii—Pouf!

(*Continued from page* 1)

youngster was no dummy and Rolan was allowed some of the punch lines, too.

The Russian influence then showed in front with Josef Zimanich of National Screen introducing Joseph Ermolieff, producer of the French picture "Nuits de Princes," which he intends making again in English on this side. Ermolieff is considering offers. The star of the picture, Marina Schubert, was presented and persuaded to sing, which she did—about "l'amour," but not Paramount's. Miss Schubert, it may be said, is pretty enough for any Shubert and she can serenade.

A loud hand was also given Viola Van, the "Fifi" of the Cantor program. Miss Van started her act with a French accent, but broke down to admit she came from Brooklyn. She sang a song in both French and English about rain, accompanied by Jacques Dallin, French composer, who also played for Miss Schubert and encored with an original. M. Dallin, on his first trip to this side, is unique. He announced he is not going to Hollywood.

Judith Allen Reticent

Judith Allen, Monogram star, also took a bow and was "thrilled to be here." She had nothing further to say about wrestling and boxing. Among the side-liners introduced were football's Benny Friedman, Sol Lesser's Lou Hyman and Irving Davis, of *American Weekly*.

When the meeting adjourned, the Ampa executive council, still under the influence of the bilingual entertainment, convened to discuss club affairs. Ray Gallagher spoke with a bit of French accent. Martin Starr's was Russian, and louder.

Hawaii a Big Jump, But Bobby Makes It

It's quite a jump from the International Casino to the Hawaiian Room of the Hotel Lexington, but Bobby Breen took it in stride for his second personal appearance of the day. It was a trade party this time put on by RKO in the interests of the boy's new picture and the star stood up nobly under the second barrage of questioning and handshaking.

The room was in romantic semidarkness, but the absence of illumination seemed to present no problem to lei-decorated guests able to reach with ease for rum drinks served in cocoanut shells. Atmosphere and costumes were endorsed as authentically Island-ish by the Hawaiian Society of America and some of the visitors were curious about the procedure of going native. The best answer seemed to be—"just let yourself go." A few experimented.

Bobby discussed "Hawaii Calls" with the fan and radio press, was kept otherwise engaged by cameramen under the eagle eyes of Ralph Rolan and Barret McCormick. The youngster spoke of the art of coin-diving as shown in the picture, but any contemplated demonstration was frowned upon by the management, which might have been wary of competition from assembled press agents. There was native string music by Lani McIntire and his orchestra. Princess Kuulee (pronounced kuulee) danced the hula hula with refined "umph."

"Watch for Opening"

Harrisburg, March 10.—Sam Gilman, manager of Loew's Regent here, made up a large poster and hung it on a blank wall of an opposition house which is under construction by an independent operator. The poster tells the public to "watch for the opening of the new Senate Theatre," and in the meantime to attend the Loew house. The Senate will open in May.

A boxed cocoanut was autographed for Ned Depinet, absent in Hollywood, some 3,000 miles nearer Honolulu than the party. It was a plain nut without the accompanying fixings so a raincheck was enclosed.

The drink, incidentally, is called "Oke."

"Oke," is oke with us.

A-M. V.

"Sally, Irene" $33,000

"Sally, Irene and Mary" held at $33,000 for its second week at the Roxy, ending last night, compared with $44,000 for the first stanza. "Bringing Up Baby" gave the Music Hall $70,000. "Prison Nurse" went eight days at the Criterion for a take of $12,000. "Bulldog Drummond's Peril" has been dated March 18 at the Criterion, following the current "Dangerous to Know."

Because of the snowfall which cut takes generally at the Broadway first runs yesterday, "Jezebel" got off to a slow start at the Music Hall but built well later in the day and gave the theatre a good gross.

"A Yank at Oxford," in its second week at the Capitol, garnered $20,000 as against $32,000 for the first week.

Expect Big Warner Party

More than 1,000 members and guests are expected to attend the ninth annual Warner Club banquet and ball at the Waldorf-Astoria Hotel tomorrow night. Bennie Goodman's and Bob Crosby's bands will play for dancing, and a long entertainment program has been arranged. The committee includes Arthur Sachson, president of the club; Harry Mayer, A. W. Schwalberg, Harold Rodner, Sam Schneider and Ruth Weisberg.

Rites for Mrs. Mannix

Funeral services were held yesterday for Mrs. Elizabeth Mannix at the Madonna Church, Fort Lee, N. J. Mrs. Mannix, the mother of Edward Mannix, died Monday.

To Build at Concord

CHARLOTTE, March 10.—The North Carolina Theatre, Inc., will start construction of a new theatre at Concord, N. C., soon. Plans are now being drafted.

Purely Personal

SI SEADLER finally got away las night for the west. A previous at tempt, a few days ago, to get to th coast was prevented by the Californi floods and he turned back at Chi cago. SEADLER will attend the [illegible] G-M conference in Kansas City [illegible] the weekend and then will head fo the studio and a vacation.

•

ROBERT T. KANE, head of 20t Century-Fox production in Englan will arrive today from the coast fol lowing studio conferences on ne season plans. He will be accompanie by MONTE BANKS, director, and WIL LIAM CONSELMAN, writer. They ar due to sail on the *Paris* tomorrow.

•

SAM PINANSKI of Boston, HARR DAVID of Salt Lake City and J. J RUBENS of Chicago were added yes terday to the list of visiting Para mount theatre associates currently i New York for home office talks.

•

RENE HUISMAN, president of Bes Film Co., will sail from England o the *Queen Mary* on March 16, ar riving here in time for the opening o "The Call," at the Astor March 28.

•

MRS. DAVID FREEDMAN is on leav of absence from the Shubert press de partment in order to finish her play "Women Without Men."

•

HAL HODE of Columbia will ad dress Teachers' College of Columbi Saturday morning at the Lincol School auditorium.

•

MEL HEYMANN of the M-G-M pub licity department is due to leave to morrow for a three-week vacation i Florida.

•

LLOYD ERIC REEVE's story, "Unde Western Stars," has been purchase by Republic as a vehicle for Ro ROGERS.

•

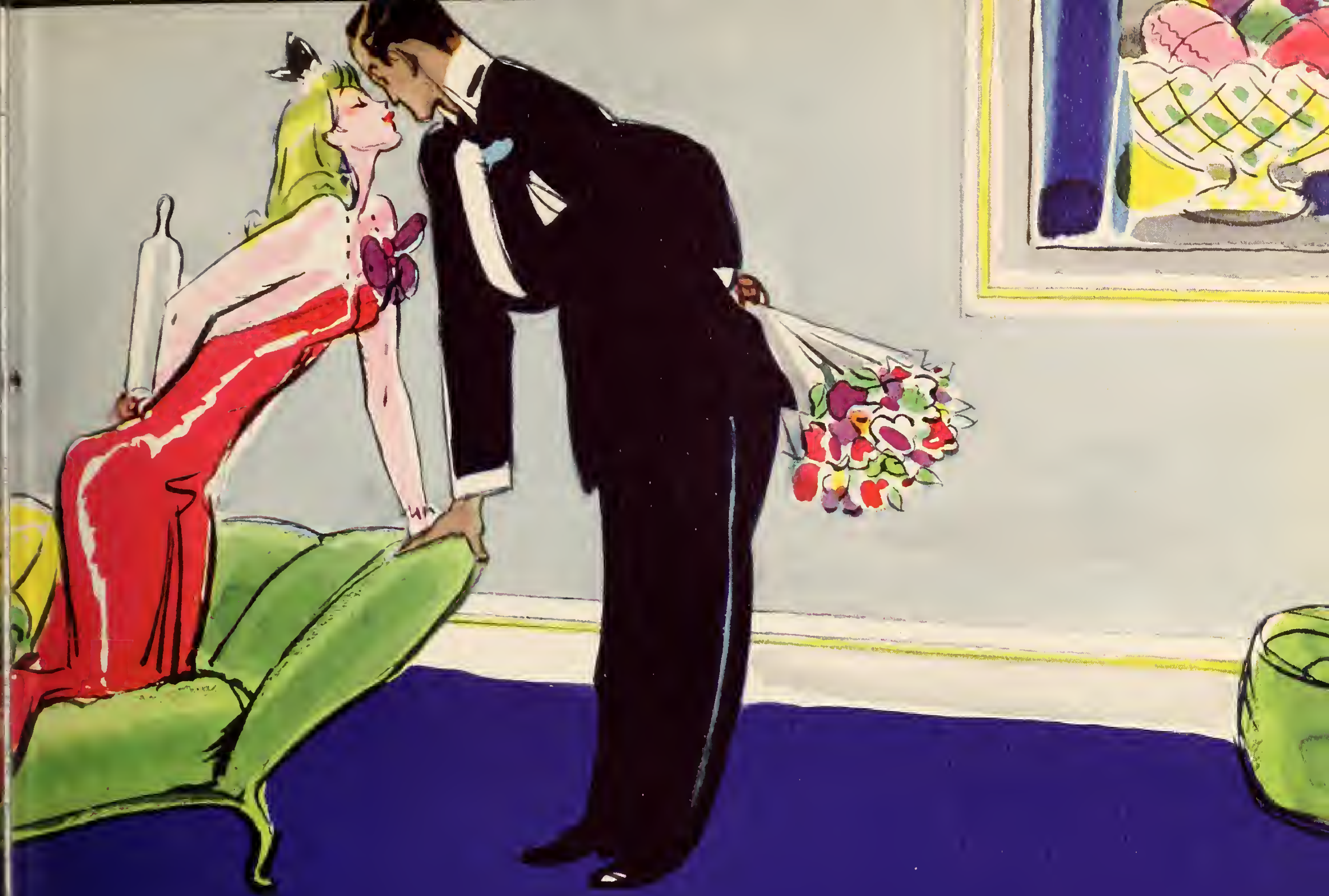
JUNE CLYDE and GERTRUDE NIESE will be Europe-bound on the *Pari* tomorrow.

Seek Rubin's Testimony

An infringement suit brought b World Pictures Corp. against Metro Goldwyn-Mayer Distributing Corp was revealed in the N. Y. Suprem Court yesterday when World filed motion to examine J. Robert Rubin vice-president, and Jesse T. Mills, as sistant secretary, before trial. Th motion will be heard March 21.

The complaint alleges that in April 1937, World obtained the Unite States and Canadian distributio rights for a German feature, "De Weise Rausch," produced by H. R Sokal. The film was retitled "Sk Chase." Shortly thereafter, the com plaint continues, M-G-M started dis tribution of a short, "Ski Skill," an allegedly used portions of the fil without permission. As a result, i is claimed M-G-M earned $30,000 o the short and the plaintiff was dam aged to the extent of $50,000.

The answer contains a general de nial and also contends that a copy right filed by World in December 1937, deprived the state court of juris diction.



"the first 100 years"

m-g-m merriment for movie millions

their roles are so human and understandable, so true to the trials, laughter and problems of us all that this sprightly romance is sure-fire spring tonic!

Robert Montgomery • Virginia Bruce

"THE FIRST HUNDRED YEARS"

with WARREN WILLIAM • BINNIE BARNES • Alan Dinehart
Screen Play by Melville Baker • Original Story by Norman Krasna • Directed by Richard Thorpe
Produced by Norman Krasna • A Metro-Goldwyn-Mayer Picture

New RKO Plan Provides More Cash at Start

(Continued from page 1)

adjournment of about two weeks of the hearing on the plan scheduled for to-[illegible] before Federal Judge William Bondy. By the end of that time, it is hoped by proponents of the plan, sufficient consents to the changes will have been obtained to permit the plan to be returned to Special Master George W. Alger for hearings on the amendments.

The original intention of the reorganizers to increase the feasibility of the plan by devising amendments which would reduce the fixed charges of reorganized RKO has become a secondary objective under the program of amendments now being negotiated with the creditors. The primary result of the amendments would be to increase the company's cash reserves as noted.

Fixed Charges $1,000,000

Indicated fixed charges of the reorganized company would be approximately $1,000,000 annually in the event the amendments emerge in substantially the same form in which they are being proposed. Under the plan they were $1,195,000. Thus a saving of less than $200,000 is indicated as a result of the amendments. On the other hand, the amendments propose means of bringing approximately $5,000,000 in new cash into reorganized RKO, as contrasted with the $1,600,000 of new cash which the plan originally made provision for, and out of which reorganization and underwriting expenses were to have been paid.

The amendments propose an issue of $5,000,000 of five per cent convertible debentures, none of which would be applied to the settlement of claims against the company, as contrasted with the $12,718,500 of five and one-half per cent convertible debentures which the plan proposed to issue to secured creditors.

Would Buy Meehan Stock

Of the $5,000,000 from the sale of new debentures, approximately $2,-70,000 would be available for the purchase of the M. J. Meehan majorty holdings of Keith-Albee-Orpheum preferred stock, and the remainder would be available for reorganization nd underwriting costs and other corporate purposes. Although no deal an be set with the Meehan interests ntil the amendment is approved, pokesmen for Meehan said yesterday that they stand ready to sell when the ight bid is made and indicated that deal might be set prior to the reoranization of RKO. Presumably, Meehan would have to waive threeear accumulated dividends of $21 er share on his 27,000 shares of K-A-O to effect a deal.

The acquisition of the Meehan shares, however, would permit RKO to bring the income of its most profitble theatre subsidiary into its general statement, which on the basis of K-A-O earnings for recent years would dd approximately $1,250,000 of additonal cash to the parent company's nnual statement. RKO already owns bout 97 per cent of the K-A-O common, but a minority share of the preferred.

The amendments propose the issuance of $12,718,500 of six per cent, cumulative convertible first preferred to holders of secured claims, such as old debentures. For each $100 of such claims, holders would receive one share of new preferred and an as yet undetermined number of shares of new common in payment for unpaid interest on the debentures. Three shares of common is likely to be agreed upon, although this is still in negotiation, it was reported.

Considers General Creditors

Under the plan, secured claims were offered $100 of new debentures and two shares of new common for each $100 of claims.

General creditors, the amendments propose, would receive 10 shares of new common for every $100 of claims, although this also is subject to the continuing negotiations. Under the plan general creditors were offered one share of new preferred and one of common for every $100 of claims.

Holders of common stock, subject to the conclusion of negotiations, are offered one-quarter share of new common for each share of old, plus a right to subscribe to the new $5,000,000 issue of debentures, and would receive an additional one-quarter share of new common for each subscription right exercised.

Rockefeller Center would still receive 464,000 shares of new common for its $9,150,000 unsecured claim, as already recommended. Under the amendments there would be approximately 2,300,000 shares of common outstanding, and approximately 2,000,000 more reserved for conversion of debentures and first preferred.

New York Previews

"Sudden Bill Dorn"

(*Universal*)

Buck Jones offers the required violent dramatic devices in "Sudden Bill Dorn," and the result, while the story drags and limps at frequent intervals, is a diverting western melodrama.

At the outset Jones is introduced as a swindled rancher whose property has been taken from him by a clever scoundrel. He learns of the present whereabouts of the culprit and sets out after him. In his hunt he meets up with Noel Francis. Miss Francis has had similar dealings, it is brought out, and together the pair join forces for their mutual advantage. There are a number of sub-plots wherein gold is found in a deserted town and the rivalry between two freight services results in the mysterious blowing up on the more successful one. Eventually Jones gets around to the point where the whole situation reveals itself. He catches up with the villain of the piece, trounces him and then falls unconscious into the arms of Miss Francis.

Evelyn Brent has a leading part as the daughter of a Spanish rancher. She handles it very well. Frank McGlynn, Sr., has an interesting character role. The support also offers Ted Adams, Lee Phelps and Harold Hodges. Ray Taylor directed. Kenneth Thompson and John Hickson contributed a number of compelling photographic effects.

Running time, 62 minutes. "G."

"Prison Nurse"

(*Republic*)

The direction of James Cruze gives such dramatic situations as a flood, a typhoid epidemic, jailbreak, murder and the always satisfying chase exciting entertainment values. The melodramatic content is also heightened by the romance between Marian Marsh, a nurse who comes to the prison to aid the local doctor, and Henry Wilcoxon, a convict, once a famous doctor, who rises to the tense situation when the "house" doctor falls ill. The Wilcoxon characterization is convincing. Miss Marsh is adequate. First rate supporting roles are played by Bernadene Hayes, Ben Welden, John Arledge, Addison Richards, Frank Reicher and Ray Mayer.

Following the fever epidemic and the recruiting of Wilcoxon, Ray Mayer and Ben Welden, convicts, kidnap him and make a successful break. But their getaway vehicle, an ambulance, crashes. The witnesses who could clear the innocent Wilcoxon are killed. He faces a murder rap. But Miss Hayes remembers that Mayer kept a diary and it is found. The information contained in the book clears everything.

The story may seem familiar but there are new twists. It moves along interestingly most of the time.

Running time 67 minutes. "G."

Film Firm in Florida

MIAMI, March 10.—W. Keith Phillips, president of the Coral Gables Chamber of Commerce, has disclosed that Coral Gables will be the permanent home of the Bradwick Pictures Corp., Inc., New York, following the signing of an office lease. Barry Buchanan is president. The company will make features and shorts.

Spencers Visit Studios

HOLLYWOOD, March 10.—F. Gordon Spencer, Sr., and F. Gordon Spencer, Jr., operators of a string of 20 theatres in New Brunswick and Nova Scotia, are visiting in Hollywood.

Triple Quota Introduction Now Definite

(Continued from page 1)

the objection of exhibitors that the plan will cause a product shortage.

Other amendments, proposed by Lord Moyne and others, aim at increasing the exhibitor quota, narrowing the personnel of the Films Council and limiting the exhibitor representation thereon to two. A vigorous fight by exhibitor interests is certain. The Board of Trade appealed to exhibitors yesterday for passive support for the triple quota plan. The exhibitors point out that after one year it is at the discretion of the Films Council to abolish the qualification now proposed on the plan.

American distributors are said to be pleased with the plan, which tends to give them an advantage in fulfilling the numerical terms of their quota.

Isman Warner Winner

Mickey Isman, Warner branch manager in Montreal, has won the $500 prize offered in a special collections drive, his office collecting the greatest percentage against Sears Drive quotas for one week. The company gave honorable mention to Doak Roberts, Dallas manager, and Charles Muehlman, San Francisco branch head, who finished second and third, respectively.

Associates to Meet

There will be a meeting of M. P. Associates Saturday at the Lincoln Hotel. Among the subjects to be taken up at the session will be insurance, a possible beefsteak dinner and the drafting of a new constitution.

Abelson Leaves GB Post

MINNEAPOLIS, March 10. — Fred Abelson has resigned as district manager for G. B. here. W. A. V. Mack of New York is here arranging for Abelson's successor.

Wall Street

Board Decline Continues

	Open	High	Low	Close	Net Change
E. K.	154¼	154¼	154¼	154¼	— ¼
E. K. pfd...	165	165	165	165	— ½
Loew	46⅜	46⅜	45¾	46	— ½
Para.	9⅛	9¼	9⅛	9⅛	+ ⅛
Pathe	5½	5½	5¼	5¼	— ¼
RKO	3½	3⅝	3½	3½	— ⅛
20th Fox ...	22	22	21⅝	21⅝	— ⅞
Univ. pfd. .	39⅞	39⅞	39⅞	39⅞	— ⅛
W. B.	5½	5⅝	5½	5½	.....

Curb Issues Drop Lightly

	Open	High	Low	Close	Net Change
G. N.	9/16	9/16	½	½	—1/16
Monogram	2⅛	2½	2	2	— ⅛
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	19½	19½	19	19	.....
Trans-Lux	2⅝	2⅝	2⅝	2⅝	— ⅛

Little Bond Movement

	High	Low	Close	Net Change
Keith 6s '46......	87	87	87	.....
Loew 3½s '46....	98⅜	98⅜	98⅜	— ⅜
Para. B'way 3s '55	59⅛	59	59	.....
Para. Pict. 6s '55	91½	91½	91½	.....
Para. Pict. '47...	70	70	70	.....
W. B. 6s '39......	66	66	66	.....

(Quotations at close of March 10)

Academy Makes 11 Scientific Awards

Los Angeles, March 10.—The scientific awards of the Academy of Motion Picture Arts and Sciences for 1937 tonight went to Agfa Ansco Corp., in Class I, to four designees in Class II and to six in Class III. The awards are given for achievement in scientific research and development in production technique.

The winners and the achievements for which they have been honored are as follows:

Class I (Academy Statuette and Plaque, Agfa Ansco Corp., for their Agfa "supreme" and Agfa "ultra speed pan" film negative.

Class II (Plaque)—Walt Disney Productions, Ltd., for the design and its application to production of their "multiplane camera"; Eastman Kodak Co., for the two fine-grain duplicating film stocks; Farciot Edouart and Paramount, for their development of the "Paramount Dual Screen Transparency Camera Setup"; Douglas Shearer and the M-G-M sound department for a method of varying the scanning width of variable density sound tracks ("squeeze tracks") for the purpose of obtaining an increased amount of noise reduction.

Camera Development Recognized

Class III (Honorable Mention)—John Arnold and the M-G-M camera department for their improvement of the semi-automatic follow focus device and its application to all of the cameras used by the M-G-M studios; John Livadary, director of sound recording for Columbia, for the application of the "Bi-Planar Light Valve" to film sound recording; Thomas T. Moulton and the United Artists sound department for the application to films sound recording of volume indicators which have a peak reading response and linear decibel scales; RCA Manufacturing Co., for the introduction of the modulated high-frequency method of determining optimum photographic processing conditions for variable width sound tracks; Joe Robbins and Paramount for their exceptional application of acousic principles to the sound-proofing of gasoline generators and water pumps; Douglas Shearer and the M-G-M sound department for the design of the film drive mechanism as incorporated in the Erpi 1010 Reproducer.

Kirkmeyer, Seltzer Win Quigley Honors

(*Continued from page 1*)

the competition. Each entry was designated by a number and the judges scored the entries at a luncheon given at the Hotel Astor by Martin Quigley.

Kirkmeyer was represented by his campaign on "A Star Is Born" and Seltzer by his work on "The Life of Emile Zola."

Presentation of the awards will be in Hollywood early in May. The winners will make the trip via United Airlines as guests of *Motion Picture Herald*.

Extend Patterson Deal

Hollywood, March 10.—Paramount has extended the contract of Elizabeth Patterson, character actress.

Academy Honors to "Zola," Spencer Tracy, Luise Rainer

Winner Abed

Los Angeles, March 10.—Spencer Tracy, winner of the Academy's award as the best actor of 1937 for his work in "Captains Courageous," received the glad tidings from his hospital cot where he has been under treatment for some time.

(*Continued from page 1*)

vision went to Norman Reilly Raine, Heinz Herald and Geza Herczeg for their scripting of "The Life of Emile Zola."

Among the assistant directors Robert Webb was given first place for his work in "In Old Chicago" while top honors in film editing went to Gene Havlick and Gene Milford for "Lost Horizon."

First prize in the cartoon division went to "The Old Mill," produced by that perennial winner of Academy awards, Walt Disney.

"The Private Life of the Gannets," Educational one-reel black and white short, was voted the best production in that division, while M-G-M's "Torture Money" was called the best of the two-reel black and white subjects. Pete Smith's "Penny Wisdom" was named as the best of the shorts in color.

Honor Hermes Pan

Top honors for dance direction went to Hermes Pan for his supervision of the fun house routine in "Damsel in Distress" while "Sweet Lelanie" from "Waikiki Wedding" and composed by Harry Owens was named as the top ranking song.

The musical scoring for "100 Men and a Girl" was called the outstanding work in that division.

For art direction Stephen Goosen and Paul Murphy were honored for their work in "Lost Horizon" and Carl Freund received first prize in the Cinematography division for his photography in "The Good Earth."

Sound recording honors went to Thomas T. Moulton for the effects achieved in "The Hurricane."

A special award of a gold statuette was presented Mack Sennett for his lasting contribution to the comedy technique of the screen. W. C. Fields made the presentation.

Edgar Bergen's Charlie McCarthy was awarded a wooden statuette in miniature.

Special Award to Museum

A special scroll certificate was presented to Museum of Modern Arts Film Library for its work in collecting films from 1895 until the present day, thus making available to the public a means of studying the development of the motion picture as one of the major arts.

For the color cinematography in "A Star Is Born" a special plaque was awarded W. Howard Greene.

The results of the balloting were broadcast at midnight last night over the NBC-Blue network by Elza Schallert.

The event considered by Hollywood as one of the outstanding happenings of the year since the Academy awards' establishment in 1927, had virtually the entire production industry from extras to producer members of the Academy participating in the balloting, making the widest voting representation in the history of the awards. It is estimated that approximately 15,000 persons voted under a system which took cognizance not only of Academy members, as in the past, but of the various talent organizations which were organized before and after the Academy dropped all economic activities, as well as, in some cases, those individuals who belong neither to the Academy nor to an organization of their crafts.

Bob Burns was master of ceremonies at the dinner dance, reservations for which were filled by last Monday. Introduced by Frank Capra, president of the Academy, Burns presented the persons who, on behalf of the Academy, presented the gold statuettes, plaques and certificates to the winners in the various classifications.

Prizes in Various Forms

Gold Academy statuettes were given for production, best performance by actor and actress, direction, screenplay, original story, art direction, cinematography and sound recording.

Awards for the best performances by an actor and an actress in supporting roles, and awards for film editing, assistant director, best song, scoring and dance direction were in the form of gold plaques suitably inscribed. The award for short subject production was a permanent statuette trophy conferred jointly for the four classifications of production, together with individual plaques.

The trophy for the Irving G. Thalberg Memorial Award consisted of a sculpture by Bernard Sopher of the head of the late producer mounted on a solid base.

The changes made in awards voting this season were to avoid past charges that the balloting was not representative of the industry. Capra and other officers formulated the plan of calling in other organizations, such as the Screen Actors' Guild, Screen Writers' Guild and Screen Directors' Guild, to participate in the selection of the nominations and final winners. Taken into consideration, too, were the persons qualified for membership in any such organization, but who were not members.

Mahin Withdraws

John Lee Mahin, president of the Screen Playwrights, Inc., and nominee, with Marc Connelly and Dale Van Every, for the screenplay award by virtue of work on "Captains Courageous," withdrew from the competition, and said he was acting as an individual, not as an officer or member of the playwrights, whose rival in the film writer field is the Screen Writers' Guild. Two years ago Dudley Nichols, then and now president of the guild, refused to accept the trophy voted him as the writer of the best screenplay of 1935, "The Informer."

Mahin's announced reason for withdrawal was that he did not feel the voting qualifications for writers were strict enough. The rules say that all writers fulfilling the qualifications for active membership in the Writers' Guild shall be invited to ballot. The Playwrights have more stringent qualifications for membership than the guild.

A full list of the various divisions, together with the winners in each classification, follows:

Best Actor

Spencer Tracy in "Captains Courageous."—M-G-M.

Best Actress

Luise Rainer in "The Good Earth."—M-G-M.

Best Production

"The Life of Emile Zola"—Warners.

Best Direction

Leo McCarey for "The Awful Truth."—Columbia.

Best Supporting Actor

Joseph Schildkraut in "The Life of Emile Zola."—Warners.

Best Supporting Actress

Alice Brady in "In Old Chicago."—20th Century-Fox.

Best Original

William A. Wellman and Robert Carson for "A Star Is Born."—Selznick—U. A.

Best Adaptation

Norman Reilly Raine, Heinz Herald and Geza Herczeg for "The Life of Emile Zola."

Short Subjects

(Cartoon)

"The Old Mill"—Walt Disney-RKO.

(One-Reel: Black and White)

"Private Life of the Gannets"—Educational-20th Century-Fox.

(Two-Reel; Black and White)

"Torture Money"—M-G-M.

(Color)

"Penny Wisdom"—Pete Smith-M-G-M.

Assistant Direction

Robert Webb for "In Old Chicago."

Film Editing

Gene Havlick and Gene Melford for "Lost Horizon"—Columbia.

Dance Direction

Hermes Pan for "Damsel in Distress."—RKO.

Music

(Best Song)

Harry Owens for "Sweet Lelanie" from "Waikiki Wedding."—Paramount.

(Best Scoring)

"One Hundred Men and a Girl"—Universal.

Technical Awards

(Art Direction)

Stephen Gooson and Paul Murphy for "Lost Horizon"—Columbia.

(Cinematography)

Karl Freund for "The Good Earth"—M-G-M.

(Sound Recording)

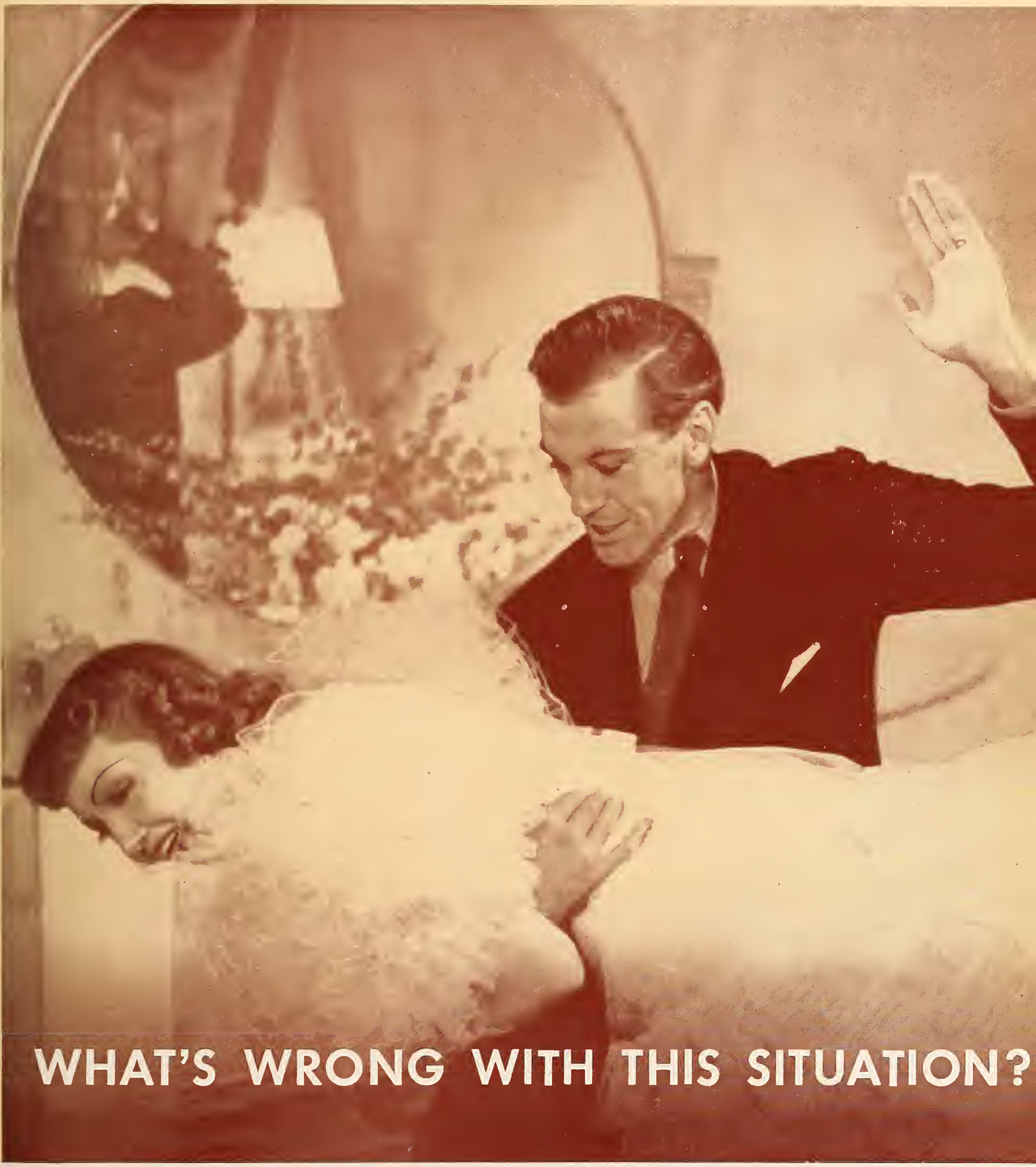
Thos. T. Moulton for "Hurricane"—Goldwyn-United Artists.

Toddy Files Exceptions

Atlanta, March 10.—A bill of exceptions appealing the injunction which prevents his filming a travelogue, "Gone With the Wind Country," has been filed by Ted Toddy, independent producer.

Now "Mystery House"

Hollywood, March 10.—Warners on May 21 will release under the title "Mystery House" the film formerly known as "The Mystery of Hunting's End."


WHAT'S WRONG WITH THIS SITUATION?

The answer is easy. Gary is taking his job much too seriously.
We'd better put in a hurry call for MR. LUBITSCH.

Ah!...Mr. Lubitsch arrives...gives a few well-phrased directions...

and here you see Gary smilingly applying the Lubitsch touch that makes Claudette and Gary's new comedy THE LAUGH HIT OF 1938

CLAUDETTE COLBERT · GARY COOPER

" BLUEBEARD'S EIGHTH WIFE "

EDWARD EVERETT HORTON · DAVID NIVEN · ELIZABETH PATTERSON · HERMAN BING

Screen Play by Charles Brackett and Billy Wilder · Based on the Play by Alfred Savoir · English Play Adaptation by Charlton Andrews

PRODUCED AND DIRECTED BY **ERNST LUBITSCH** A PARAMOUNT PICTURE

M-G-M Policy On Percentage Sales to Stay

(*Continued from page* 1)

gram numerically will be the same as this year's 44 to 52 features, it is expected, and new season plans are well under way, with selling already started in some instances. Thirty-two of this year's films are on percentage.

Final plans for the season will be completed at the executives' conference tomorrow and Sunday in Kansas City, to be attended by Lichtman, William F. Rodgers, general sales manager, other home office officials and district managers.

Regional meetings will be held in San Francisco on March 18 and 19 and a second meeting will start in Chicago on March 24 or 25 for two days. Later sessions will be held in New York and a city to be designated in the south. Details will be set in Kansas City.

Executives En Route West

The home office delegation left by train last night and will arrive in Kansas City Saturday morning. In addition to Rodgers, it includes Edward M. Saunders, Si Seadler, William R. Ferguson, Alan F. Cummings and E. W. Aaron. Tom Connors and E. K. O'Shea went direct from Florida to Kansas City. Lichtman left the coast yesterday.

District managers who will attend the meeting, in addition to O'Shea, are J. E. Flynn, Detroit; C. E. Kessnich, Atlanta; G. A. Hickey, Los Angeles; Harris P. Wolfberg, Kansas City, and S. A. Shirley, Chicago. Robert Lynch, Philadelphia branch manager, also will attend.

Rodgers and Lichtman will go to the coast together for studio conferences and the San Francisco regional meeting. Division and district managers will attend the sectional conferences in their areas.

M-G-M British List Not to Exceed Six

M-G-M's production in England will not exceed six films this year, it was said yesterday by Robert Ritchie, director of the British company, who arrived earlier this week from London.

Ritchie is staying close to his hotel room because of illness. He plans to leave on Monday for the coast with Dolores Del Rio and Cedric Gibbons. He will confer with studio officials on production plans. This is his first trip here in a year.

Four on Job 18 Years

London, Ont., March 10.—Four employes of the Loew theatre here this week completed 18 years of service with the house, having been with the theatre since it opened. They are Fred Jackson, manager; G. Russell Courtney and Alexander McLeish, projectionists, and James Mairana, property man.

Marx Brothers to M-G-M

Hollywood, March 10.—M-G-M has signed the Marx brothers—Groucho, Harpo and Chico—to a long term contract.

The Newsreel Parade

Movietone News
Vol. 20, No. 52
(20th Century-Fox)

The martial note takes up about a third of the footage of this release, which is uniformly interesting and contains something for everybody. Clips of the U. S. fleet preparing for maneuvers at San Diego and a munitions factory turning out naval cannon precede items of the China war, namely, Uncle Sam's Marines embarking from Shanghai; U. S. sailors at Singapore; Japanese troops pushing southward in China, and, as a finale, ashes of dead Japanese "heroes" borne to burial in Yokohama.

A fashions clip will intrigue the ladies, and scenes of five big league baseball teams in spring training will hold the attention of the fans, while fight enthusiasts will like the Golden Gloves finals. Joseph P. Kennedy, Ambassador to England, makes a fine camera and microphone subject as he speaks a few words. Lew Lehr "stars" with the Central Park chimps. It's very funny. Running time, 9½ mins.

F.

News of the Day
Vol. 9, No. 250
(M-G-M)

The "bigger navy battle" takes the spotlight, but the "warfare" so far is of the hot air type, with Senator La-Follette speaking against armaments and Senator Walsh of Massachusetts advocating an "adequate navy." This is the highlight of the release and precedes clips of the fleet's repair shop at San Pedro and squadrons steaming out to Pacific maneuvers.

Warfare also provides a rousing scene of Marshal Graziani, recovered from his wounds, being hailed by the crowds in Italy as conqueror of Ethiopia. There is also a demonstration of a method the French have devised of dropping physicians from an autogiro by means of a rope at field ambulances. Ambassador Joseph P. Kennedy is shown being greeted on his arrival in London, and he gets a laugh when he says that his nine children will be brought over in "installments." There are the spring "battle of flowers" on the Riviera; the screen test made of the Central Park chimp, the Golden Gloves amateur fight finals and the Yankees in spring practice. Running time, 9 mins.

F.

RKO Pathe News
Vol. 9, No. 67
(RKO)

This is an acceptable, fast-moving reel, with sufficient diversification of material to be "alive." Highlights are the digging out of a considerable part of southern California after the flood, the colorful display of Indian pageantry as a maharaja celebrates an anniversary, Mme. Chiang Kai-Shek departing on a flight in China.

There is more of the routine, and therefore less interest, in shots of the Yankees in training; Ambassador Kennedy in England, and his wife departing from New York with several children; juvenile swimming "stars" in action; New York writers lampooning political figures, and the Navy preparing for war games in the Pacific, with the usual implied flag-waving. Running time, 8½ mins.

A.

Universal Newsreel
Vol. 10, No. 468
(Universal)

The Universal Newsreel editors have introduced an explanatory title frame to describe the individual subjects in such a way that less footage is required for commentaries, thereby making it possible to add several subjects to the standard length reel. Commentaries have not been eliminated but are briefer. The procedure permits the inclusion of 13 subjects in this release as compared with a former average of nine or 10. The pace of the reel is speeded by the brevity of feature material and news subjects of lesser consequence, and with the increased diversity of material, interest is heightened.

Pacific fleet maneuvers and Congressional viewpoints on Naval appropriations have the feature position. New York Golden Gloves finals and a Washington ski meet are high points for action in the release. Of general interest is camera evidence of the national effort to remove old autos from use, and the departure of U. S. Marines from the Shanghai area. The remainder of the subjects are of routine character. Running time, 9 mins.

K.

"Snow" to Stay

Baltimore, March 10. — Isador M. Rappaport, proprietor of the Hippodrome, which has run "Snow White and the Seven Dwarfs," for four weeks, has leased the Auditorium for an indefinite period and will move the film to that theatre tomorrow.

It is estimated that about 250,000 persons have seen the opus so far here.

Assembly Committee Kills Moran Measure

(*Continued from page* 1)

an impost of $50 on owners who permitted tickets sold in violation of fire department standing room rules had been beaten. Proponents of the Crews projectionists bill feel they can count on many votes in the Rules Committee from members who support State Federation of Labor policies. In the final analysis, A.F.L. support for the bill may be the deciding factor. A bill by Phelps Phelps exempting stations from libel suits and another by Assemblyman Dollinger stipulating that matter broadcast over the air should be classified as libel were both killed outright.

S. S. Negranou Promoted

Solon S. Negranou, executive director of the 55th St. Playhouse since its reorganization in October, 1936, is now manager director.

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Revised Sixth Edition

F. H. RICHARDSON'S BLUEBOOK OF PROJECTION

The sixth edition of F. H. Richardson's Bluebook is now in its second printing, for which it has been extensively revised. In addition to revisions in text, it contains a supplementary chapter devoted to developments which have become important in projection room technique and servicing methods since the first printing.

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"Snow White" Washington 3rd Week Win

WASHINGTON, March 10.—"Snow White and the Seven Dwarfs," in its third week at RKO Keith's, continued to set the pace here. The take was $17,500, or $6,900 better than the first week average at the house.

The only other bright spot was Loew's Columbia, where "The Buccaneer," in a return engagement, garnered $5,000, going over a normal first week figure by $1,400.

Total first run business was $67,200. Average is $73,500.

Estimated takings, exclusive of tax:

Week Ending March 3:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)

R-K-O KEITH'S—(1,836), 25c-55c, 7 days, 3rd week. **Gross:** $17,500. (Average, first week, $10,600)

"ARSENE LUPIN RETURNS" (M-G-M)

LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Major Bowes' Second Anniversary Revue. **Gross:** $17,000. (Average, $20,900)

"A YANK AT OXFORD" (M-G-M)

LOEW'S PALACE—(2,370), 25c-55c, 7 days. **Gross:** $8,200. (Average, first week, $15,900)

"TARZAN'S REVENGE" (20th-Fox)

METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,300)

"BIG BROADCAST OF 1938" (W.B.)

EARLE—(2,218), 25c-66c, 7 days. Stage: Billy Gilbert, Bryant, Rains and Young, Paul Gordon and Carole Manners, Sinclair Sisters. **Gross:** $15,500. (Average, 18,400)

"THE BUCCANEER" (Para.)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $5,000. (Average, first week, $3,600)

Court Hits Duals Ban in Sales Pact

(*Continued from page* 1)

prohibiting the use of a feature on the same program with another full length picture, it does not hold the prohibitory clause itself to be invalid, according to responsible legal opinion here. Thus, if one distributor desired to enforce the showing of an outstanding picture on a single feature basis, the use of the clause to accomplish this presumably would be legal providing no other distributor was employing a similar clause at the same time.

The circuit court's decision was made without the issuance of an opinion. The court merely affirmed the decision of Federal Judge George A. Welsh, who held in January, 1935, that the major distributors whose contracts included the prohibitory clause had conspired to violate the anti-trust laws. This decision was first appealed to the Circuit Court of Appeals in the fall of 1935 and was first affirmed by the higher court in April, 1936.

The distributors were granted a rehearing of the case by the Circuit court in October, 1936. One year ago this month the appeals court issued a memorandum affirming the district court's decision, but on the following day recalled the memorandum with the explanation that it had been issued by mistake. The distributors then petitioned for another rehearing, which was granted and the case reargued last December. Today's decision was the result of the final hearing.

"Baroness," Weems $18,000, Buffalo

BUFFALO, March 10.—"The Baroness and the Butler," with Ted Weems and his orchestra, clicked for $18,000 at the Buffalo, passing par by $4,000 It was the best gross in a number of weeks.

Bobby Breen was in town for several days and his presence helped "Hawaii Calls" to a first rate take at the Century. It was dualed with "Born to the West" and reaped a neat $9,000 where $6,300 is average. The Lafayette showed "Penitentiary" and "No Time to Marry" for nine days and scooped $9,200 out of the till for the run. Average is $6,500.

Total first run business was $47,800. Average is $42,300.

Estimated takings for the week ending March 5:

"BARONESS AND THE BUTLER" (20th-Fox)

BUFFALO—(3,000), 35c-60c, 7 days. **Gross:** $18,000. (Average, $14,000)

"GOLDWYN FOLLIES" (U.A.)

GREAT LAKES—(3,000), 30c-50c, 7 days, 2nd week. **Gross:** $5,900. (Average, $8,000)

"HITTING A NEW HIGH" (RKO)
"SHE'S GOT EVERYTHING" (RKO)

HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $4,900. (Average, $7,500)

"HAWAII CALLS" (RKO)
"BORN TO THE WEST" (Para.)

CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $9,000. (Average, $6,300)

"PENITENTIARY" (Col.)
"NO TIME TO MARRY" (Col.)

LAFAYETTE—(3,300), 25c-35c, 9 days. **Gross:** $9,200. (Average, 7 days, $6,500)

"Follies" $8,300 Milwaukee Leader

MILWAUKEE, March 10.—"Goldwyn Follies" collected high money for the week with $8,300 at the Warner, just $3,300 to the good.

"A Yank at Oxford" and "Love on a Budget" were second high grossers with a $9,000 take at Fox's Wisconsin, $1,000 above par. The only other house to break average was Fox's Palace, where "Romance in the Dark" and "Scandal Street" breezed over the $5,000 par by $600.

Chief competition was the six-day bike race at the Auditorium.

Total first run business was $31,900. Average is $26,500.

Estimated takings for the week ending March 3:

"ROMANCE IN THE DARK" (Para.)
"SCANDAL STREET" (Para.)

PALACE—(2,400) 35c-50c, 7 days. **Gross:** $8,300. (Average, $5,000)

"FORBIDDEN VALLEY" (Univ.)

RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: All American Ice Carnival. **Gross:** $5,000. (Average, $5,000)

"GOLD IS WHERE YOU FIND IT" (F.N.)
"PENROD AND HIS TWIN BROTHER" (W.B.)

STRAND—(1,400), 35c-50c, 7 days. **Gross:** $4,000. (Average, $4,500)

"GOLDWYN FOLLIES" (U.A.)

WARNER—(2,400), 35c-50c, 7 days. **Gross:** $8,300. (Average, $5,000)

"A YANK AT OXFORD" (M-G-M)
"LOVE ON A BUDGET" (20th-Fox)

WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $9,000. (Average, $8,000)

"Snow White" Hits Record, Kansas City

KANSAS CITY, March 10.—Attendance records were broken at the Mainstreet by "Snow White and the Seven Dwarfs," when the picture played to over 80,000 its first week and harvested $21,500, which was $13,500 over average. It was held.

"A Yank at Oxford" and "Love is a Headache" garnered $14,800, $3,300 over par, at the Midland. Other first runs felt the Disney picture's pressure rather than the weather, which was fair, or outside competition, which consisted of Burton Holmes Sunday and Grace Moore with the Philharmonic Thursday.

Total first run business was $49,700. Average is $36,700.

Estimated takings:

Week Ending March 2:

"BIG BROADCAST OF 1938" (Para.)

NEWMAN—(1,900), 25c-40c, 6 days, 2nd week. **Gross:** $5,000. (Average, 6 days, $6,200)

Week Ending March 3:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)

MAINSTREET—(3,100), 15c-25c-40c, 7 days. **Gross:** $21,500. (Average, $8,000)

"A YANK AT OXFORD" (M-G-M)
"LOVE IS A HEADACHE" (M-G-M)

MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $14,800. (Average, $11,500)

"INTERNATIONAL SETTLEMENT" (20th-Fox)

FOX TOWER—(2,200), 25c-40c, 7 days. Stage: Chester & Dulcy, Monroe & Grant Sara Ann McCabe, Johnny Bryant and Val Williams. **Gross:** $5,200. (Average, $7,000)

"BARONESS AND THE BUTLER" (20th-Fox)
"MIDNIGHT INTRUDER" (Univ.)

UPTOWN—(2,000), 25c-40c, 7 days, 2nd week for first picture. **Gross:** $3,200. (Average, $4,000)

"Broadcast" Denver Top; Gets $9,500

DENVER, March 10.—Two smash hits are keeping the first run situation lively. "The Big Broadcast of 1938" took $9,500 at the Deham, and was held.

"Snow White and the Seven Dwarfs" hit the high spots in its second week at the Orpheum and pulled $11,500. This was $4,000 to the good and the film was held for a third week. "The Hurricane" was strong with $3,000 at the Broadway.

Total first run business was $41,250. Average is $33,250.

Estimated takings for the week ending March 3:

"GOLD IS WHERE YOU FIND IT" (W.B.)

ALADDIN—(1,400), 25c-40c, 7 days, after a week at the Denver. **Gross:** $3,500. (Average, $3,500)

"THE HURRICANE" (U.A.)

BROADWAY—(1,500), 25c-40c, 7 days, following a week at each the Denver and Aladdin, and 10 days at the Rialto. **Gross:** $3,000. (Average. $2,500)

"THE BIG BROADCAST OF 1938" (Para.)

DENHAM—(1,750), 25c-35c-40c, 7 days. **Gross:** $9,500. (Average, $5,500)

"THE BARONESS AND THE BUTLER" (20th-Fox)

DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $8,500. (Average. $8,500)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)

ORPHEUM—(2,600), 25c-35c-40c, 7 days, 2nd week. **Gross:** $11,500. (Average, $7,500)

"SWING YOUR LADY" (W.B.)
"PRESCRIPTION FOR ROMANCE" (Univ.)

PARAMOUNT—(2,096), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

"HAPPY LANDING" (20th-Fox)
"LOVE TAKES FLIGHT" (G.N.)

RIALTO—(878), 25c-40c, 7 days; "Landing" had played a week each at the Denver, Aladdin and Broadway. **Gross:** $2,250. (Average, $1,750)

"Sacred" Is Best Bet on Seattle Week

SEATTLE, March 10.—"Nothing Sacred" stepped out front in a big way among the first runs, grossing $8,000 at the Liberty. This was $3,000 [illegible] normal.

"The Baroness and the Butler," on a dual with "Arsene Lupin Returns," pulled $7,150 at the Fifth Avenue, and "Gold Is Where You Find It," with "Change of Heart," turned in $6,900 at the Orpheum, but elsewhere business was off.

Total first run business was $38,200. Average is $36,500.

Estimated takings for the week ending March 4:

"HAWAIIAN BUCKAROO" (20th-Fox)
"THE JURY'S SECRET" (Univ.)

BLUE MOUSE—(950), 25c, 7 days. **Gross:** $3,100. (Average, $4,000)

"THE BARONESS AND THE BUTLER" (20th-Fox)
"ARSENE LUPIN RETURNS" (M-G-M)

FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $7,150. (Average, $7,000)

"NOTHING SACRED" (U.A.)

LIBERTY—(1,800), 30c-40c-55c, 7 days. **Gross:** $8,000. (Average, $5,000)

"GOLDWYN FOLLIES" (U.A.)

MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,400. (Average, $4,000)

"GOLD IS WHERE YOU FIND IT" (F.N.)
"CHANGE OF HEART" (20th-Fox)

ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $6,900. (Average, $6,000)

"LONDON BY NIGHT" (M-G-M)

PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by John Tio. **Gross:** $4,200. (Average, $4,500)

"A YANK AT OXFORD" (M-G-M)
"CITY GIRL" (20th-Fox)

PARAMOUNT—(3,050), 30c-40c, 7 days, 2nd week. **Gross:** $5,450. (Average, $6,000)

"Sacred" at Omaha High Draw, $8,200

OMAHA, March 10.—"Nothing Sacred" and "The Jury's Secret" at the Orpheum pulled $8,200 for the best gross of the week and topped seven-day average by $1,000.

"The Big Broadcast of 1938" and "Daughter of Shanghai" grossed $7,100 at the Omaha to beat average by $1,600. The take of "Radio City Revels" and "Missing Witnesses" at the Brandeis was $4,500 to top par by $500. All three were seven-day runs.

Total first run business was $19,800. Average is $16,700.

Estimated takings:

Week Ending March 2:

"RADIO CITY REVELS" (RKO)
"MISSING WITNESSES" (F.N.)

BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"BIG BROADCAST OF 1938" (Para.)
"DAUGHTER OF SHANGHAI" (Para.)

OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,100. (Average, $5,500)

Week Ending March 3:

"NOTHING SACRED" (U.A.)
"THE JURY'S SECRET" (Univ.)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,200. (Average, $7,200)

Jack Meyers Returns

BOSTON, March 10.—Jack Meyers has returned from Florida wearing a plaster cast on a fractured ankle, sustained in an automobile crash in Maryland. He heads the Hub Film Co.

THE SOLUTION

FINE grain, solver of many a photographic problem, has finally overcome the problem of duplicating. Eastman Fine Grain Duplicating Films are capable of making "dupes" that cannot be distinguished from originals. Now the original in the laboratory and the duplicate in the vault can be actually equal in quality. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

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Radio Personals

AMOS 'n' Andy will celebrate their 10th year together as a team by that name on March 19. Their program that evening will shift from Palm Springs to Hollywood, with appropriate ceremonies planned. . . . O. B. Hanson had a tooth yanked yesterday. . . . Aaron Stein's mystery book, "Murder on the Nose," will be reviewed by Doris Smith and Bill McGrath over WNEW Tuesday. Stein, radio editor of the *New York Post,* writes his mysteries under the pseudonym of George Bagby.

+

Beverly Reid has been added to the cast of Alan Kent's noonday show on WNEW. . . . H. V. Kaltenborn will rejoin "Headlines and Bylines" on CBS this Sunday, after an absence, from the air of several months due to illness.

Engineer, Announcer to WHO

DES MOINES, March 10.—Adelbert B. Burdick, formerly of WOC, Davenport, has joined the engineering staff of WHO, replacing Frank Pierce, who is devoting all of his time to the development of facsimile news broadcasting under WHO's experimental license. Glen Parker, formerly of KFJB, Marshalltown, has joined the announcing staff of WHO, taking the place of Harold Grams, who has gone to KSD, St. Louis.

Oldham Featured in Program

COLUMBUS, March 10.—Nason Oldham, one of the oldest vocalists in point of service over WHKC, local Mutual outlet, has teamed with Nelson Starr for a quarter-hour variety program Tuesdays and Thursdays at 9:30 A. M. under the title of "Nason and Nelson." Old time tunes and popular ballads are featured.

New Show Opens Over WHKC

COLUMBUS, March 10.—The "Sunday Players," known as the "Oberammergau of the Air," a series of transcribed radio dramas depicting stories from the Bible, is a new feature on WHKC, at 1:45 P. M. Sundays. The O. R. Woods Funeral Home of Columbus is the sponsor.

$1,000,000 Chorus

George Engels celebrated 10 years as managing director of the NBC artists bureau, yesterday and at a party in the home of Gladys Swarthout he was feted by a $1,000,000 chorus, the members of which sang "For He's a Jolly Good Fellow."

The chorus included Kirsten Flagstad, Elisabeth Rethberg, Gladys Swarthout, Giovanni Martinelli, Lauritz Melchior and Ezio Pinza, all of the Met. Among the gifts for Engels was a silver plaque containing the engraved autographs of 40 famous artists.

FCC Sets Tentative Dates for Hearings

WASHINGTON, March 10.—Tentative dates for hearings on broadcasting applications have been set today by the Federal Communications Commission as follows:

April 8, before an examiner: Applications of the Constitution Publishing Co. for a 1,240-kilocycle station at Atlanta, with 1,000 watts power night, 5,000 watts day, and Four Lakes Broadcasting Co. for an 830-kilocycle, 100-watt daytime station at Madison, Wis.

April 11, before an examiner: Applications of Puerto Rico Advertising Co. for a 780-kilocycle station at Mayaguez, P. R., with 1,000 watts night, 2,500 watts day.

April 12, before an examiner: Application of George W. Taylor Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Williamson, W. Va.

April 13: Application of Garden Island Publishing Co., Ltd., for a 1,500-kilocycle station at Lihue, Hawaii, with 100 watts power night, 250 watts day.

To Hear Yakima Plea

April 14, before the commission: Applications of Shirley D. Parker for a 1,310-kilocycle station at Yakima, Wash., with 100 watts night, 250 watts day; Colonial Broadcasting Co. for a 620-kilocycle, 1,000-watt station at Morristown, N. J.; Evening News Press, Inc., for a 1,500-kilocycle station at Port Angeles, Wash., with 100 watts night, 250 watts day; Platt & Platt, Inc., for a 1,000-kilocycle, 1,000-watt station at Poughkeepsie, and WAAB, Boston, for increase of night power from 500 to 1,000 watts.

April 15, before an examiner: Applications of KOMA, Oklahoma City, for increase of power to 10,000 watts: WKBW, Buffalo, for increase of power to 10,000 watts; WGR, Buffalo, for increase of power to 1,000 watts night, 5,000 watts day; WBIG, Greensboro, N. C., for increase of power to 1,000 watts night, 5,000 watts day; WCBA, Allentown, Pa., for increase of power to 1,000 watts: WSAN, Allentown, for increase of power to 1,000 watts.

To Audition Jones and Hare

Billy Jones and Ernie Hare, whose programs for the Interwoven Sock Co. years ago earned them the name "Interwoven Pair," will audition for the same company this week for a network program. Frank Novak's band will audition with them.

NBC Program Starts March 14

"Mother-in-Law," a new 15-minute script series, will be introduced on NBC March 14. Written by Elizabeth Todd, the series will be heard Mondays through Fridays over the Blue at 1:30 P. M.

Will Add Three Stations

Allis-Chalmers Manufacturing Co., currently sponsoring a Saturday 10:30 P. M. program on a split NBC-Blue network, will add three stations effective this week. They are KGIR, KGHC and KIDO.

"Poetic Melodies" Replaced

"Sing and Swing," with Jack Fulton, the Andrew Sisters and an orchestra, will replace "Poetic Melodies" on CBS for the Wrigley Co.

Talks to Himself

San Francisco, March 10.—Rush Hughes, whose daily "Hughes Reel" commentary is on coast-to-coast from KPO, rented an office in a downtown building to write and rehearse his programs.

Soon after Hughes moved in one of the tenants phoned the office of the building, complaining that the adjoining room was occupied by a man who did nothing but "talk to himself."

It was Hughes practicing his show aloud!

Examiners Favor 3 Increases of Power

WASHINGTON, March 10.—Granting of the applications of WGBI, Scranton, for increase of night power from 1,000 to 5,000 watts; KMLB, Monroe, La., for change of frequency from 1,200 to 620 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts, and WLAK, Lakeland, Fla., for an increase of day power from 100 to 250 watts, has been recommended in reports submitted by its examiners to the Federal Communications Commission.

Granting of applications was also recommended in the cases of the Cumberland Broadcasting Co. for a 1,340-kilocycle, 250-watt daytime station at Fayetteville, N. C.; Thomas J. Watson for a 1,240-kilocycle, 1,000-watt station at Endicott, N. Y.; Hampden-Hampshire Corp. for a 1,240-kilocycle station at Holyoke, Mass., with 500 watts night, 1,000 watts day; Louis P. Thornton for a 1,500-kilocycle station at Baker, Ore., with 100 watts night, 250 watts day; Floyd A. Parton for an 1,170-kilocycle, 250-watt daytime station at San Jose, Cal., and Sam Houston Broadcasting Association for a 1,500-kiolcycle, 100-watt daytime station at Huntsville, Tex.

Other reports recommended denial of the applications of O. C. Burke, Dickinson, Tex.; Odessa Broadcasting Co., Odessa, Tex., and Citizens Broadcasting Corp., Schenectady, for authority to construct new stations.

Union Protests FCC Air Operator Ruling

The American Radio Telegraphists' Association, C.I.O. union, yesterday filed a protest with the Federal Communications Commission charging that the F.C.C., by issuing an order which would permit third class radio operators to operate radio telephone stations endangering the lives of passengers on the nation's airlanes. The new F.C.C. ruling will become effective April 1.

The A.R.T.A. officially has requested the F.C.C. to hold the rule in abeyance until the commission holds a public hearing and permits the union to be heard on the question.

Rose Marie Program to Start

Rose Marie, formerly "Baby" but now 15 years of age, will begin a new series Monday on the NBC-Blue from 7:30 to 7:45 P. M., and Mondays and Wednesdays thereafter at the same time.

Ask Permission to Change Frequencie

WASHINGTON, March 10.—Plans fo an exchange of frequencies betwee WOV, New York, and WPG, Atlantic City, which would involve th elimination of WBIL, New Yorl have been set before the Federal Communications Commission for consideration.

The application of WOV seek change of frequency from 1,1[illegible] t 1,100 kilocycles, increase of powe from 1,000 to 5,000 watts and chang of hours of operation from daytime t unlimited, taking over the present facilities of WBIL and WPG, contingent upon the granting of WPG's application for change of frequency fro 1,100 to 1,130 kilocycles. WOV woul move its transmitter from Secaucus t Kearny, N. J., and WPG would mov its transmitter from the Atlantic Cit airport to a point near Conovervill N. J.

Application for authority to construct a new 1,420-kilocycle station a Utica, has been resubmitted by Utic WUTK, Inc., seeking 100 watts powe at night, 250 watts day.

The commission also has been aske for an increase of night power fro 500 to 1,000 watts by WAWZ, Zarephath, N. J.

Programs to Egypt Are Started by CB

A series of directional transmissio to Egypt has been undertaken b CBS's short wave station, W2XE, t determine the feasibility of relayin CBS programs over regular Egyptia radio facilities.

The program has been attempte because of the reports to A. B. Chamberlin, CBS chief engineer, by E. Cohan, CBS engineering director, wh is now in Cairo attending th World Telecommunications Conferenc Cohan reports the signal strength o W2XE in Egypt to be exceptional.

To Discuss Child Cultural Aids

The contributions of radio and th screen to the cultural life of childre in America will be discussed ov WQXR Saturday at 5:30 P. M. b Mrs. Dorothy L. McFadden, found and director of Junior Programs, Inc a non-commercial organization d voted to fostering better entertai ment for children.

Gielgud Is Signed by NBC

Val Gielgud, chief of dramatic pr ductions for the BBC, who is now e route to this country, has been e gaged by NBC to direct a special pe formance of "Lepanto" one of his pr ductions. The performance will b broadcast April 27 at 9 P. M. ov the Blue.

Not Flatfeet

New York newspapers described as "detectives" the two men who stood guard at the door of Toscanini's cabin aboard the *Queen Mary* when the maestro sailed for Europe on Wednesday. Actually they were "Sergeants" Leif Eid and Don Goddard of the NBC press and special events staffs, respectively.

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L. 43. NO. 58 NEW YORK, SATURDAY, MARCH 12, 1938 TEN CENTS

Iouse Group To Get Radio Tax Proposal

cFarlane's 10% of Gross Plan to Be Studied

By BERTRAM F. LINZ

WASHINGTON, March 11.—Propo- ls of Representative W. D. McFar- e (Dem.) of Texas for imposition a 10 per cent tax on the gross re- pts of broadcasting stations will be d before the House Ways and eans Committee, it was indicated to- y following the refusal of the House accept them as an amendment to e Administration's tax revision bill.

With almost no debate, the House, a vote of 60 to 30, refused to cept the McFarlane amendment, ter Representative Thomson (Dem.) Illinois expressed opposition to nsidering new taxes which have ver been studied.

"The question of taxing radio oadcasting stations and radio broad-

(Continued on page 4)

adio Award of G. E. gain Won by WEAF

The General Electric plaque, award- annually for the best "on the air" cord among the stations owned and erated by NBC, yesterday was varded to the transmitter staff of EAF, 1937 winners. The trophy as awarded by Chester Lang, Gen- al Electric executive, to Gerald ray, station engineer at WEAF.

The plaque is awarded on the basis the least time off the air due to uipment failures. The record of EAF for 1937 was three minutes d 29 seconds, of which only 10 sec- ds was chargeable to personnel er- rs. WEAF's total time on the air

(Continued on page 4)

oung Program Head f NBC in Hollywood

HOLLYWOOD, March 11.—Another ep in the complete alignment of the BC Hollywood personnel was taken sterday with the appointment of arvin Young to the post of assistant estern division program manager.

Young will act as aide to John wallow, who is in charge of all pro- am activities of the western division NBC. Young has been with NBC nce 1932, coming from the network ation, KFI, in Los Angeles.

More Radio—P. 4

Korda in on Deal For Sale of U.A.

Alexander Korda has "changed his mind" since he left for England about two months ago declaring that he would not seek to revive negotiations for purchase of United Artists control by himself and Samuel Goldwyn, it was said yesterday by Mary Pickford.

The negotiations under way on the coast for purchase of the interests held by Charles Chaplin, Douglas Fairbanks and Miss Pickford include Korda on the buying end with Goldwyn and David O. Selznick, she said.

When Korda departed after the collapse of the previous negotiations, he indicated that the deal was "dead." Miss Pickford would not venture a

(Continued on page 3)

Set 20th-Fox Europe Sales Meeting May 5

Twentieth Century-Fox will hold its annual continental European convention May 5, 6 and 7 in Paris and its British sales meeting in London on May 12, 13 and 14, it was said yesterday by Walter J. Hutchinson, general foreign manager.

Sidney R. Kent, president, and Hutchinson will sail on the *Rex* April 16 to attend both conventions.

Ben Miggins, director for continental Europe, will preside at the Paris convention and Francis L. Harley, managing director for England, will have charge of the London meeting, which will signalize the opening of the British organization's new six-story office building in Soho Square.

May Use News Bldg. For 20th-Fox Shorts

Twentieth Century-Fox will utilize stages in its home office building and space in the Movietone News building for the production of its own shorts program for next season, John D. Clark, general manager of distribution, indicated last night before entraining for the coast. He said that

(Continued on page 3)

Berman V.P. of RKO; McDonough His Aide

HOLLYWOOD, March 11.—Pandro S. Berman, in charge of production at RKO, has been made a vice-president of the company, Leo Spitz, president, stated today upon his arrival here. J. R. McDonough, recently elected a vice-president, will work under Berman in charge of studio finances and business matters, Spitz said.

The Spitz party which arrived today included Berman, McDonough, and Jules Levy.

Grandpa Doing Well

Chicago, March 11.—Having three grandchildren arrive in one week is the record of Clyde W. Eckhardt, branch manager of 20th Century-Fox, whose sons William of Los Angeles and Jack of Chicago each became a father last week, while Mrs. T. Englehardt, his daughter, became the mother of a girl. Grandfather is doing nicely.

Triple Quota Plan To Be Adjusted

By AUBREY FLANAGAN

LONDON, March 11.—It is understood on excellent authority that the Government plans to readjust the new triple quota plan in order to meet the objections of exhibitors. The Swinton amendments of yesterday provided that distributors availing themselves of the plan by which films costing £37,500 in labor expense on an approximate total cost of £75,000 may be counted for three, must limit such films to about 50 per cent of the total footage required.

The amendments also set at £25,000 the figure at which films for the triple quota could be acquired outside the country. The minimum on films under the reciprocity clause was reduced to £15,000.

However, it is believed that such adjustments will be made as to eliminate exhibitor criticism of the act as a whole, and to develop legislation generally acceptable to all branches of the trade. It is expected that the committee stage will be concluded Monday.

Jack Cohn Host at Anniversary Party

A large section of the New York film world will be among the 200 guests of Jack and Mrs. Cohn at the Savoy-Plaza tonight in celebration of their 25th wedding aniversary.

Among the guests are Louis and Mrs. Astor, Barney and Mrs. Balaban, John and Mrs. Balaban, David and Mrs. Chatkin, Phil and Mrs. Dunas, Joseph and Mrs. Friedman, Sam Galanty, Murray and Mrs. Garsson, Hal and Mrs. Hode, Rube and Mrs. Jackter, William B. and Mrs. Jaffe, Mitchell and Mrs. May, Joseph and Mrs. McConville, Abe and Mrs. Montague, Charles Moskowitz, Herman and Mrs. Robbins, Sol A. Rosenblatt, Abe and Mrs. Schneider, Charles and Mrs. Schwartz, Mrs. George Skouras, Spyros and Mrs. Skouras, Jack Skirball, Nate Spingold, W. G. and Mrs. Van Schmus, Joseph Vogel, Louis and Mrs. Weinberg, Max and Mrs. Weisfeldt.

Court, Irked, Demands More Speed on RKO

Wants "Proper Progress" Within 10 Days

Refusing to grant more than a 10-day postponement of the hearing on the RKO reorganization plan scheduled for yesterday, Federal Judge William Bondy advised attorneys for the proponents of the plan that "proper progress" would have to be reported on March 21 or the court would not countenance further delay in the reorganization of the company.

Hamilton C. Rickaby, attorney for Atlas Corp., the proponent of the plan, requested an adjournment to April 1, advising the court that the amended reorganization plan would probably be ready for submission at that time. Judge Bondy refused the request and voiced impatience over the continued delay. Rickaby had informed the court at the last hearing two weeks ago that amendments to the plan would be completed in a week and would be in form to submit to the court by yesterday. While a program of amendments to the plan have

(Continued on page 3)

Mendelssohn Retires From Film Business

Felix Mendelssohn, M-G-M branch manager in Chicago, is retiring from business, it was said by the home office yesterday. Pending the appointment of a successor, the office will be in charge of S. A. Shirley, district manager.

Mendelssohn has been with M-G-M for 12 years, having joined the company in 1926 as branch manager in Philadelphia. Later he was transferred to Chicago. He was president of the Film Board of Trade in that city for three years. He started in the industry in 1917 as branch manager for World Film in Cincinnati and was nine years with Samuel Goldwyn before joining M-G-M.

Ascap Bill Appears In Senate at Albany

ALBANY, March 11.—A companion bill to the anti-Ascap measure introduced Tuesday by Assemblyman R. Foster Piper has been presented by Senator Joe. A. Esquirol, chairman of the General Laws Committee, where the bill will be directed.

Piper's Ascap bill was referred originally to the Judiciary Committee,

(Continued on page 3)

MOTION PICTURE
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Mrs. Kalmus to Britain

Mrs. Natalie Kalmus, adviser on Technicolor films, sailed for London last night. She said she would be abroad six months during which she would handle the color work on two films for Herbert Wilcox, "Victoria and Albert" and "Lady Hamilton" and four other films, including Alexander Korda productions. She also will advise on production of color films for Paris studios. Korda has made commitments for six Technicolor films. Mrs. Kalmus is head of the company's color control department. Dr. Herbert T. Kalmus plans a trip to London in May.

Kane Sails for England

Robert T. Kane, head of 20th Century-Fox production in England; William P. Conselman, writer, and Monty Banks, director, sailed last night on the *Bremen* for England to start the new program of six films. They arrived in New York yesterday after coast conferences with Darryl F. Zanuck.

Universal Signs Four

Hollywood, March 11.—Universal has signed the following to contracts: Helen Parrish, child actress; Edward Ludwig, director, and Jacques Deval and Irmgard Von Cube, writers.

Hollywood Preview

"The Crime of Dr. Hallet"

(*Universal*)

Hollywood, March 11.—Universal's "The Crime of Dr. Hallet" is not ordinary entertainment. With proper showmanship, this story of a scientist in the Sumatran jungles, seeking to benefit mankind by finding an antitoxin for "red fever," and his devotion to his duty even to committing a crime the results of which condone it, has possibilities of climbing notches above the expected returns. Modifications of the exploitation campaigns which made "Arrowsmith" a box-office champion in 1932 can be used with good effect.

Nevertheless, the story, direction and editing, plus competent performances by Ralph Bellamy, Josephine Hutchinson, William Gargan, Barbara Read and John King, provides good entertainment. The obvious weight of the drama is lifted by injection of comedy in the Lester Cole-Brown Holmes adaptation of the original story by Cole and Carl Dreher. This is Dreher's first screen story credit since he deserted the ranks of Hollywood's top sound and patents men for writing. S. Sylvan Simon directed and Edmund Grainger produced.

Bellamy, as "Dr. Hallet," assigns his young assistant, John King, to menial tasks at the jungle laboratory and rebuffs the youth when the latter attempts to tell him of his own experiment to find "red fever" antitoxin. King innoculates himself with fever germs, hoping to win the respect of Bellamy, but Bellamy's cure fails. Before he dies King mumbles that he himself has discovered the antitoxin, but Bellamy thinks he is delirious. Bellamy discovers King's notes, and assumes his identity to carry on the experiments. He forges King's name to get funds to carry on. King's wife turns up and exposes Bellamy, but the experiments are successful, King draws posthumous credit, and Bellamy finds love with Josephine Hutchinson, another of his assistants.

Running time, 68 minutes. "G."

"Chicago" to Close 7-Week Loop Run

Chicago, March 11.—After a seven-week run at the Apollo "In Old Chicago" will close a very profitable roadshow engagement tomorrow before returning to the Loop at popular prices. The Roosevelt will play the picture starting March 25, for the initial popular priced run in the Loop.

Another Loop booking just set is the moving of "A Yank at Oxford" into the Apollo following two weeks at the United Artists. "Sally, Irene and Mary" will go into the Chicago next Friday. "Rebecca of Sunnybrook Farm" will go into the Roosevelt on the same date.

Because of many holdover engagements in Loop theatres the past few months it is reported that Balaban & Katz are planning to start double features in the Apollo before long. B. & K. have a number of percentage pictures ready for release in the Loop and also a number of "B" pictures that should have openings there.

Booker's Father Dead

Cincinnati, March 11.—Henry V. Fettick, 59, father of George Fettick, booker for Southio and Midhio Theatres, Inc., died suddenly tonight of a heart attack while driving his auto. His widow and another son survive.

G. N. Gets English Film

Grand National will handle the American distribution of "He Loved an Actress," English film produced by William Rowland. Lupe Velez, Wallace Ford and Ben Lyon are featured.

Estes Back from South

Chicago, March 11.—Joe Estes, sales promotion manager for Filmack Trailer Co., has returned from a five-month sojourn in the south.

Reserves Ruling in Loew Holders' Suit

Decision was reserved by Justice Aaron J. Levy yesterday on a motion by Loew's, Inc., to consolidate the six stockholders' actions against directors and officers of the company, which seek an accounting for alleged acts of "mismanagement, waste and extravagance."

Principals in five of the stockholders' suits agreed to the designation of Emil K. Ellis, attorney for Bernard Epstein, who brought the first suit against the company, as principal counsel in the consolidated action. The sole objection to the designation was filed by Harry Bijur, attorney for Hannah Goldstein, a plaintiff. Bijur said other stockholders were joining in the action he represented.

An examination before trial of Loew's officials was begun yesterday with Leopold Friedman the first to be questioned. Trial of the actions is expected this spring.

Win Plagiarism Suit

Los Angeles, March 11.—A Superior Court jury yesterday awarded a judgment of $10,000 against the M-G-M studio and Loew's, Inc., to Henry Barsha and David Weissman, writers, who had charged plagiarism in situations and dialogue in the Marx Brothers film, "A Day at the Races." Charges against the Marx Brothers had been dismissed.

M-G-M Testing New Tint

Hollywood, March 11.—M-G-M's "The Girl of the Golden West" may introduce a new toning effect, pastel shade, if the process is perfected in time. The new toning is a blending of delicate colors which does not present the hardness of black and white nor the dullness of the sepia platinum tone, according to J. M. Nickolaus, who is in charge of the work.

Purely Personal

MARY PICKFORD is spendin the weekend with her husband Buddy Rogers, in Philadelphia, wher he opened a three-week engagemen last night at the Arcadia ballroom She expects to remain east about thre more weeks.

●

Joseph Friedman, Columbia European manager, will leave for the coas early next week for a few days' visi at the Columbia studio. Friedma will return to his London office i about three weeks.

●

E. C. Rhoden, Fox Midwest division manager, and Mrs. Rhoden lef last night for Kansas City. They ar rived here early this week en rout from a Florida and Nassau vacatio

●

Joe Clemmons, Martin Mulli Sam Pinanski and Harry Davi left New York yesterday after sever days of conferences with Y. Fran Freeman, Paramount theatre head.

●

John Joseph, Universal advertisi and publicity director, will return t New York from the studio next wee Nate Blumberg is remaining at th studio for a matter of weeks yet.

●

Gene Murphy of Loew theatr publicity department left last nig on a TWA plane for Chicago to vis his father, who is ill. He is expect back Monday.

●

William Phillips, executive United Artists Theatre Circuit, r turned to his desk yesterday, havi arrived from a Mediterranean cruise

●

Cecil B. DeMille has been a pointed a commodore of the Tex navy by Gov. James V. Allred, recognition of his production, "T Buccaneer."

●

Harry Goldberg of Warner Th atres has returned from a vacati cruise to the West Indies.

●

Sonja Henie will leave Tuesd for the coast, where she will sta work on "They Met in College."

●

A. Schneider, Columbia treasur returned yesterday from a thr weeks' visit at the studio.

●

Joseph A. McConville, Columb foreign manager, returned yesterd from a Miami vacation.

●

John and Elmer Balaban a J. J. Rubens will leave New Yo today for Chicago.

●

Ben Piazza will leave by mot soon for Florida from where he w head for the coast.

●

William Kupper of 20th Centur Fox left last night by American A lines for Dallas.

●

June Clyde and Gertrude Niesi will sail today on the *Paris*.

●

Cliff Reid, RKO producer, left f the coast yesterday.

●

Robert Gillham is due in from t coast today.

ourt, Irked, emands More peed on RKO

(*Continued from page 1*)

n completed, indications are that ex-ded negotiations with important creditors will be required to ob- approval of them, and there ap-rs to be little possibility at this e that the required approvals can had prior to the next hearing on rch 21.

bjections to the new adjournment the hearing were voiced by Nathan senberg, attorney for holders of 40,000 of RKO debentures, who ggested to the court that "it might better to liquidate the business in w of the declining market, than to e further delay in the reorganiza-n."

udge Bondy told Rosenberg to epare a brief on the matter and court would receive it.

Joseph Cohen, attorney for the in-pendent stockholders' committee, op-sed the suggestion for a liquidation, serting that a declining market was argument against liquidation rath- than for it, insofar as security hold- were concerned.

orda in on Deal For Sale of U.A.

(*Continued from page 1*)

ason why Korda has again become terested, except that he had revoked s earlier decision.

Miss Pickford's coast attorney and isiness representative are handling e negotiations for her while she is the east. She said that there have en no developments since she ar-ved here March 3 when she indicated at tax problems in connection with e transfer of the three-fifths stock ldings are delaying a consumma-n.

The moving factor in the present gotiations is Selznick International. hn Hay Whitney is on the coast scussing terms with Dr. A. H. Gian-ni, president of the company, and e partners or their spokesmen.

Fairbanks is expected here next eek en route to London, where, pre-mably, he will confer with Korda the matter.

scap Bill Appears In Senate at Albany

(*Continued from page 1*)

ut, as predicted, was sent to the Rules ommittee without action of any kind ing taken.

A vigorous attack on the measure predicted.

The Quinn-Breitbart bill amending e labor and general business laws in lation to theatrical agencies and bu-eaus is in the Senate Labor Commit-e and Assembly Rules Committee.

Open Metro in Brazil

The new 1,700-seat Metro Theatre Sao Paulo, Brazil, will open March , with "Broadway Melody of 1938" the opening attraction, according the M-G-M home office. It is the rst house theatre in Sao Paulo to e equipped with upholstered seats.

Kennedy to Pathe

London, March 4.—One of the first visits made by Joseph P. Kennedy, American Ambassador to Britain, after arriving in this country, was to Pathe Pictures in Wardour St. Kennedy was at one time president of Pathe in America, and made it his immediate business to renew acquaintance with his old firm.

He also saw a newsreel of himself arriving in this country.

Southio Buys Strand Theatre, Middletown

MIDDLETOWN, O., March 11.—Southio Theatres, Inc., a Paramount subsidiary with headquarters at Hamilton, O., which has been operating the 1,800-seat Strand here under lease, has purchased the property at a reported cost of $500,000. Harry L. Linch, Cincinnati attorney, acted in behalf of the purchasers.

The building, which contains four storerooms and a number of offices in addition to the theatre, has been in the hands of the Guarantee Title & Trust Co., trustee for the bondholders, who took it over from the stockholders a few years ago.

In Para. English Post

LONDON, Feb. 24.—G. Hawkins has been appointed director of publicity and advertising for Paramount in Great Britain. He has for the past nine years been manager of the ad-sales department and supersedes F. L. C. Thomas, who has resigned.

Honor Animation Pioneer

PHILADELPHIA, March 11.—The Pennsylvania Arts and Sciences Society yesterday presented to Caspar W. Briggs on his 91st birthday a scroll honoring him for his invention of animated screen pictures 63 years ago.

Ohio ITO Hits Plan To Drop Sales Levy

COLUMBUS, March 11.—The I. T. O. of Ohio is urging its members to cooperate in opposition to a petition now being circulated throughout the state which would provide for a constitutional amendment forbidding the imposition of a state sales tax.

The I. T. O. points out in a bulletin that the loss of the present sales tax would mean a tremendous loss of state revenue which would have to be made up by other taxes, including a possible heavy increase in the state amusement taxes.

Regents New Appeal Plan Starts Today

A Board of Regents subcommittee will inaugurate a new policy on New York censor appeals this morning by screening "Remous" and "I Vant to Be Alone" at the State Office Building, Center St. The screening will be private and no decision will be announced until later.

The subcommittee includes George J. Ryan, Susan Brandeis and Gordon Knox Bell.

"Murder" at $19,400 Second Strand Week

"A Slight Case of Murder" grossed $19,400 in its second week at the Strand, against $34,000 in the first stanza. It is held for a third week and will be followed by "Love, Honor and Behave."

"The Goldwyn Follies" finished its third week at the Rivoli with a $19,000 gross, compared with $38,000 for the first week and $27,000 for the second.

Drop Trans-Lux Plans

CLEVELAND, March 11.—Plans to build a Trans-Lux theatre in Cleveland have been abandoned, it has been learned from an authentic source. The theatre, to seat 600, was scheduled for construction this spring. The deal for lease of the theatre which was to have been built by the property owner fell

Hollywood Preview

"Bulldog Drummond's Peril"

(*Paramount*)

HOLLYWOOD, March 11.—Paramount's "Bulldog Drummond's Peril," third of the H. C. (Sapper) McNeile stories offered this season, has John Barrymore, John Howard, Louise Campbell, Reginald Denny, E. E. Clive and Nydia Westman again in the roles with which they have become identified to fans of action melodrama films. The latest presentation, the screenplay of which was written by Stuart Palmer, contains more action than the others, and editing by Edward Dmytryk has kept the movement concise. Stuart Walker produced and James Hogan directed.

The pattern plot of the "Drummond" series again forms the basis for this. Howard, as "Drummond," arouses the ire of Barrymore, as "Nielson," in suspecting certain persons of committing crimes before and after the misdeeds are done. Chief among the supporting players are Porter Hall and Halliwell Hobbes.

This time, an unscrupulous diamond merchant seeking to prevent a scientist from making known his formula for producing diamonds by a chemical process forms the main menace. Two persons are killed, one in Switzerland, the other in London. A home is blown up, mysterious things happen in laboratories, but "Drummond" wins out, to plan again his long foiled marriage to "Phyllis Clavering" (Louise Campbell).

Running time, 62 minutes. "G."

Ask Bankruptcy Writ Against Chesterfield

LOS ANGELES, March 11.—RKO-Radio Pictures, Inc., RCA Manufacturing Co., Inc., and Smith and Aller Inc. today filed a petition seeking to force Chesterfield Motion Picture Co., headed by George Batchelor, into involuntary bankruptcy. The Federal Court petition alleged that total debts of the company are $50,000 and that Chesterfield owes the plaintiffs more than $15,000. The RKO debt is alleged to be for studio rental of the old RKO-Pathe lot.

Phil Regan Sues on Salary

LOS ANGELES, March 11.—Phil Regan today filed in Superior Court here a suit seeking $18,000 from Republic charging breach of contract. The actor said that under an option agreement he was to star in four pictures this year at $9,000 per picture, that he made two of them and was then discharged by the studio.

May Use News Bldg. For 20th-Fox Shorts

(*Continued from page 1*)

while plans have been prepared for a new structure adjacent to the Movietone News building at 54th St. and 10th Ave., the building may not go up.

S. R. Kent, president; Charles E. McCarthy, advertising and publicity director, and Clark will arrive in Chicago today en route to Hollywood to set the new season's program with Joseph M. Schenck, Darryl F. Zanuck and studio officials. Rerouting of train service from Los Angeles because of conditions resulting from the flood will delay their train connection and they will stay over at Chicago tonight, leave tomorrow morning and arrive in Hollywood Tuesday.

Newsreel at Capital Dinner

WASHINGTON, March 11.—Fox-Movietone presented a lampooning newsreel tonight at the dinner of the White House Correspondents Association. Lowell Thomas and Lew Lehr were featured.

Wall Street

Board Decline Continues

	Open	High	Low	Close	Net Change
Col.	12½	12½	12½	12½	— ¼
Cons.	1¼	1¼	1¼	1¼	— ⅛
E. K.	154	154	152½	152⅝	—1⅝
Loew	45½	45½	44½	44½	—1½
Para.	9	9	8¾	8¾	— ⅜
Para. 2.....	9½	9½	9¼	9¼	— ½
Pathe	5¼	5¼	5⅛	5⅛	— ⅛
RKO	3½	3½	3⅜	3⅜	— ⅛
20th Fox ..	21⅝	21⅝	21⅛	21⅛	— ½
20th pfd. ...	28	28	28	28	— ½
W. B.	5½	5½	5¼	5¼	— ¼

Monogram in Slight Curb Rise

	Open	High	Low	Close	Net Change
G. N.	9/16	9/16	½	½	.....
Monogram	2	2⅛	2	2⅛	+ ⅛
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	18¾	18¾	18⅛	18⅝	— ⅜
Univ. Corp.	2½	2½	2½	2½	.....

Warner Bonds Up a Point

	High	Low	Close	Net Change
Para. Pict. 6s '55	91	90	90	—1½
W. B. 6s '39......	67	67	67	+1

(Quotations at close of March 11)

House Group To Get Radio Tax Proposal

(Continued from page 1)

casters goes into a new field which should be thoroughly studied by the committee charged with raising revenue as well as the committee charged with the regulation of the radio broadcasting industry," Thompson said.

In submitting his amendment, McFarlane launched another tirade against the "radio monopoly," stressing his contention that the broadcasters pay nothing to the Government for the privileges they enjoy under their licenses. At no time, however, did he have hope that the amendment would be accepted off-hand, in view of the unwillingness of the House in the past to go into the subject.

Radio Award of G. E. Again Won by WEAF

(Continued from page 1)

during the year was 6,380 hours and 24 minutes.

Presentation followed a luncheon at Radio City. Officials at the affair were Lenox R. Lohr, O. B. Hanson, Clay Morgan, J. de J. Almonte, George McElrath, Lee Wailes, G. O. Milne and W. J. Purcell.

To Broadcast from Chinatown

San Francisco, March 11.—The clubroom of the Chinese Six Companies, in the heart of San Francisco's Chinatown, will be the scene of Jerry Belcher's "Interesting Neighbors" broadcast Sunday over KPO and the Red network at 7:30 P. M. Leaders of the Six Companies, acting as the "Supreme Court" of Chinatown, will tell Belcher of the intricately organized life of the thousands of Chinese in the United States. The misunderstood subject of tongs will be taken up.

NBC Signs Frank Novak

Frank Novak's orchestra has been signed to conduct the music on five sustaining programs over WEAF and WJZ on Saturdays. The programs are: "Morning Greetings," 7:30 to 7:45 A. M., WEAF; "Rise and Shine," 7:45 to 7:55 A. M., WJZ; "Sunshine Express," 9:15 to 9:40 A. M., WEAF; and two programs with vocalists, Maida Severn and Carol Weyman, both on WJZ.

Gilman in Radio Talk

San Francisco, March 11.—"Behind the Scenes of Radio Broadcasting" is the subject of a talk delivered by Don Gilman, vice-president in charge of NBC's western division, over KGO and western blue network today. The address was made at monthly session of the Commercial Club.

Coast Program Changes Time

San Francisco, March 11.—Changing time and network, Jack Meakin's weekly half-hour swing session will go transcontinental tomorrow night via KPO and the Red network at 10 P. M. Soloists will be Lois Clark and Saunders King.

Mickey Stays

Hollywood, March 11. — Pepsodent today renewed the Mickey Mouse show for seven weeks. It will go off the air May 15 but will definitely return in the fall, the agency stated.

WALA Will Become Affiliated with NBC

Station WALA, owned and operated by W. O. Pape in Mobile, Ala., will become affiliated with NBC's southern group on June 1. WALA will serve as an optional station on either the Red or Blue networks.

WALA is on the air with a day power of 1,000 watts and a night power of 500 watts. It operates on a frequency of 1,380 kilocycles and is the only station in Mobile.

The addition of WALA will increase the total number of NBC affiliates to 147 stations.

Permits Are Asked For 2 New Stations

Washington, March 11.—Applications for authority to construct new stations have been filed with the Federal Communications Commission by the Capitol Broadcasting Co., planning an 1,120-kilocycle, 1,000-watt station at Topeka, and the South Nebraska Broadcasting Co., Inc., seeking a 920-kilocycle station at Hastings, Neb., with 1,000 watts night, 500 watts day.

The commission also has received an application from KELA, Centralia-Chehalis, Wash., seeking an increase of power from 500 to 1,000 watts.

New Series to Start on KFRC

San Francisco, March 11.—A new fortnightly series titled "What Do You Think?" will be inaugurated over KFRC March 23, like University of Chicago's "Round Table," and "America's Town Meeting of the Air." The program will seek to analyze the meaning behind the headlines. The series will be under the auspices of the School of Social Studies.

Accounts Closed at KFRC

San Francisco, March 11.—New accounts using KFRC, local MBS outlet, include American Pop Corn, Provident Finance, Carter Products, Inc., Weinstein Department Store, Fruzert Co., California Crusaders, Longines watches, Dr. J. C. Campbell, Bekens Van and Storage, Procter & Gamble, Andrew Heater Co. and Lever Brothers.

Lawrence Sponsored on WHKC

Columbus, March 11. — "Happy Larry" Lawrence, who has been airing homey philosophy and songs over WHKC for the past five years, now is being sponsored by the Dollar Crystal Co. of Pennsylvania in a daily program at 7:30 A. M. John Agnew, WHKC staff pianist and program director, is the accompanist.

Named WCKY Studio Manager

Cincinnati, March 11. — Mendel Jones, production and promotion manager of WCKY, has taken over the duties of studio manager.

Radio Personals

Elvira Rios, Mexican singer who appears in the Paramount picture "Tropic Holiday," has been signed by NBC for a series of sustaining programs. . . . Elissa Landi and Fredda Gibson will be the guest performers on the Hammerstein "Music Hall" March 18. . . . It's somewhat confusing to call the Collins office and ask for "Ted." There are three by that name there—Ted Collins, Ted Church and Ted Straeter. . . . Jack Benny will leave Hollywood next Monday for a New York vacation. . . . Felix Knight has been signed for six appearances on the Leo Reisman show.

Drackett Takes Coast Series

San Francisco, March 11.—The Drackett Co., through Ralph H. Jones, Cincinnati, has contracted for a series of programs on KSFO, using a new serial two mornings weekly. "Hello, Peggy," not new to radio, is new on the Pacific Coast.

Axton Fisher Tobacco Co., through McCann Erickson, has placed a summer schedule in San Francisco, using three evening quarter hours weekly. The vehicle for Twenty Grand Cigarettes is to be transcribed, using Joe Rines orchestra, the Pickens Sisters, Morten Bowe and Martin Bloch as master of ceremonies.

Radio Veterans Return to Air

San Francisco, March 11.—Two famous veterans of the airlanes—Captain Dobbsie and Haywire Mac—have returned to western network fans with a morning variety show over KFRC and the Don Lee System stations. Supporting talent includes the Wyoming Cowboys and Rosie and her guitar. Dobbsie's "Ship of Joy" and "wishing well" were coast-to-coast features eight years ago. Haywire Mac was known even earlier. His "Bum Song" was the third greatest phonograph recording seller of all time.

Campbell Joins Radio Sales

Cincinati, March 11. — Wendell Campbell, II, who has been in charge of the Domestic Arts Guild, where the "Meet the Missus" broadcasts are conducted over WKRC, has resigned to join the Chicago office of Radio Sales, the CBS sales representatives.

Shift Cherniavsky Time

Cincinnati, March 11.—Josef Cherniavsky's "Musical Camera," heretofore heard Sundays at 4:30 P. M. over WLW, has been moved to 6 P. M., Sundays. Effective this week the program will be carried also by stations of the NBC-Blue network.

Noble Takes Two Houses

Lincoln, Neb., March 11.—T. B. Noble, Jr., who has the State and Pix in Oklahoma City, has taken over the Kiva and Varsity from Westland Theatres, Inc. The additions may be incorporated as Cornhusker Theatres.

Tibbett, Jepson in "Marietta"

Lawrence Tibbett and Helen Jepson will play the lead roles in the Lux "Radio Theatre" presentation of "Naughty Marietta" over CBS March 28.

Around the Country

Des Moines

Leonard J. Howe, formerly WJBC, Bloomington, Ill., has j the newsgathering staff of WHO Jack L. Neville, former news edit of KVOO, Tulsa, has opened a seri of broadcasts over KSO . . . Fa Speir and Cleo Hoyt, known to rad as "Maids of the Prairie," have r turned to WHO to star in Bobb Griffin's "Sunrise Roundup," heard 6 A.M. Mondays through Friday sponsored by Interstate Nurserie Hamburg, Ia. . . . KRNT's "Nort westerners," heard on the "Hawke Dinnertime," the "Tall Corn Tim programs each morning and on th coast-to-coast hookup of the Mutu Broadcasting System on Saturd mornings, took first honors in the 19 Iowa string band contest held at th Shrine Temple. Natches and h Indian Tribe of Arizona won secon place and WHO's Oklahoma Outla won third.

+

Philadelphia

Ben Alley is back at the micr phone, after two weeks in the hosp tal. . . . Harry Feigenbaum agenc has bought time over WIP for th Goldban Pharmaceutical Co. Th contract is for 13 weeks. . . .Th Schillin Advertising agency ha placed an indefinite contract on WI for six quarter-hours weekly fo Day's Credit Store. . . . WCAU r ceived 7,000 calls for tickets to th Benny Goodman broadcast. Goodma will do his Camel show from the sta tion's audience studio, which sea 250. . . . Shell-Union Oil Co. has r newed "Curiosity Court" over WIP fo another 13 weeks. . . . John Thorp the KYW program department wi take over the station's sports broad casts, replacing Kerby Cushing, wh resigned to handle publicity for Vi lanova College.

+

San Francisco

Dick Newton, KPO pianist-singer has resigned to rejoin the Unite States Army. In the rank of captai Newton will supervise entertainmen for 30 CCC camps in southern Cali fornia. . . . Clyde Coombs, crack NB salesman, has switched to the CB sales staff here. . . "Unspeakable hor rors" uncovered in his career as "G-Man" will be related by Na Pieper, local FBI head, in a series o interviews with Mel Venter of KFRC . . Clifford Souze, KFRC pianist, wil be presented in a formal concer March 17. . . Talent from major loca stations will entertain at the annua ball of the Newspaper Guild on Apri 17. . . Twelve-year-old Dolores Mil lar of San Francisco was one of fou winners in the Tony Wons violin give away.

Jiggs Miller Joins KFAB

Lincoln, March 11.—Jiggs Miller formerly with KFEQ, St. Joseph Mo., is the new program director fo KFAB here, replacing Lyle DeMoss who has gone to WOW, Omaha. Joh Shafer, resigned KFOR program director, will leave March 18 for WKY Oklahoma City.

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V. 43. NO. 59 NEW YORK, MONDAY, MARCH 14, 1938 TEN CENTS

KENT IS READY TO AID ARBITRATION

Does Not Share Fear of Anti-Trust Action If All Join

CHICAGO, March 13.—Sidney R. Kent, president of 20th Century-Fox, and his company stand prepared to cooperate in any sound move for the settling of industry disputes, he said here today before proceeding to the coast with John D. Clark and Charles E. McCarthy for studio conferences.

"There is a feeling among some companies that if they act concertedly to set up conciliation or arbitration machinery, it would be considered collusion in violation of the anti-trust laws," Kent said. "That is not our feeling. We are ready to join with other companies in establishing a system of conciliating exhibitor grievances."

Kent recalled that he had been active in similar trade practice moves in the past few years and said that while he would again give his support to such plans he could not take the leadership because he "could not carry the load." He has been cutting his office hours during recent months for health reasons.

He declared that "some exhibitor organization leaders don't want grievances settled because grievances fur-

(*Continued on page* 4)

Big Pictures Stimulating Key Grosses

Takes for Holiday Week Total $1,582,285

First run key city grosses felt the
imulus of big pictures and the holi-
ay weekend the last week in Febru-
y, the total for 23 cities rising to
1,582,285. This was one of the best
owings since New Year's.

For the first week in March there
as a slight falling off to $1,521,797.
Showings of "Snow White and the
even Dwarfs" have had the peculiar
fect of stimulating other downtown
ouses instead of draining them in a
umber of places. Grosses turned in
y "The Baroness and the Butler,"
Goldwyn Follies," "The Hurricane,"
The Big Broadcast of 1938," "A
ank at Oxford" and "The Buc-
aneer" have contributed to the
ickup.

(*Grosses tabulation on page 7.*)

WOR, Transradio Re-Sign 3 Years

WOR has renewed its contract with
ransradio Press Service for a three-
ear period.

The new contract includes the right
f WOR to use Transradio news in
acsimile work, a new phase of broad-
asting which the station entered on
Feb. 10. It also provides for increased
ervice to WOR immediately after fac-
imile licenses are granted by the Fed-
ral Communications Commission for
egular transmission of a public na-
ure.

With the renewal of the contract
VOR plans expansion of its present

(*Continued on page* 8)

Servel to Sponsor Time Program Again

The Servel Electrolux Co., which
ponsored the "March of Time" pro-
grams during the spring and summer
ast year when the program was on
CBS, again will take up sponsorship
of the series for a similar term this
ear. The series is now on NBC.

Servel will begin sponsorship some
time next month. The Servel account
s served by Batten, Barton, Durstine
& Osborn.

More Radio—P. 8

Idea Was Good

Tom Waller had a bright idea early last week. He discussed it with the right people at Paramount and they agreed it was good.

So Tom summoned all the newsreel cameramen and a regiment of still cameramen and gave a chimpanzee a screen test at the Central Park Zoo. The idea—according to Tom—was to find a successor to Jiggs, the Paramount chimpanzee which appeared in "Her Jungle Love."

The stunt received plenty of space. Two newsreels carried it—Movietone News and News of the Day. Paramount News didn't touch it.

Pathe News Lab to Be Completed Soon

Pathe Film's service laboratory in the Pathe building on 45th St. is being completed and is expected to be opened in about three weeks. The laboratory will be an auxiliary to the Pathe laboratory at Bound Brook, N. J., and will handle Pathe News negatives and first prints, as well as work for outside companies. Release prints on Pathe News will continue to be handled at Bound Brook.

The laboratory will be on the 12th floor of the building. Charles Tronolone will be in charge. Trailer-Made, Inc., new trailer company, expects to sign a print contract with Pathe Film this week.

Columbia Sets New Sales Drive Record

Columbia has exceeded its former all-time high sales mark by 491 accounts during the current "Montague Good Will Campaign," the company's district managers were told by A. Montague, general sales manager, at the conclusion of a three-day meeting here yesterday. The company's sales drive began Jan. 15 and will reach the half-way mark tomorrow.

The district managers were also informed that a new all-time record for the company's billings and collections has been set during the past

(*Continued on page* 6)

Columbia and Jean Arthur End Dispute

HOLLYWOOD, March 13.—Harry Cohn, Columbia president, stated that the studios's differences with Jean Arthur, which led to court action enjoining her from accepting an assignment from any other producer, were settled amicably today.

The Columbia star will return to the lot at once, it was said.

Universal May Put New Men on Board

Three new members are expected to be elected to the Universal Pictures Co. board of directors to represent holders of the company's first and second preferred stock at the annual meeting of Universal stockholders in Wilmington tomorrow. All present members of the board who are now representatives of the common shareholders are expected to be reelected.

The three vacancies on the board were created by the recent resignations of Meyer Schine and Willard S. McKay, representatives of the first preferred holders, and R. H. Cochrane, representative of the second preferred holders. It is understood that none of the three have consented to be candidates for reelection and, inasmuch as the company has not solicited proxies of the preferred holders, it is regarded as likely that three of the present directors representing the common may be reelected to the board as representatives of the preferred, and the others continued as representatives of the common.

Nate J. Blumberg, Universal president, and Ottavio Prochet have been added to the board since Jan. 1. Other members include J. Cheever Cowdin, chairman; Budd Rogers, Charles R. Rogers, Paul Brown, William Freiday, D. C. Collins, C. N. Taylor and Daniel Sheaffer.

Fear Japs to Extend Manchukuon Control

Fear that the Japanese may turn over to the Manchukuo film monopoly a free hand in extending its activities to all Chinese territory under Japanese military occupation is being expressed by foreign departments of the film companies here. The worry is based on the fact that as the Japanese have added territory, the Manchukuo

(*Continued on page* 6)

Ontario Pact Covers Weekend Features

TORONTO, March 13.—Under an arrangement between the Motion Picture Distributors Association of Canada and the Toronto Home and School Association, weekend features at any local theatre may be changed without expense to the exhibitor on protest from the home and school body that

(*Continued on page* 6)

Mass. to Consider 2 Bills on Censorship

BOSTON, March 13.—The Committee on State Administration of the Massachusetts legislature has taken under consideration in executive session two proposed censorship bills introduced recently.

Today's move followed a public hearing in which Joseph Brennan of Allied Theatres of Massachusetts pleaded the case of the industry, saying that present censorship regulations as well as the industry's self-regulation are adequate.

Dual Fight Spreads To Wisconsin Town

FOND DU LAC, Wis., March 13.—The double feature fight has reached this city, with the Jefferson School and Roosevelt Junior High School Parent-Teacher Associations opposing the duals. Action by the latter group was taken following a survey which showed that one-third of the seventh grade pupils who attend evening film shows spent an aggregate of

(*Continued on page* 6)

MOTION PICTURE
DAILY
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STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
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VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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All New Films Are Approved by Legion

All of the 17 new pictures reviewed and classified by the National Legion of Decency for the current week have been approved, 13 for general patronage and four for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Adventures of Chico," "Adventures of Marco Polo," "Bulldog Drummond's Peril," "Code of the Ranger," "La Contessa di Parma" (Italian), "The Crime of Dr. Hallet," "Generals Without Buttons" (French), "Her Jungle Love," "Lancieri di Savoia" (Italian), "Maid's Night Out," "Prairie Thunder," "Rebecca of Sunnybrook Farm," "Where Trails Divide." Class A-2, Unobjectionable for Adults: "Ball im Metropol" (German), "First Hundred Years," "Gewitter in Mai" (German), "Prison Nurse."

Approve Sunday Shows

Meriden, Conn., March 13.—Sunday vaudeville has been legalized by a new city ordinance, and Loew's, Inc., has changed the recently-inaugurated Saturday vaudeville at the Poli to Sunday.

Insiders' Outlook

SOME weeks back P. J. Wood, business manager of the Ohio I.T.O., stated that passage of the Neely bill would not prevent buying of films in blocks, or groups.

Now Abram F. Myers, replying to S. R. Kent, writes: "The ghost that has been conjured up to frighten little children is that the bill, if enacted, will compel (or result in) the selling of finished pictures one at a time. It would be a strange thing if this requirement were found in the bill because it was drawn with great care to avoid any such result."

▼

Sec. 3 (1) of the bill reads:

> *"It shall be unlawful for any distributor of motion picture films in commerce to lease or offer to lease for public exhibition films in a block or group of two or more films at a designated lump-sum price for the entire block or group only and to require the exhibitor to lease all such films or permit him to lease none; or to lease or offer to lease for public exhibition films in a block or group of two or more at a designated lump-sum price for the entire block or group and at separate and several prices for separate and several films, or for a number or numbers thereof less than the total number, which total or lump-sum price and separate and several prices shall bear to each other such relation (a) as to operate as an unreasonable restraint upon the freedom of an exhibitor to select and lease for use and exhibition only such film or films of such blocks or group as he may desire and prefer to procure for exhibition, or (b) as tends to require an exhibitor to lease such entire block or graup or forego the lease of any number or numbers thereof, or (c) that the effect of the lease or offer to lease of such films may be substantially to lessen competition or tend to create a monopoly in the production, distribution, and exhibition of films; or to lease or offer to lease for public exhibition films in any other manner or by any other means the effect of which would be to defeat the purpose of this Act."*

Mr. Kent says it would be necessary to sell films individually. Mr. Myers says it wouldn't. What the courts will say about it is anybody's guess. There's the language of the act, anyway.

▼

That disputed section on synopses reads:

> *"It shall be unlawful for any distributor of motion-picture films in commerce to lease or offer to lease for public exhibition any motion-picture film over 2,000 feet in length unless such distributor shall furnish the exhibitor at or before the time of making such lease or offer to lease a complete and true synopsis of the contents of such film. Such synopsis shall be made a part of the lease and shall include (a) an outline of the stary, incidents, and scenes depicted or to be depicted, and (b) a statement describing the manner of treatment of dialags concerning and scenes depicting vice, crime, or suggestive of sexual passion."*

Mr. Kent says synopses can't be written before a picture is finished. Myers says there's nothing to worry about on synopses unless producers KNOWINGLY make a false statement therein.

The M.P.T.O.A. says there'll be retail selling and retail prices.

▼ ▼

The air is filled with charge and counter charge. The Government is called upon to control industry practices. But what can the Government do that the theatreman cannot do to bring more people to the theatre? Laws may be passed, but Federal regulation will not remove the most dangerous obstacle in the way of continued industry progress—the failure to properly merchandise pictures at the box-office.

This is strictly a matter between exhibitor and distributor. Little enough is being done about it.

Showmanship is being neglected. Good pictures with plenty of selling material are allowed to come and go without a nod while those who should be working to get every possible dime are wasting time in argument. It's a cinch to blame everything under the sun for falling grosses. It's another thing to believe that more business can be had, and so believing, to go out and get it.

It may be assumed with safety there are at least 50 features released annually which, thoroughly promoted in all situations by competent theatremen, would each bring in an extra $100,000 in grosses—a sizable sum no one is now getting. Five millions of dollars, a conservative figure by expert opinion, is to be had and shared by both exhibitor and distributor.

These extra and necessary admissions are now being lost to the industry and will continue to be lost until showmanship rather than legislation is regarded as the industry's salvation.

▼ ▼

The Museum of Modern Art started something a few months ago by digging up the oldest films it could find and showing them regularly. Schools and colleges began asking for the programs.

Now the Hotel New Yorker is putting them on in its Terrace Restaurant. Little Theatres and others are showing them.

In the good old days custard pies were custard pies; slapstick was slapstick. Now they're art —aged-in-the-can art.

◀ *Purely Personal* ▶

IRVING WILBUR, formerly assistant manager of Loew's Burland in the Bronx, has advised friends from the Will Rogers Memorial Hospital at Saranac Lake that his health is improving. He is expected to get other assignment with the circuit w he completes his recovery.

●

Rodney Bush of the 20th Century-Fox publicity department has been in Chicago for the opening of "Rebecca of Sunnybrook Farm." Christie Wilbert has left for St. Petersburg, Fla., to handle the opening of "Rawhide" on March 23.

●

Stacy and Horace Woodard, producers of "The Adventures of Chico," have written a book by that title which will be published by Stackpole Sons in April.

●

Stanton Griffis, chairman of the Paramount executive committee, is expected back from a Florida fishing trip at the end of the week.

●

Lou Hyman, representative for Sol Lesser, has returned to the coast following conferences at the 20th Century-Fox home office.

●

Martin Finkelstein, general manager of Globe Prod., has deferred his return to the coast. He plans to leave the end of this week.

●

Tex Rickards, advertising and publicity director for Motiograph, plans to leave today for Philadelphia.

●

Roger M. Combs, Jr., formerly with American Airlines, has been named to the Chicago executive contact staff of Jam Handy.

●

Y. Frank Freeman, Paramount theatre head, will go to Miami on a brief business trip at the end of the week.

●

Neil F. Agnew, Paramount distribution head, plans to leave for a studio visit within the next few days.

●

Eddie Mannix, M-G-M production executive, is on a West Indies cruise. He sailed Friday.

●

Louis Shanfeld, art director for 20th Century-Fox, is vacationing in the South.

●

T. P. Loach, treasurer of Pathe Film Corp., will return this week from Florida.

●

Harry Goetz arrived in New York from the coast yesterday.

●

David Bader will leave for Hollywood today.

A *Sweetheart* of a LOVE STORY!

MY OLD KENTUCKY HOME

"Fine dramatic entertainment . . . deep human interest . . ." — Harrisons' Reports

"Quality is above average in all departments."—Hollywood Reporter

"Can carry its own in many of the more important outlets."—Variety

"Singing of Hall Johnson choir excellent . . ." —Film Daily

A MONOGRAM PICTURE
WITH
EVELYN
VENABLE
GRANT RICHARDS
CLARA BLANDICK
BERNADENE HAYES

•

Supervised by E. B. DERR
Directed by LAMBERT HILLYER
Produced by CRESCENT PICTURES CORP.
Associate Producer FRANK MELFORD
Story & Screenplay by JOHN T. NEVILLE

HEAR THE
HALL JOHNSON
CHOIR SINGING
STEPHEN FOSTER'S IMMORTAL MELODIES

MONOGRAM PICTURES

Variety Club

Buffalo

Buffalo, March 13.—James S. Naples of the U. S. Internal Revenue Department dropped in on the barkers at their first March king-for-a-day luncheon and lectured at some length on the problem of tax payments.

Phil Lavene and Alan Weisman acted as joint and jolly monarchs. Committeemen reported the club's first annual charity show set for March 13 probably would be a sell-out.

Vincent R. McFaul has been appointed general chairman of the affair and Ed Wick master-of-ceremonies. Twenty local acts have volunteered to perform. Showmen will use the proceeds to give hospital shut-ins a series of motion picture screenings.

Des Moines

Des Moines, March 13.—G. Ralph Branton, president of the Variety Club, has named the following committees for 1938:

House, Lew Levy, chairman; Harry Hersteiner, L. C. Friedman; entertainment, W. V. Toney, chairman; Art Stolte, Emil Franke.

The club has plans for social and charity affairs to be held in the near future.

Detroit

Detroit, March 13.—Seven resident and two non-resident members have been added to the roster of the local Variety Club. They are: Resident, Jack Thompson, Paramount; E. C. Schriver, Erpi; Ben Wachnansy, Bijou; Harold Sandelman, M-G-M; Floyd Crysler, M-G-M; Sam Ackerman, East Side, and Jack Zide, Monarch Pictures; Non-resident—Robert L. Lohmer, Hennies Bros. Shows, and Lee Ward, Mt. Pleasant, Mich.

Kansas City

Kansas City, March 13.—To the tune of Borrah Minevitch and his Rascals, the barkers diner before initiating Lawrence Parrott, John Graham, Harry Kaffney, B. W. Chipman and William E. Gregory. Senn Lawler, chief of the entertainment committee, provided the Minevitch entertainment.

The luncheon tomorrow will feature Tom Collins, Sunday editor of the Kansas City *Journal-Post.*

Minneapolis

Minneapolis, March 13.—Appointments to committees to serve during 1938 for the Twin City Variety Club have been made by W. A. Steffes, recently elected chief barker.

The committees are:

Membership—Fred Abelson, Don Woods, J. L. Stern; entertainment—W. L. Hamilton, Gil Nathanson, Ted Aber, M. Frosh, Joe Podoloff, Ray Wiley; house—George Granstrom, Frank Mantzke, Harry Dryer; charity—Theodore L. Hays, Bob Workman, Abe Kaplan, J. P. Devaney, A. A. Feinberg, Ben Blotcky, J. Finley, Frank McCormick, W. Watmough, E. R. Ruben; new quarters—E. R. Ruben, N. F. Hall, Harry Dryer, W. Watmough, George Granstrom; sports—E. R. Ruben, Bob Workman, Don Woods, Mike Kelly, Harry Dryer, Al. Feinberg, Ben Blotcky.

New members will be initiated March 28. Consideration is being given to the possibility of taking over the entire 12th floor of the Nicollet Hotel for club quarters.

Hollywood Previews

"Girl of the Golden West"

(*M-G-M*)

Hollywood, March 13.—If this Jeanette MacDonald-Nelson Eddy vehicle doesn't pull and please a profitable proportion of the duo's far-flung public then it will not be because Producer William Anthony McGuire didn't pour into it everything in the great M-G-M bag of tricks. It goes back to David Belasco's stage original for a nucleus, to Liszt and Gounod for music to supplement the Sigmund Romberg-Gus Kahn score, to Robert Z. Leonard's years of directorial experience for safeguard against the faults inherent in the cinemusical format and to the rich M-G-M player roster for a supporting cast with name value.

It packs a lot of entertainment, a wealth of good singing, a great dance sequence staged by Albertina Rasch and some of the best acting the stars have yet achieved.

Walter Pidgeon, Leo Carrillo, H. B. Warner, Noah Beery and Buddy Ebsen are outstanding in the support both as to performances and marquee importance. Half a dozen other names almost as well known denote the general excellence of the personnel. Isabel Dawn and Joyce Degaw wrote the screenplay, which concerns the girl who grows up with the west to fall in love with a goodhearted bandit and play out a losing hand of draw poker with her sheriff suitor with the desperado's liberty and her consent to marriage as the stake. A happy ending is arrived at in this version by the mutual consent of all hands.

Miss MacDonald's handling of the several songs given her is superb, but she gets best audience results with Liszt's "Liebestraume" and Gounod's "Ave Maria." Eddy is at his best with the rousing marching song which brings him into the picture in a manner reminiscent of "Naughty Marietta." Eddy's acting, it is to be noted, is in no sense reminiscent of the things he did in "Rosalie."

Carrillo is top hole as the bandit's lieutenant, the principal comedy role, and Pidgeon handles a western gambler assignment masterfully. Beery is stoutly effective as a Villa-esque brigand, Warner scores as a missionary and Ebsen adds a whimsically sentimental relief. The setting is California in 1850 and the place is still, despite floods and realtors, a pretty handsome place to look at. In a film finished off in the sepia process and shot from all the best angles, the work is a technical treat.

Running time, 120 minutes. "G."

"Bluebeard's Eighth Wife"

(*Paramount*)

Hollywood, March 13.—Paramount apparently determined that the time had come when it should plunge into the current rage for the smart and riotous comedy type of screen attraction, and picked Ernst Lubitsch as the plunger-in-chief. With that skipper at the production and direction helm, it might be expected that the result will be smart entertainment.

For the most part it is, but there are moments when the situations and dialogue become perhaps a trifle too smart, when there is just the slightest tendency to spell "smart" with a "u" somewhere about the middle. Likewise there are a number of moments when the story falls below its own general standard, and it hardly is to be considered the tops of its kind. For all that, however, it contrives to be speedy and zestful entertainment, with an occasional high spot, and should please the patrons in any location.

Perhaps the greatest asset in the production is the cast, which is strongly headed by Gary Cooper and Claudette Colbert, a pair of the best names in the business. They work hard and earnestly—and mayhap too hard at times, but they put their material over. In excellent support are Edward Everett Horton, David Niven, Elizabeth Patterson and Herman Bing.

From the play by Alfred Savoir and an English play adaption by Charlton Andrews, Charles Brackett and Billy Wilder have fashioned a screenplay which makes Cooper a millionaire business man and Miss Colbert the attractive and mentally alert daughter of inpecunious Horton, a French nobleman with as much family and pride as he lacks money. He meets her in a men's shop, to the tune of an astute discussion of the relative value of wearing the top or bottom of pajamas. From that point follows a hectic pursuit, a marriage for money, and a planned divorce, with Cooper trying to break down his wife's resistance, and she returning as good as she receives. It's hectic and lively, but is all square when the curtain rings down.

Running time, 87 minutes. "G."

Kent Is Ready To Assist in Conciliation

(*Continued from page* 1)

nish them with a reason for thei activities."

Kent's reaction to the statement b Abram F. Myers, general counsel c Allied States, in reply to his attac on the Neely bill was that "it bear out my assertions." He took excep tion to Myers' statement that the bi would not compel the selling of fir ished pictures one at a time an maintained that there is such specifi provision.

"No company could stay in busines under the method of selling as prc vided in the Neely bill and I know w wouldn't," he reiterated.

Copies of Kent's analysis of th Neely bill have been sent by 20t Century-Fox to 14,000 exhibitors.

To Talk Neely Bill

New Haven, March 13.—Allie Theatres of Connecticut will meet a luncheon Tuesday to discuss the Neel bill, RKO's terms on "Snow Whi and the Seven Dwarfs" and other in dustry matters. Joseph F. Reed wi preside.

Kent Drives' Awards Won by 832 Employe

A total of 832 employes of 20t Century-Fox have earned prizes the last three S. R. Kent annu drives, and the number of checks di tributed in the various contests ha totaled 1,297, the company disclose

The prize contribution totaled 1 individual awards in 1935, 629 in 19 and 474 in the 1937 competition, tl winners in which were recently an nounced. The wide variance betwee the number of awards in 1935 ar 1936 is accounted for by the fact th there were only four total delive prizes available in the former ye against 15 in 1936. To date the have been five Kent drives conducte

The two prize contests on sales pe formances on the 1937-'38 "Tarzar and Outdoors series will terminate the end of April. Each of the co tests provides for seven prizes, wi $5,000 to be distributed on the Ou doors drive and $2,500 in the "Tarzar contest. These awards are gifts Sol Lesser, producer of the series.

Form Raystan Company

Raystan, Inc., has been formed operate the Earle Theatre, which wa opened last week at 73rd St. and 37 Road, Jackson Heights. Dave Wei stock and Harry Brandt are the pri cipals, and the Brandt circuit is doir the booking. James Pisatia, for fi and a half years assistant manager the Roxy, is managing the Earle.

96th St. Theatre Closed

John Steidle has closed the 96th S Theatre at 96th St. and Third Av Reopening is indefinite.

Woods Named Manage

St. Louis, March 13.—Geor Woods, former division manager f Fanchon & Marco, has been appoint manager of the St. Louis Theatre.

Let 'er Come . . .

The Service Twins can handle it . . .

Theatre advertising coming and going . . . theatre advertising inside and outside . . . theatre advertising that gets them in and brings them back . . .

Theatre advertising with the selling-punch and that infinite variety which spells showmanship . . .

In short . . . chips off the same block . . . Pre-vues on your screen and Lobby-Displays with the "magic touch of showmanship". . .

National Screen Service and National Screen Accessories . . . twins . . . doubles . . . a pair . . .

Color . . . glamour . . . action . . . smash . . . made to sell your show . . . serviced to meet your dates . . . used by forward-looking showmen everywhere . . .

You've got a theatre . . . a lobby and a screen . . . so you need advertising . . .
Let 'er come . . . we can handle it with

ational Screen Service
. . . prize baby of the Industry!

National Screen Accessories . . . *the magic touch of showmanship!*

"Snow White" Cracks Mark On the Loop

Chicago, March 13.—All records for attendance and receipts were broken this week at the Palace by "Snow White and the Seven Dwarfs." Business for the first week totaled $44,000 which was $25,000 above average and more than $6,000 above the house record. The picture opened during the worst snow storm of the year.

Business elsewhere in the Loop was rather spotty with "You're Only Young Once" at the State-Lake doing $600 more than the average $13,000. Ramon Novarro's appearance on the stage helped considerably. Business in theatres having holdover pictures was fairly strong. "In Old Chicago" closed its Loop engagement with a record for film roadshows here. The final week was $8,000, average for the house.

Total first run business was $142,500. Average is $122,500.

Estimated takings:

Week Ending March 10:

"IN OLD CHICAGO" (20th-Fox)

APOLLO—(1,400), 75c-$1.50, 2 shows daily, 7 days, 6th week. **Gross:** $8,000. (Average, $8,000)

"TOVARICH" (W.B.)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Shep Fields and Revue. **Gross:** $28,700. (Average, $32,000)

"GOLD IS WHERE YOU FIND IT" (W.B.)

GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $6,200. (Average, $6,500)

"GOLDWYN FOLLIES" (U.A.)

ORIENTAL—(3,490), 35c-55c-75c, 7 days, 3rd week. Stage: Sylvia Clark and Revue. **Gross:** $17,500. (Average, $18,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)

PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $44,000. (Average, $19,000)

"YOU'RE ONLY YOUNG ONCE" (M-G-M)

STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Ramon Novarro and Revue. **Gross:** $13,600. (Average, $13,000)

Week Ending March 11:

"BARONESS AND THE BUTLER" (20th-Fox)

ROOSEVELT—(1,300), 35c-55c-75c, 7 days, 2nd week. **Gross:** $10,200. (Average, $11,000)

"YANK AT OXFORD" (M-G-M)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $14,300. (Average, $15,000)

Wall Street

Board Issues Decline Slightly

	Open	High	Low	Close	Net Change
Cons.	1¼	1¼	1¼	1¼	.....
Cons., pfd..	5½	5½	5⅜	5⅜	.....
Loew	44⅜	44¾	44¼	44⅝	+ ⅛
Para.	9¾	8⅞	8⅝	8¾	.....
Para. 1.....	85	85	85	85	— ½
Para. 2.....	9	9	9	9	— ¼
Pathe	5	5	4⅞	4⅞	— ¼
R. K. O....	3¼	3¼	3¼	3¼	— ⅛
20th Fox...	22⅛	22¼	21⅛	22¼	+1⅛
W. B.......	5¼	5¼	5	5⅛	— ⅛

Technicolor Up on Curb

	Open	High	Low	Close	Net Change
G. N.......	½	½	½	½	.....
Technicolor.	19	19	19	19	+ ⅜
Univ. Corp.	2½	2½	2½	2½	.....

Warner Bond in Light Rise

	High	Low	Close	Net Change
Paramount Pictures 6s '55.....	89	89	89	—1
W. B. 6s '39.. ...	67¼	67¼	67¼	+ ¼

(Quotations at close of March 12.)

Out Hollywood Way

Hollywood, March 13.—Warners will incorporate ancient magic and alchemy into "Witches' Sabbath," formerly titled "The Return of Dr. X," and which will star Boris Karloff. Dr. Manly Hall, astrologist, and Anthony Coldeway have been assigned to the story.

Hope Hampton's first for Universal will be "The Road to Reno," in which Randolph Scott, Mischa Auer, Alice Brady and Louis Hayward have been cast. . . Madge Evans has been signed to play opposite John Boles in Universal's "Halfway to Shanghai". . . Richard Dix will be teamed with Whitney Bourne in RKO's "Blind Alibi". . . Ben Blue will leave March 21 for a personal appearance tour. . . Melvyn Douglas will play opposite Luise Rainer in "Mlle. Frou-frou," which Richard Thorpe will direct at M-G-M. . .

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Casting—H. E. Cline in "Snug Harbor," M-G-M. . . Libby Taylor in "The Amazing Dr. Clitterhouse," Warners. . . Maurice Murphy, Helen MacKellar and Terry Walker in "Delinquent Parents," Progressive Pictures. . . Richard Denning, Jack Hubbard, Archie Twitchell and Dorothy Peterson in "Crime Gives Orders," Paramount. . . Walter Brennan in "The Texans," Paramount. . . Duncan Renaldo in "Tropic Holiday," Paramount. . . Reginald Denny in "The Adventuress," Wanger . . . Doris Nolan, Lew Ayres, Henry Kolker in "Holiday," Columbia. . . Spring Byington in "You Can't Take It With You," Columbia. . . Larry Blake in "Lady in the Morgue," Universal. . . Patsy Bril and Leonard Penn in "Judge Hardy's Children," M-G-M. . . Herman Brix in "Land of Fighting Men," Monogram. . . Bruce Lester in "Boy Meets Girl," Margaret Hamilton in "Four's a Crowd," and Henry O'Neil in "White Banners," all Warners.

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Writers—Morrie Ryskind has been signed by RKO to write the screen version of "Room Service," Marx Brothers' feature. . . Sig Herzig is working on the script of "The Hottentot," Warners. . . Eddie Anderson and Charles Perry on "The Sharp Shooter," a basketball story. . . William R. Lipman and Horace McCoy assigned to the script of Paramount's "Disbarred". . . Ring Lardner, Jr., on the script of "The Smiling Corpse," Warners.

U. S. Films Leading In Swedish Market

By RAGNAR ALLBERG

Stockholm, March 2.—The United States accounted for 160 of the 334 features released in Sweden during 1937. The year showed no reduction in the domination of the market by American product, but indicated a slight increase in the popularity of French and English film, with a corresponding decline in the importation of German pictures.

A total of 26 features were domestically produced in 1937. The year generally was considered good, and the outlook for the current year is bright. New theatres in the country during 1937 totaled 22, and a great many others have been modernized. The country has a total of 1,800 houses, of which only 370 have performances every day. All are sound equipped.

Svensk Filmundistri, the leading production company in the country, was responsible for 13 of the 26 native films produced. Europa Film produced seven features and a number of shorts, while Ire Film has made six features and several shorts.

To Send Out Records

Hollywood, March 13.—More than 300 theatres now playing "Gold Is Where You Find It" will receive from Robert S. Taplinger, Warner studio publicity head, records of the Weaverville premiere broadcast, for possible use as lobby ballyhoo.

Many Entering Contest

Numerous exhibitors and theatre managers have entered the "Paramount on Parade Around the World" advertising contest, according to Robert M. Gillham, director of advertising and publicity for Paramount, who returned on Saturday from the coast.

U. S. Sent 128 Films To Austria in 1937

Vienna, March 2.—A total of 128 American films were released in Austria in 1937, as compared with 155 in 1936, according to the annual report of the film bureau of the Vienna Chamber of Commerce. The total of releases from all sources for the year was 328, which was 15 less than in 1936.

Germany showed gains with 120 films released, against 112 in the previous year, as did France with 23 releases against 16 and England with 17 as compared with 11. Hungary's contribution was 10, the same as in 1936; Czechoslovakia distributed seven in 1937 and eight in 1936; Poland two as compared with none in the previous year; Switzerland two, against one release in 1936; Sweden, one, as in the previous year, and Russia, one.

Austrian production in 1937 dropped from 23 in 1936 to 15 in 1937.

Dual Fight Spreads To Wisconsin Town

(Continued from page 1)

256 pupil hours per week or 2.6 hours each per week at the theatre.

Eighth grade students, according to the survey, attend the films on an average of once a week and stay three and one-half hours, while slightly over half of the ninth grade group attends evening films. The double feature program is being opposed on the premise that it is injurious to the health of the average child.

At Milwaukee, Mrs. Woods O. Dreyfus, chairman of the better films and radio committee of the Townsend Street P. T. A., in an address before the group, opposed double feature programs and urged support of the Patman bill in Congress.

Fear Japs to Extend Manchukuon Contr

(Continued from page 1)

monopoly has moved in, with result decrease in revenue to American d tributors.

The Film Board of Trade in Chi including all American companies ing business there, has prepared combat extension of the monopo according to word reaching her

However, recently the Ja Government in Tokio undertook mo which indicated that it was not al gether satisfied with the results of monopoly's activities. The promo of the monopoly, who later headed as managing director, has been moved from the post.

All American companies have b out of Manchukuo since the monop was established. Word has co from Tokio that the Government n adjust the situation to permit forei distributors to do business there, the entire matter is in abeyan Japanese military authorities have tablished a censorship for theatres well as newspapers.

Ontario Pact Covers Weekend Featur

(Continued from page 1)

a picture is not considered suitable juveniles.

Under the Ontario Theatres A matinee performances on Saturdays holidays are the only occasions wl juveniles may attend without ad escorts and the adopted cooperat is intended to protect children in th choice of entertainment. One Sat day attraction has already b changed, this being "Wine, Won and Horses" which was replaced the last moment on complaint of M J. A. Shewfelt, chairman of the ra and visual entertainment committee the school organization.

Columbia Sets New Sales Drive Reco

(Continued from page 1)

two months. New season's sales well advanced, it was shown, w more than 2,500 contracts closed, approximately 304 more than w on hand prior to the company's nual sales convention last year.

Jack Cohn, vice-president, joi with Montague in commending sales force on the results of the dr to date. District managers who tended the meeting were Sam M cow, Phil Dunas, Carl Shalit, S Galanty and Nat Cohn.

Sam Badamo Is Honor

New Haven, March 13.—S Badamo, new manager of the Colle was feted by a large number of as ciates and other friends at the Se Gables Inn, and presented a leat bag and seven-piece desk set. M L. Saunders of the Poli, Bridgep was general chairman, and Harry Shaw, Loew-Poli division manag toastmaster.

Penn Newsreel Elects

The following have been elected ficers of the Penn Newsreel Th tre, Inc.; Stanley Heller, preside Joseph Steiner, vice-president; W liam Klein, secretary-treasurer.

oodman Unit Philadelphia Pace-Setter

HILADELPHIA, March 13.—Benny dman with "Swing It Professor" them in at the Earle. The 00 gross was the second highest recorded by the house. The rec- is the $40,000 week of Joe Penner, ined when admission prices were er.

Bringing Up Baby" garnered 000 for its first week at the Boyd. ldwyn Follies" maintained a strong 000 pace at the Aldine and was a fourth week.

he rest of the town felt the effects hese pace-setters.

otal first run business was ,400. Average, except for "In Chicago," is $77,960.

stimated takings for the week end- March 3:

"GOLDWYN FOLLIES" (U.A.)

LDINE—(1,300), 40c-55c-75c, 7 days, 3rd k. **Gross:** $11,000. (Average, $8,160)

'ARADISE FOR THREE" (M-G-M)
(2nd run)

RCADIA — (600), 25c-40c-55c, 7 days. ss: $1,900. (Average, $2,800)

"BRINGING UP BABY" (RKO)

OYD—(2,400), 40c-55c-65c, 7 days. **Gross:** 00. (Average, $14,000)

VING IT PROFESSOR" (Ambassador)

ARLE — (2,000), 25c-40c-55c, 7 days. ge: Benny Goodman and orchestra. ss: $32,000. (Average, $14,000)

"IN OLD CHICAGO" (20th-Fox)

RLANGER—(2,000), 57c-86c-$1.14-$1.71, 7 s, 3rd week. **Gross:** $10,000.

ROMANCE IN THE DARK" (Para.)

OX—(3,000), 40c-55c-65c, 5 days. **Gross:** 0. (Average. 7 days, $14,000)

"THE BUCCANEER" (Para.)
(2nd run)

ARLTON — (1,000), 25c-40c-55c, 7 days, week. **Gross:** $4,000. (Average, $4,000)

BARONESS AND THE BUTLER"
(20th-Fox) (2nd run)

EITH'S — (2,000), 30c-40c-55c, 7 days. ss: $3,000. (Average, $4,000)

"OF HUMAN HEARTS" (M-G-M)

TANLEY — (3,700), 40c-55c-65c, 7 days. ss: $10,500. (Average, $14,000)

INTERNATIONAL SETTLEMENT"
(20th-Fox)

TANTON — (1,700), 30c-40c-50c, 7 days ss: $5,000. (Average, $7,000)

Snow" 2nd Week Oklahoma Winner

KLAHOMA CITY, March 13.—ow White and the Seven Dwarfs" the only first run attraction to do iness. It pulled $6,000 in its sec- week at the Criterion, passing par $800.

ll other downtown spots were w normal—some badly so.

otal first run business was $17,300. erage is $19,200.

stimated takings for the week end- March 5:

SNOW WHITE AND THE SEVEN DWARFS" (RKO)

RITERION—(1,500), 15c-35c-40c, 7 days, week. **Gross:** $6,000. (Average, $5,200)

"INVISIBLE MENACE" (W.B.)
HE LOVED A FIREMAN" (W.B.)

BERTY — (1,200). 10c-20c-25c. 4 days. ss: $2,000. (Average, 7 days, $2,700)

"FIRE OVER ENGLAND" (U.A.)
"SHE ASKED FOR IT" (Para.)

BERTY — (1,200), 10c-20c-25c, 3 days. ss: $300. (Average, 7 days, $2,700)

"SWING YOUR LADY" (W.B.)

IDWEST — (1,500), 10c-35c-40c, 7 days. ss: $3,000. (Average, $4,600)

"PENITENTIARY" (Col.)

TATE—(1,100), 10c-25c-40c, 7 days. **Gross:** 0. (Average, $4,200)

THRILL OF A LIFETIME" (Para.)

OWER — (1,000), 10c-20c-35c, 7 days. ss: $2,000. (Average, $2,500)

Big Pictures Stimulating Grosses in 23 Key Cities

Estimated takings for the latest available periods:

	Week Ending Feb. 25-26		*Week Ending March 4-5*	
	No. Theatres.	*Gross*	*No. Theatres.*	*Gross*
Boston	7	$106,500	7	$92,000
Buffalo	5	47,500	5	47,800
Chicago	8	127,900	8	155,800
Cincinnati	8	58,300	8	66,850
Cleveland	5	67,300	5	54,900
Denver	7	50,500	7	41,250
Detroit	6	96,500	6	82,700
Indianapolis	5	40,500	5	30,200
Kansas City	5	36,900	5	49,700
Los Angeles	11	133,955	11	106,393
Milwaukee	5	33,100	5	31,900
Minneapolis	5	25,600	5	22,700
Montreal	5	36,000	5	46,000
New Haven	4	25,400	4	26,100
New York	9	288,980	9	260,554
Oklahoma City	5	19,400	5	17,300
Omaha	3	23,500	3	19,800
Philadelphia	10	98,300	10	103,400
Pittsburgh	6	58,250	5	61,950
San Francisco	9	72,300	9	79,100
St. Paul	4	14,800	4	20,000
Seattle	7	37,300	7	38,200
Washington	6	83,500	6	67,200
	145	$1,582,285	144	$1,521,797

Key city grosses up to the week ending March 4-5:

Week Ending	*No. Theatres.*	*Gross*
Sept. 3- 4, 1937	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974
Nov. 26-27	138	1,419,301
Dec. 3- 4	136	1,612,773
Dec. 10-11	137	1,300,818
Dec. 17-18	137	1,193,642
Dec. 24-25	136	1,076,657
Dec. 31-Jan. 1, 1938	136	1,597,409
Jan. 7- 8	150	1,852,759
Jan. 14-15	145	1,482,955
Jan. 21-22	149	1,535,087
Jan. 28-29	147	1,528,720
Feb. 4- 5	147	1,593,065
Feb. 11-12	149	1,519,866
Feb. 18-19	149	1,520,357
Feb. 25-26	145	1,582,285
Mar. 4- 5	144	1,521,797

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Changes Numerous In Michigan Houses

DETROIT, March 13.—Theatre changes in this territory during February, as shown by report of Allied Theatres, prepared by Pearl Sprott, general manager, are as follows:

Detroit, Brooklyn, reopened; Brown City, Brown, closed; Harbor Springs, Community, closed; Lake Odessa, Lake, opened by H. H. Chase, new house, Manistee, Ramsdell, closed; Maple Rapids, Elmac, closed; Merrill, Merrill, transferred from V. Barkowski to S. E. Sriers; Monroe, Monroe, opened, new house; Nashville, Star, transferred by Frank Mellon to A. S. Gould; Newaygo, Park, transferred by M. J. Dale to H. Hedler and renamed Valley; New Baltimore, Family, reopened by S. F. Hunt and renamed New; New Buffalo, Buffalo, destroyed by fire; Unionville, Radio, transferred by Elmer McDonald to Mark Norton; Yale, Princess, temporarily closed.

Manager Is Shifted

MONTGOMERY, Ala., March 13.—W. A. Doster, identified with theatrical enterprises here for many years, has become manager of the Strand. He will be succeeded as manager of the Tivoli by Cecil Harwell.

Harry F. Shaw to New Haven

NEW HAVEN, March 13.—Harry F. Shaw, Loew-Poli division manager, has appointed Sam Badamo, manager of the Globe, Bridgeport, to the helm of the College here, succeeding Ben Cohen.

THEATRE ACCOUNTING

by

WILLIAM F. MORRIS
(Certified Public Accountant)

A system devised expressly for keeping a correct tabulation of receipts and expenses.

All the information required by the Social Security Act can be easily and quickly obtained both weekly and for longer periods as the total is accumulated.

TELLS ALL THE FACTS ABOUT YOUR BUSINESS EACH WEEK

- Payroll data for Social Security Taxes.
- Profit at a glance—Daily or Weekly.
- All expenses deducted—including Rent, Taxes and Depreciation.
- Complete record of advance bookings.
- Itemized Schedule of All Assets and Equipment with Table of Depreciation Rates.
- Does not require a bookkeeper to handle it.

$4 ENOUGH FOR A FULL YEAR'S BOOKKEEPING

QUIGLEY BOOKSHOP
Rockefeller Center New York

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER - - NEW YORK
GENTLEMEN:
Please send me WILLIAM F. MORRIS' THEATRE ACCOUNTING. Enclosed find remittance of $4.00.

NAME ....
ADDRESS ....
CITY ....
STATE ....

FCC Releases Hearings List For This Week

WASHINGTON, March 13. — The Federal Communications Commission has released its calendar of hearings on broadcasting applications for the current week, as follows:

March 14, before an examiner: Applications of Mountain Top Trans Radio Corp. for a new 1,310-kilocycle station at Denver, with 100 watts power night, 250 watts day, and WNEL, San Juan, P. R., for change of frequency from 1,290 to 590 kilocycles.

March 15, before an examiner: Applications of WNEW, New York, for increase of day power from 2,500 to 5,000 watts; WAIR, Winston-Salem, N. C., for increase of time from day to unlimited; WGNY, New York, for change of frequency from 1,210 to 1,220 kilocycles and increase of power from 100 to 250 watts, and WFOY, St. Augustine, Fla., for change of frequency from 1,210 to 590 kilocycles and increase of night power from 100 to 250 watts.

Tampa Unit Asks Change

March 16, before an examiner: Applications of King-Trendle Broadcasting Corp. for a new 1,010-kilocycle, 250-watt station at Grand Rapids; WDAE, Tampa, for change of frequency from 1,220 to 780 kilocycles, and WSBT, South Bend, for change of frequency from 1,360 to 1,010 kilocycles and increase of power from 500 to 1,000 watts.

March 17, before the commission: Contesting applications for a 940-kilocycle station of El Paso Broadcasting Co., El Paso, 1,000 watts; World Publishing Co., Tulsa, 1,000 watts night, 5,000 watts day; The Tribune Co., Tampa, 1,000 watts night, 5,000 watts day, and KGKL, San Angelo, Tex., for change of frequency from 1,370 to 940 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 5,000 watts day, and application of Harry Schwartz for a 1,310-kilocycle, 250-watt daytime station at Tulsa; John S. Allen and G. W. Covington, Jr., for a 1,210-kilocycle, 100-watt daytime station at Montgomery, Ala.; Evanston Broadcasting Co. for a 1,020-kilocycle, 250-watt daytime station at Evanston, Ill., and Jules J. Rubens for a 1,040-kilocycle, 250-watt daytime station at Aurora, Ill.

Seeks Increase in Power

WASHINGTON, March 13.—Application for authority to increase its power from 10,000 to 50,000 watts and to change from sharing with KTHS, Hot Springs, to unlimited time, has been filed with the Federal Communications Commission by KRLD, Dallas. The application also sought permission to move the station transmitter from Dallas to Garland, Tex.

Mutual to Get Two Shows

Effective today, Mutual will take two feeds weekly from WFIL, Philadelphia. Tuesdays and Thursdays, 12:30 to 12:45 P. M., "Imperial Hawaiians" will be broadcast, and on Thursdays from 3 to 3:30 P. M., the "Three O'Clock Revue."

No Fermentation

San Francisco, March 13.—Phil Stearns, Federal Radio Project director here, was slated to deliver a "Falstaffian" ode to sherry wine during a KGO interview.

A half-hour before broadcast time the program department (NBC) stepped in, a la the Gen. Hugh Johnson incident, to prevent any mention of sherry, or any other product of the California grape.

Says Muzak Is Not Television Hookup

Warners' purchase of Muzak Corp., which supplies music programs by direct wire to homes and business places from a central station is not intended as an ultimate television hookup for the film company, according to Waddill Catchings, head of Muzak and a Warner director.

Catchings said that experiments with the A. T. & T. coaxial cable between New York and Philadelphia have proved it impractical for television purposes and it will be many years before the proper frequency ranges can be found for direct wire transmission of television.

Warners last December announced purchase of Muzak and that it would also acquire control of Wired Radio, Inc., of which Muzak is a subsidiary. Contracts are still in preparation.

WABC Units Won't Join AFA or ACA

The announcers and producers chapter and the sound effects chapter of WABC, both groups affiliated with A.G.R.A.P., have decided unanimously in a referendum vote against affiliating with either A.F.A or A.C.A.

Results of the out-of-town balloting will be known shortly.

Emory New Research Director of Benton

J. Brooks Emory has been appointed director of research of Benton & Bowles, effective immediately. Emory went to the agency from Ruthrauff & Ryan, where for four years he was assistant copy chief to E. J. Grady, vice-president.

Ann Hunter Goes to WCKY

CINCINNATI, March 13.—Ann Hunter, who has been on WLS, Chicago, for three years, has joined WCKY, NBC outlet, operated by L. B. Wilson.

WOR, Transradio Re-Sign 3 Years

(*Continued from page 1*)

newscasting schedule to include a number of five-minute spots. Within the next few weeks the station will begin a nightly five-minute newscast at "sign-off" time, 1:55 to 2 A. M. In addition, WOR will transmit a similar news period when it opens its transmitter each morning, from 6:30 to 6:35 A. M., with another five-minute spot at 12:30 A. M.

Plans are under way to utilize further and intensify the coverage of news flashes of important happenings in and about the Metropolitan area. Advertising clients of WOR have expressed willingness to cooperate by permitting interruption of their programs for news flashes of local importance.

Shoe Firm Sponsors Coast NBC Program

SAN FRANCISCO, March 13.—International Shoe Co. is sponsoring a variety program, "Peter's Surprise Party," over NBC on the Pacific Coast Sundays at 3:45 P. M.

Gallenkamp Shoe Stores has renewed "Prof. Puzzlewit" over a split Pacific Red network on Sundays from 4 to 4:30 P. M., for 52 weeks. The effective date is March 20. Both accounts are handled by the Long Advertising Service of this city.

Harvey Joins CBS in Chicago

LINCOLN, March 13.—Harry Harvey, who built KFAB 14 years ago and resigned as technical supervisor of KFAB-KFOR-KOIL recently, has joined the CBS engineering staff in Chicago. His first assignment will be synchronization work between KFAB and WBBM.

Several Take KQW Time

SAN FRANCISCO, March 13.—New business on KQW, local Don Lee-Mutual System outlet, includes V. Traverso, wholesale grocer; Hart's Department store, Santa Clara Association of Optometrists, Crain's Linoleum and Shades, Winchester Hatchery, Gilly's Cafe and Charles E. Orr

New Show to Start on KVSO

ARDMORE, Okla., March 13.—"Southern Oklahoma Singing Convention" is the title of a new show to start soon over KVSO. The program, presented in a local auditorium, will be modeled after the singing conventions held in rural churches throughout the section. The show will be aired monthly.

New Shows on the Air

"Royal Crown Revue"

Another routine comedy-variety show was ushered on to the airways Friday evening when Nehi, Inc., bottlers of a soft drink, presented Tim and Irene, George Olsen's orchestra, Graham McNamee and the Golden Gate Quartet over the NBC-Blue network in a series titled "Royal Crown Revue."

Tim and Irene's comedy patter, save for a burlesqued skit of "Snow White and the Seven Dwifts" was quite ordinary. Graham McNamee was in his usual robust form as "em cee." Olsen's band rates kindly, as does the vocal efforts of the Golden Gate singers, a group which is new to the networks.

"Royal Crown Revue" is presented Fridays from 9 to 9:30 P. M.

BANNER.

Radio Personals

CONGRATULATIONS are in o der for two new parents—Jules Seebach, program director of WO has been presented an heiress, a Dick Wright, WHN salesman, t papa of a boy. . . The radio e have organized a team to co with a team of women railroad exec tives on the "True or False" series Mutual March 21. Ye eds are J. "Dinty" Doyle of the *Journal-Amei can,* Aaron Stein of the *Post,* Jo Ra son of the *Brooklyn Eagle,* Ken Pur of *Radio Guide* and Jack Sher of t *Detroit Free Press* Screen and Rad Weekly Syndicate. . . "Let's Pl Games," Mutual series conducted Jane Martin, will soon be publish in game form by Parker Bros. . . P O'Brien will represent the Irish wh March 17 hits the Kraft "Music Hal

◆

Fred Weber, general manager Mutual will leave for Chicago tod on business. . . Frank Ryan of CKL Detroit, is visiting in New York. Jerry Lyons, WOR announcer w left that station to join CBS, is ba at 1440 Broadway.

George Allen Quits At Getchell Agenc

George Allen, radio director of Sterling Getchell, Inc., has resigned develop a program building service advertisers and advertising agenci

He will be replaced at the agency C. A. Snyder, formerly assistant count executive.

To Air Oxford-Cambridge Rac

MONTREAL, March 13.—A runn commentary of the Oxford-Cambri boat race by John Snagge will be c ried by Canadian Broadcasting Co over its national network April 2 fr 8:30 to 9:15 A. M. The program be received at Ottawa on the sh wave reception set, from BBC, will be relayed to Canadian stations long wave.

Russeks and WHN Sign Deal

A contract has been signed betw Russeks Department Store and WI for 61 station-break announceme weekly, starting April 11. The agr ment, for four weeks, was placed the H. W. Fairfax agency.

Colgate Promotes Reilly

J. A. Reilly has been appointed sa manager of the soap department Colgate-Palmolive-Peet, effective mediately. For the past two ye Reilly has been assistant sales m ager of the department.

To Air Universal Picture

"Goodby, Broadway," Unive picture, will be offered on "Hollyw Hotel" over CBS March 18. The for the air dramatization will incl Alice Brady and Charles Winning

Allen on Benny Program

Talent for Jack Benny's first p gram from New York March 27 include Fred Allen, Kate Smith, Ripley and Abe Lyman's orchestra

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 60 NEW YORK, TUESDAY, MARCH 15, 1938 TEN CENTS

rench Censor .dmits Quota s Exhausted

. S. Accounted for 73 Of 94 Pictures

By PIERRE AUTRE

ARIS, March 14.—The French sor board today officially confirmed fact that the French quota of portations for the first half of 1938 eady has been exhausted. The law vides that only 94 films over three ls in length may be imported in h half-year, from all foreign coun- es.

The list of 94 already imported is ided as follows: American, 73; rman, nine; Russian, five; British, ee, and one each from Australia, stria, Mexico, Czechoslovakia.

The American dubbings represent, refore, 78 per cent of the total and lude 47 dubbings released by French anches of major American com- ies. The American group is

(Continued on page 8)

riple Quota Wins Approval in Lords

By AUBREY FLANAGAN

ONDON, March 14.—The Govern- nt's triple quota plan was carried the House of Lords committee con- ering the Films Bill today. The ne proposal, originally proposed, ile the House of Commons was nsidering the measure, by Oliver anley, president of the Board of ade, was withdrawn by the Gov- nment before a vote was taken on Films Bill by the Commons.

An amendment proposed by Lord yne and also carried provides that distributor and exhibitor quota l start at 20 per cent.

earst Radio Sales umor Substantiated

A report that WINS in New York d four southwest stations, KOMA, TSA, WACO and KNOW, repre- nting a large section of the Hearst dio interests, were up for sale, was officially substantiated by several okesmen at Hearst Radio headquar- s yesterday.

However, Joseph V. Connolly, pres- ent of Hearst Radio and of King

(Continued on page 10)

More Radio—P. 10

Nazi Austria Coup New Blow To U. S. Film Market There

The dramatic coup by which Austria as a nation virtually ceases to exist, and becomes an integral part of Nazi Germany will mean a sharp curtailment of the Austrian market insofar as American screen product is concerned, it was generally agreed in foreign distribution circles here yesterday.

The Austrian market for American films has been none too strong in any case for several years, but a further weakening of its potentialities as a source of revenue appears certain at this time as a result of what apparently amounts to annexation of Austria under the Nazi rule.

Only three of the eight major American companies still maintain offices in Germany — Paramount, M-G-M and 20th Century-Fox—while the other five—Warners, Universal, Columbia, United Artists and RKO—have withdrawn entirely from the German market. Complete withdrawal of all American firms from Germany has been advocated by Harry M. Warner. It is possible that some American distributors may follow the same course in Austria that they have pursued in Germany, in view of the domination from Berlin.

Although foreign distribution circles were unwilling to make official statements and to put themselves on record with regard to the situation, it was the concensus of opinion that to all practical purposes the same conditions with respect to the importation of American pictures that have existed for several years past in Germany now will obtain in Austria.

Expected within a short time is the overlordship of the rigorous German censorship over Austrian film matters, making one censorship for the entire Austro-German area.

In the past year a total of 128 American films was released in Austria by American film companies, as compared with 155 in 1936, according to a recent annual report of the film bureau of the Vienna Chamber of Commerce. At the same time there were certain restrictions on the release of Austrian revenue from that country to the United States, but they were considered not an insurmountable obstacle to film trade with Austria.

In Germany, on the other hand,

(Continued on page 8)

No Appeal Coming On Phila. Ruling

Attorneys for major distribution companies indicated yesterday that no appeal from the U. S. Circuit Court of Appeals decision holding restriction of double featuring by means of contract clauses to be illegal may be taken until after the U. S. Supreme Court has acted on the appeal from the Dallas Federal court decision in the Hoblitzelle-Interstate Circuit case.

It was pointed out that the appeal in the latter case may be heard by the high court during the last week of this

(Continued on page 5)

West Virginia Tax On Films is Voided

The application of the West Virginia one per cent gross sales tax to film distribution revenues in the state was held to be illegal by a special Federal statutory court at Charleston yesterday, distributors' home offices were advised.

The court's opinion held that the levying of the state tax against film rentals would place an undue burden on interstate commerce. The court

(Continued on page 8)

Paramount to Make At Least 52 Films

Paramount will produce a minimum of 52 features for the 1938-'39 season, Robert F. Gillham, advertising and publicity director, said yesterday. Gillham returned recently from a three-week visit at the studio.

The company has its new season schedule fairly well outlined, but the exact number of pictures to be made, as well as final plans for the new program, will not be completed until Barney Balaban, president; Stanton Griffis, chairman of the executive

(Continued on page 5)

Seek to Transfer G.N. Action Here

A move to transfer Grand National's 77-B reorganization proceedings from Los Angeles to the jurisdiction of the Federal court in New York has been started by a committee of stockholders formed in Philadelphia. The committee, representing small stockholders, bases its planned action on the ground that the company transacts its principal business in the east.

Isadore Stern, a Philadelphia stock-

(Continued on page 8)

Metro to List 52 with 36 on Large Budgets

No "B" Films Planned, Says W. F. Rodgers

KANSAS CITY, March 14.—A schedule of 52 features will be released by M-G-M in 1938-'39, it was stated here by William F. Rodgers, general sales manager, who presided at the conference of home office officials and district managers which ended here today.

Thirty-six of the total will be in "a big-budget, big-star value classification with the other 16 on a sliding scale of production expenditure, but produced without regard to stinting on the production requirements of the story," Rodgers said. "B" pictures will be eliminated, he declared.

The sales policy was not officially announced, but it was said that the present policy would continue and that, in the final analysis, the terms would depend largely on the individual deals made.

A departure for the new season will be three pictures in Technicolor on a contract for six recently signed with Technicolor, Inc. Five big-scale musicals are scheduled. Two films will be

(Continued on page 5)

Name Wolf MGM District Manager

KANSAS CITY, March 14.—Morris N. Wolf, M-G-M branch manager in Boston, has been promoted to district manager of the territory embracing Boston and New Haven, William F. Rodgers, general sales manager, disclosed here today. John J. Maloney, Pittsburgh branch head since 1925, was promoted at the same time to district manager for Cleveland, Pittsburgh and Cincinnati.

The promotions from the ranks

(Continued on page 5)

Gottlieb Chosen "U" Manager in Chicago

Emanuel Gottlieb, formerly Universal branch manager in Detroit, yesterday was appointed Chicago branch manager by William A. Scully, general sales manager. He succeeds Henry Herbel, who resigned recently. Herbel held the Chicago post with the company for many years and was president of the Film Board of Trade there for several successive years.

As a result of the change, Ed

(Continued on page 8)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Independents Form New Phila. Circuit

PHILADELPHIA, March 14.—Arranged in a new combine, several independent exhibitors, with David E. Milgrim as president, have formed Philadelphia's largest independent theatre circuit.

Called Affiliated Theatres Circuit, Inc., it numbers close to a score of houses, including the Alan in Atlantic City, and the Garden, West Chester, Pa. The organization will build two new houses in Philadelphia. In addition to Milgrim, officers of the new group include Raymond Schwartz, treasurer; Cecil M. Fet, secretary, and I. Yaffe and Harry Greenberg, vice-presidents.

"Dwarfs" to Loew Houses

Walt Disney's "Snow White and the Seven Dwarfs" will play a group of theatres in Loew's New York circuit in accordance with a deal signed with RKO.

Newark Shubert Sold

NEWARK, March 14.—The Shubert, legitimate house, has been sold by the Prudential Insurance Co. to Jules J. Leventhal, New York producer.

Lyda Roberti Rites Will Be Held Today

HOLLYWOOD, March 14.—Funeral services for Lyda Roberti, who died of a heart attack Saturday, will be held tomorrow at Forest Lawn Cemetery. Miss Roberti was 32 years old. She was the wife of Hugh Ernst, who was at her bedside when she died.

Miss Roberti was born in Poland. She came to this country via China, where she was stranded when her father's circus broke up. Her father was Roberti, a well known European circus performer. Miss Roberti appeared on the musical comedy stage and then went to Hollywood, where she was featured in "Dancers in the Dark," "Million Dollar Legs," "Three Cornered Moon," "College Rhythm," "The Big Broadcast of 1936" and "Torch Singer," for Paramount; "The Kid from Spain," U. A., and "George White's Scandals of 1935," Fox. She was last seen in two-reel comedies produced by M-G-M, in which she was co-featured with Patsy Kelly.

Margolies Rites Today

Funeral services for Edward Margolies, retired real estate operator and theatre builder who died Sunday of pneumonia at Roosevelt Hospital, will be held this morning at 10 A.M. at the West End Chapel. Margolies was 66 years old. He was born in Russia. From a humble beginning on the lower east side he gradually worked himself up into the real estate business, specializing in theatrical properties. He erected 41 theatres for the Shuberts and a number for the late Marcus Loew.

Margolies retired 10 years ago and made his home in Beverly Hills. He was here on a visit when he was taken ill. In addition to his widow he is survived by two children.

Glasmon, Jarrett Dead

HOLLYWOOD, March 14. — Kubec Glasmon, 40, writer and producer, and Dan Jarrett, 44, writer, died here of heart attacks over the weekend. Jarrett, who had been working with a David L. Loew production unit, is survived by his widow, Dorothy. Funeral arrangements have not been made.

Glasmon was stricken at his home in Coldwater Canyon. He leaves a widow, Jean. The funeral will be held in Chicago.

"Chicago" Grosses $7,345 in 9th Week

"In Old Chicago" grossed $7,345 in its ninth week at the Astor. The two-a-day run will end on March 27 after 11 and a half weeks. This is the longest engagement for a film at the house since "The Good Earth," which went 15 weeks last year.

"Arsene Lupin Returns" did $7,500 on the week at the Rialto. It is being held an extra day until tonight, to be followed by "Start Cheering."

Report "Sawyer" Marks

United Artists, in a review of weekend grosses, reports that "The Adventures of Tom Sawyer" broke house weekend records in six Loew engagements in separate parts of the country. The records, said the company, were made in Norfolk, Richmond, New Orleans, Kansas City, Louisville and Houston.

Films Using Puppets Demonstrated by Pal

Films produced with puppets and with a third-dimension effect were demonstrated yesterday by George Pal, their producer, who has been making these pictures for the last five years for commercial sponsors.

About 3,000 individual figures are used in an eight-minute subject. There is no string mechanism and the puppets are not moved as in the Russian "Gulliver," but individual puppets are used to represent the different stages of movement. Thus, they are made to sing, talk, walk, ride horseback and go through other motions. Two of the shorts were screened, "Philips Big Broadcast," made for a radio concern, and "Love on the Range," produced for Horlick. The advertising message is subdued. The films are in Technicolor.

En Route to Hollywood

Pal arrived here recently from London with David A. Bader. They left last night for Hollywood where Pal hopes to interest the studios in his development. His films are made by a staff of 25 at his studio in Eindhoven, Holland. He said he has been making eight a year for the two sponsors and produced some for the Dutch Government to promote telephone and postal services.

Pal said that it takes about a month to make a film and that the sets used are 15 feet wide. He said the cost of a subject is $15,000.

Moss Against Control Of Theatre Agencies

ALBANY, March 14.—Objections were voiced here today by License Commissioner Paul Moss of New York against certain clauses in the employment agency bill of Assemblyman Harold C. Ostertag which would put theatrical agencies, excepting only large theatre circuits and the National Broadcasting and Columbia radio networks, under the industrial commissioner outside of New York and under Moss within the metropolitan area. Moss suggested amending the bill.

The Senate Finance Committee held a hearing on three Senate bills of John J. Howard and A. Spencer Feld as well as on the Ostertag measure.

The drive to put over the "full crew" bill started today in committee with theatre owners of upstate New York again communicating with their legislators urging opposition. The bill seems to have an even chance of coming out of committee.

Schlesinger's Pact Renewed with W.B.

HOLLYWOOD, March 14.—The releasing contract between Warners and Leon Schlesinger, cartoon producer, was renewed today for two more years. This takes Schlesinger into his 10th year with Warners.

Norman Moray, Vitaphone shorts sales head, left tonight after concluding the deal. No definite decision was reached on the proposed feature cartoon as Schlesinger is ill in the hospital from a kidney ailment. He will discuss the matter of a feature with Gradwell L. Sears upon the latter's arrival here this month.

◂ Purely Personal ▸

MAJOR PAUL DEVLIN, coproducer with ANDRE DE LA VARRE of the "Screen Travels" series, is preparing three more, "Vienna," "Budapest" and "Marseilles." DEVLIN is distributing the first three [illegible] self and may handle the entire series from his own office.

●

JOHN JOSEPH, Universal advertising and publicity head, has postponed his departure from the studio and will not be back in New York this week, as planned earlier.

●

WILLIAM F. CROUCH, Chicago correspondent of Quigley Publications, left for Chicago over the weekend via TWA after a business trip here.

●

GABRIEL L. HESS of the M.P.P.D.A. will move into a new summer residence on King's Highway, Westport, Conn., in the near future.

●

CLINTON M. WHITE, G.B. assistant general manager, left last night for a swing around the company's midwest branches.

●

KARL MACDONALD, Warner supervisor for Latin America, will return Thursday from Havana and Jamaica.

●

HARRY BUXBAUM, 20th Century-Fox branch manager, will return March 21 from Miami.

●

FRANK PHELPS of Warners has returned from Florida.

●

JEAN MUIR and VINTON and MRS. FREEDLEY will arrive on the *Ile de France* today.

●

HOWARD DIETZ's mother is in the hospital. Her condition is reported as improved.

●

GILBERT GOLDEN of Warners ad department has returned from a southern cruise.

●

BUDD ROGERS of Alliance Films left last night on a business trip to Toronto.

●

HERMAN A. DEVRY is vacationing in Mexico City.

●

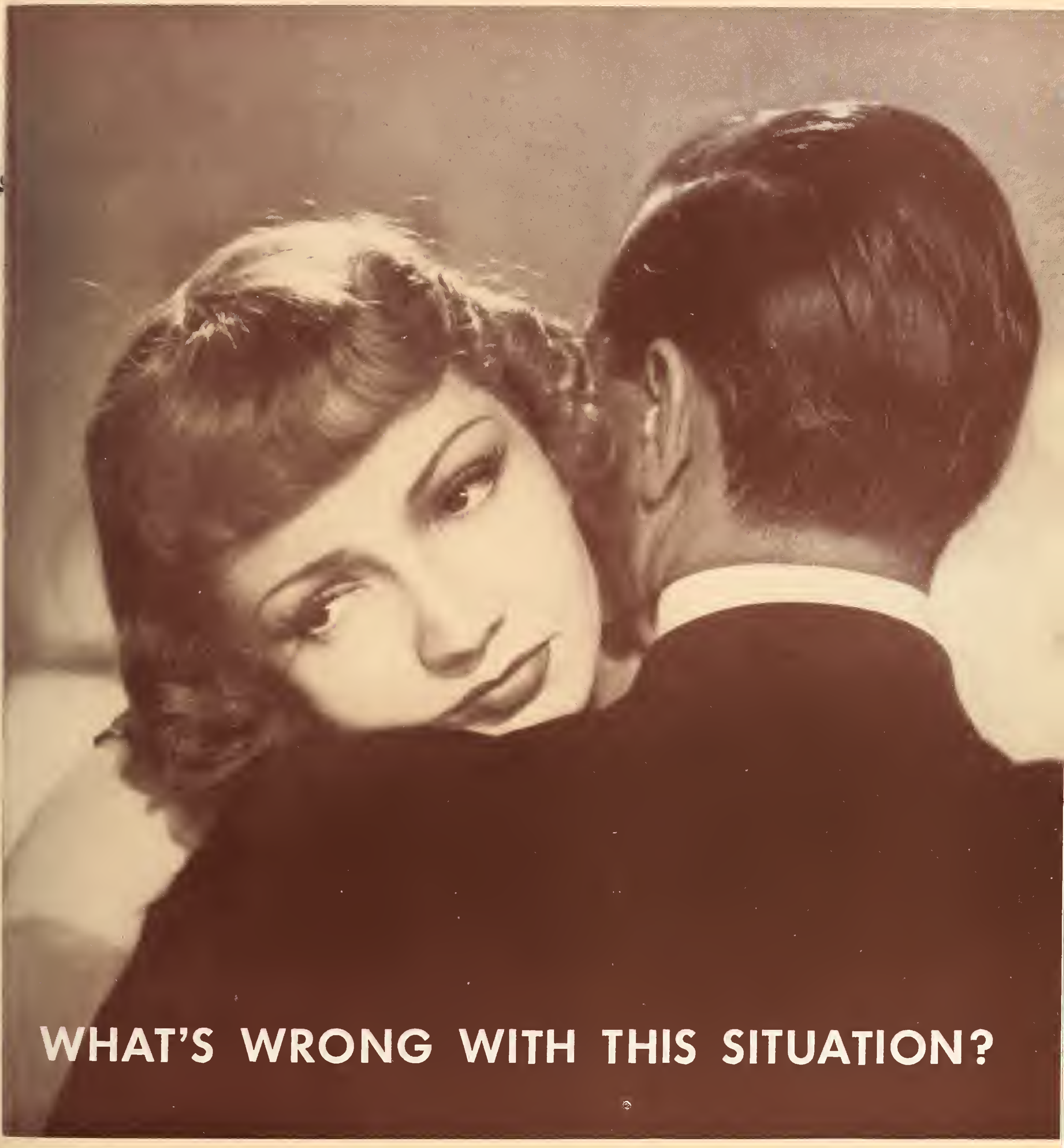
A-MIKE VOGEL leaves today for a stay in Florida.

To Hold Poster Show

Transit Advertisers, Inc., will sponsor an exhibit of one, two and three sheet posters at Rockefeller Center from March 30 to April 12. There will be three awards for theatrical and film posters. Over 100 entries have been received. Among the judges will be W. G. Van Schmus, managing director of the Radio City Music Hall, and Norman Bel Geddes.

Cleveland Leads Drive

The Cleveland branch of RKO, under the direction of H. Greenblatt, has taken the lead in the Ned Depinet Sales Drive. It is followed closely by Buffalo, Indianapolis and Washington.


WHAT'S WRONG WITH THIS SITUATION?

Claudette in Gary's arms and yet so sad . . . that'll never do . . .

Hey! Mr. Lubitsch.

Ah! The Old Maestro to the rescue with that Lubitsch touch.

That's the idea... never a dull moment ...a million laughs... in this comedy hit of 1938

CLAUDETTE COLBERT · GARY COOPER

"BLUEBEARD'S EIGHTH WIFE"

EDWARD EVERETT HORTON · DAVID NIVEN · ELIZABETH PATTERSON · HERMAN BING

Screen Play by Charles Brackett and Billy Wilder · Based on the Play by Alfred Savoir · English Play Adaptation by Charlton Andrews

ERNST LUBITSCH

PRINTED IN U.S.A.

Metro to List 52 with 36 on Large Budgets

(*Continued from page 1*)

made on location in England. Norma Shearer is down for three pictures.

For this season M-G-M scheduled a minimum of 44 features and a maximum of 52. By March 18 the company will have given a national release to 27.

The shorts program is still under consideration. During this season the company is releasing 94 shorts, including 13 two-reelers. There is a possibility that the total number may be reduced.

A studio roster of 105 stars, contract players and directors will make the 1938-'39 program. Plans so far include starring vehicles for Lionel Barrymore, Freddie Bartholomew, Wallace Beery, Joan Crawford, Nelson Eddy, Clark Gable, Greta Garbo. Fernand Gravet, Myrna Loy, Jeanette MacDonald, the Marx Brothers, Robert Montgomery, Eleanor Powell, William Powell, Luise Rainer, Rosalind Russell, Norma Shearer, Margaret Sullavan, Robert Taylor and Spencer Tracy.

New Production Outlined

Scheduled films for the new season, either in preparation or production, shape up as follows:

Three in Technicolor, including "Northwest Passage," starring Robert Taylor, Spencer Tracy and Wallace Beery, with W. S. Van Dyke directing; "The Wizard of Oz," with Ray Bolger, Mervyn Le Roy producing, and "Twenty Thousand Leagues Under the Sea," based on the Jules Verne novel.

At least two films to be made by the British studio in authentic locations in England will be released here, similar to the procedure followed with "A Yank at Oxford." One will be James Hilton's "Goodbye Mr. Chips," starring Robert Donat, Sidney Franklin directing. The other is A. J. Cronin's "The Citadel," with Robert Donat and Rosalind Russell, King Vidor directing.

List Features to Come

Other pictures will be:

"Marie Antoinette" with Norma Shearer and Tyrone Power heading an all-star cast; "The Thin Man Returns," co-starring William Powell and Myrna Loy; two Kipling stories, "Soldiers Three" and "Kim," the latter starring Freddie Bartholomew; "Idiot's Delight," co-starring Clark Gable and Norma Shearer, with Clarence Brown directing; "Maiden Voyage," co-starring Luise Rainer and Robert Montgomery; "Tell It to the Marines," co-starring Robert Taylor and Spencer Tracy; "The Women," long-run success on the Broadway stage, starring Norma Shearer, with Hunt Stromberg as producer in association with Max Gordon, who staged the play; "How to Win Friends," based on Dale Carnegie's book, with Stromberg as producer; Richard Sale's novel of escape from Devil's Island, "Not Too Narrow, Not Too Deep," to be made in the manner of "Dinner at Eight"; "Sea of Grass," with Spencer Tracy; "The Great Canadian," a story about hockey, with Clark Gable; "Fidelity," with Joan Crawford; "I Love You Again," with William Powell and Myrna Loy; "Stand Up and Fight" and "Bad Man of Arizona," with Wallace Beery; "One Young American," with Beery and Freddie Bartholomew; "Boy's Town," with Spencer Tracy and Mickey Rooney; a Marx Brothers comedy, untitled, and "Honolulu," the cast for which has not yet been announced.

Musicals will include "Broadway Melody of 1939," with an all-star cast; "Adventure for Three," starring Jeanette MacDonald, with Robert Z. Leonard as producer-director; "The Great Waltz," co-starring Fernand Gravet and Miliza Korjus; "Sweethearts," co-starring Jeanette MacDonald and Nelson Eddy; "Balalaika," adaptation of the continental European stage success, with Ilona Massey and Ray Bolger.

Surprise!

Milwaukee, March 14.—A Western Union operator here was phoned this message for transmission recently by the manager of the National Theatre:

"Had you been present at the National when your name was called, you would have received $500. If you will present this telegram at the door of the National you will receive free admission."

The message was addressed to Mrs. Jennie Foltz, who happened to be the Western Union operator.

Levine, Out of MGM, Will Produce on Own

Hollywood, March 14. — After seven months with M-G-M as associate producer, Nat Levine received his release from the company, effective today. He had been preparing for production several stories, one of which, "Lord Jeff," starring Freddie Bartholomew, is ready for the cameras.

Levine plans a vacation, following which he will establish himself as independent producer with arrangements for major release.

Paramount to Make At Least 52 Films

(*Continued from page 1*)

committee, and Neil F. Agnew, distribution head, go to the studio in the next few weeks for final conferences on the program.

Indications are that Paramount will not hold a national sales convention this year, but will, instead, hold a meeting of district managers to be followed by regional meetings of the branch managers.

Sentry Corp. Shows Loss

The report of Sentry Safety Control Corp. for the year ending Dec. 31, 1937, shows a net loss of $463 after all charges and depreciation. This compares with a net profit in 1936 of $1,792, or less than one cent a share on 267,950 common shares.

Wolf Named M-G-M District Manager

(*Continued from page 1*)

were made in line with company policy, Rodgers said, and promotions will be made to fill the managerial posts in Boston and Pittsburgh.

The executives' meeting wound up today with a luncheon at which local salesmen and bookers also were present. Elmer C. Rhoden, head of Fox Midwest, attended as a guest.

Regional meetings of district and branch heads are scheduled at which Rodgers will preside. They will be held in San Francisco next Saturday and Sunday; Chicago, March 24 and 25, and in New York, March 27 and 28. Edward M. Saunders, western sales manager, will attend the first two, and Tom Connors, eastern and southern sales manager, will attend in New York. Al Lichtman, who is en route to the coast from the meeting here, will join the San Francisco group and may attend the Chicago and New York sessions.

"Test Pilot," with Clark Gable, Myrna Loy and Spencer Tracy, will be roadshown at the Carthay Circle, Los Angeles, starting Easter Week and will be nationally released April 15.

In addition to Lichtman, Rodgers, Saunders and Connors, home office representatives at the local meeting were Si Seadler, representing Howard Dietz, advertising and publicity director, who was detained in New York by his mother's illness; A. F. Cummings, E. W. Aaron and W. R. Ferguson, who will return to New York on Tuesday. District managers included E. K. O'Shea, C. E. Kessnich, G. A. Hickey, J. E. Flynn, H. P. Wolfberg and S. A. Shirley. Also present were Maloney and Wolf, Robert Lynch, Philadelphia branch manager, Frank C. Hensler, Kansas City manager, and W. F. Hayner, Canadian supervisor.

No Appeal Coming On Phila. Ruling

(*Continued from page 1*)

month and that essentially the same principle, that of regulation of double featuring by means of the exhibition contract, is involved in the Dallas case. If the Supreme Court finds in favor of the distributors in the Dallas appeal there would be no necessity of appealing the Philadelphia decision, it was said. Likewise, if the decision should go against the distributors, there would be little likelihood that the high court would review the Philadelphia case.

Ampa Group to Report

Ampa's nominating committee, headed by Ed McNamee, will report at the group's luncheon meeting at the International Casino on Thursday. The nominations are for the forthcoming election of officers. Vincent Trotta's awards committee will report on changes decided on in the character of this year's advertising awards and the method of judging and presentation.

FLY
TWA
first
SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday, Sunday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA
For further information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

Note to "Scrip" Holders
Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

SHORTEST-FASTEST
TWA
first
COAST TO COAST

"Snow" Sets New $35,000 Frisco Mark

San Francisco, March 14.—A new all-time high of $35,000 was registered by "Snow White and the Seven Dwarfs" at the Golden Gate. This was $1,000 over the record made by "Springtime." Prices were advanced slightly for children and matinees.

Only two other houses made much of a showing in the face of this competition. They were the Orpheum, where "Mad About Music" and "Midnight Intruder" pulled $14,000, and the Warfield, with "Checkers" and "Sally, Irene and Mary" drawing $13,500.

"Hurricane" at the United Artists and "Mayerling" at the Clay ended six-week runs.

Total first run business was $92,650. Average is $87,500.

Estimated takings:

Week Ending March 8:

"SNOW WHITE" (RKO)
GOLDEN GATE—(2,850), 25c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $35,000. (Average, $16,000)

Week Ending March 9:

"THE RAT" (RKO)
"WINDJAMMER" (RKO)
EMBASSY — (1,400), 15c-35c-40c-55c, 7 days. **Gross:** $3,500. (Average, $5,000)

"GOLD IS WHERE YOU FIND IT" (W.B.)
"LOVE ON A BUDGET" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $9,000. (Average, $17,000)

"MAD ABOUT MUSIC" (Univ.)
"MIDNIGHT INTRUDER" (Univ.)
ORPHEUM—(2,440), 15c-35c-40c-55c-77c, 7 days. **Gross:** $14,000. (Average, $8,500)

"BARONESS AND BUTLER" (20th-Fox)
"GREAT GARRICK" (W.B.)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $8,500. (Average, $13,000)

"BORDERTOWN" (W.B.)
"NON-STOP NEW YORK" (Republic)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days. **Gross:** $4,000. (Average, $7,000)

"HURRICANE" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 6th week. **Gross:** $4,000. (Average, $7,000)

Week Ending March 10:

"SALLY, IRENE AND MARY" (20th-Fox)
"CHECKERS" (20th-Fox)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $13,500. (Average, $13,000)

Week Ending March 11:

"MAYERLING" (Pax)
CLAY—(400), 15c-35c-40c, 7 days, 6th week. **Gross:** $1,150. (Average, $1,300)

Pulls Newspaper Ads

Pittsburgh, March 14.—Protesting that he was not getting publicity breaks commensurate with his advertising budget, John Goring, manager of the Shea-Hyde Fulton here, pulled all of his ads out of the *Press,* the Scripps-Howard afternoon paper here, last week. Once before, Goring did the same thing with the other paper, the *Sun-Telegraph,* but returned to its amusement pages after an absence of only one day.

Monogram Casts Movita

Hollywood, March 14.—Movita will appear next in "Isle of Terror," which will be one of Monogram's specials for the current season. Now playing her first starring role in "Rose of the Rio Grande," she will first go to Mexico City March 17 for the leading role in an untitled film for Aztec Films in which Gilbert Roland will play opposite her.

Hollywood Previews

"This Marriage Business"

(RKO)

Hollywood, March 14.—"This Marriage Business" is rich in those audience values appealing to most theatregoers. It is a deft combination of comedy, romance and melodrama. It is laid in a small town and is played by small town characters and a smattering of big city sharpshooters.

The story has been given a refreshing and breezy treatment and has been pointed directly at those living in small towns and neighborly communities and those who like to recall such associations. The result is a clean, wholesome, exciting show. With Victor Moore presented in a role that fits him to a "T" and the featured and supporting players, Allan Lane, Vicki Lester, Jack Carson, Jack Arnold, Richard Lane, Frank M. Thomas, Cecil Kellaway, George Irving, Paul Guilfoyle and Leona Roberts checking in convincing performances, the film rolls along in easy, attention-holding style.

Chasing an eloping heiress, Lane runs into a bigger story when he encounters County Clerk Moore, whose boast it is that none of the couples to whom he has issued marriage licenses has ever sought divorce. Publicity for Moore and the town puts both on the map. A romance between Lane and Moore's daughter, Miss Lester, progresses. The interlocking incidents result in Lane putting Moore up as a candidate for mayor on a reform ticket. Moore is threatened with indictment for murder as gangsterism takes a hand in politics. All is righted in the end.

The original story by Mel Riddle and Alex Ruben is a down-to-earth bit of writing and the style in which Gladys Atwater and J. Robert Bren adapted and Christy Cabanne directed give it character and atmosphere.

Running time, 70 minutes. "G."

"Island in the Sky"

(20th Century-Fox)

Hollywood, March 14.—This is one of the better murder mysteries of the season, a briskly played working out of a puzzling background which supplies, when fully disclosed, an unsuspected solution of the crime. Gloria Stuart and Michael Whalen definitely improve their professional standing in performance of the romantic leads and Paul Kelly, who enters the picture well down toward the close, furnishes a strong characterization. The film is one of the best Sol M. Wurtzel has produced and should give good account of itself on any program.

Whalen is an assistant district attorney about to marry Miss Stuart, his secretary, when he is asked to look in on a murder case just brought to police attention. Although evidence seeming to prove the slain man's son guilty is quickly unearthed, and a conviction obtained, Miss Stuart declines to believe the young man guilty and carries on first hand investigations which result, ultimately, in exposure of the guilty man's identity, her own life and others coming into jeopardy meanwhile.

The title derives from a night club on the 70th floor of a Manhattan skyscraper (which doesn't look too much like the Rainbow Room) where the picture opens and closes. Herbert L. Leeds directed, keeping movement smoothly swift, and the screenplay by Frances Hyland and Albert Ray from Jerry Cady's original story is a well knit composition.

Running time, 65 minutes. "G."

"Flight Into Nowhere"

(Darmour-Columbia)

Hollywood, March 14.—Jack Holt's latest starring vehicle, "Flight Into Nowhere," will be ranked among his better pictures. It is a successful amalgamation of plenty of action with a solid, stable plot which utilizes elements of gripping drama. With a background of aviation and laid in the South American jungle, "Flight Into Nowhere" is the story of a weakling, who is an incurable showoff.

Supporting Holt are Dick Purcell, Jacqueline Wells, James Burke and others. William Bloom and Clarence Jay Schneider wrote the original story and Jefferson Parker and Gordon Rigby the screenplay. Lewis D. Collins directed.

In content, composition, performance and presentation, "Flight Into Nowhere" is in the best Larry Darmour manner and reflects pointedly the steadily advancing prestige of the Darmour insignia.

Holt, as chief pilot of an airline, sets out to find Purcell, a pilot who has disobeyed orders in flying over uncharted jungle area. After great difficulty, they find a tribe of Indians who are keeping Purcell. Purcell, still cocky, is killed by an Indian as he is about to leave for civilization, because of his ill treatment of his Indian "wife."

Running time, 62 minutes. "G."

Short Subjects

'Listen to Lucas"

(Paramount)

Those who like their swing swee and low may like this number b Clyde Lucas and his orchestra. Th program permits the bandmen instru mental display in varied pieces, includ ing a Hawaiian number, the Sout American "Jalouse," a new numbe called "At Long Last" and a rend of "Nero." There is some vocaliz by Lyn Lucas, and everything i dignified. Running time, 10 mins. "G.

"Top of the World"

(Douglas D. Rothacker)

This is an advertising film produce by the Canadian Pacific Railroad an offered without charge. It depicts th attractions at a hotel in Banff. Th photography of the outdoor scenic a tractions is good and the sporting a tivities around the place are interes ing. There is a cleverly scored mus cal accompaniment. Running time, mins. "G."

"Pathe Parade" No. 4

(RKO)

Instead of the usual three sequence this issue of "Pathe Parade" is co fined to activities at the Governme Air College, at Randolph Field, Te Briefly sketched are the various thin that make up the course of learnin starting with registration of the cad up to his first solo flight. It hol attention throughout. Running tim 10 minutes. "G."

"Vitaphone Pictorial Revue No. 7"

(Vitaphone)

The training of dogs for vaudevil Ralph Greenleaf demonstrating a nu ber of remarkable pool shots and t making of a lithograph compose th issue. The diversity of material mak up an interesting reel that should over easily. Running time, mins. "G."

Plan Movie Festival

Cleveland, March 14.—The Clev land Cinema Club, headed by M W. V. Fiske is preparing to launch National Movie Festival the week May 6 with producers and distributo local schools and colleges, librari theatres and department stores. M Frank Anderson, general chairm seeks to put revivals of outstandi screen attractions in as many theat as possible. She also wants to sec costumes and accessories for wind display tieups showing the growth the industry.

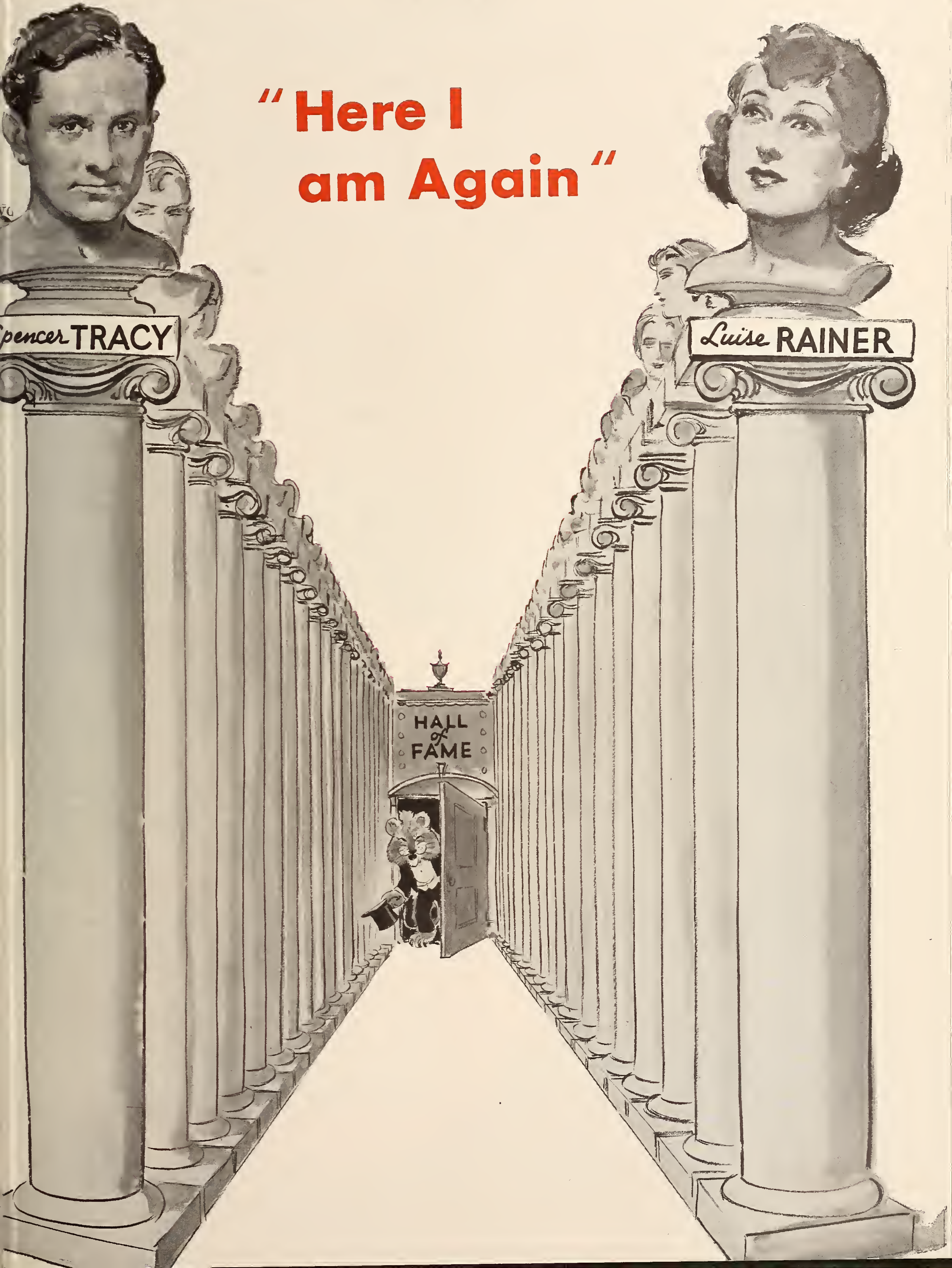
The festival will wind up with banquet at which an industry lea will be the speaker.

Form Two New Firm

Dover, March 14.—Three new i corporations here are: Lond Amusement Co., with capital of 1 shares, no par value, by L. H. He man, B. R. Jones and Walter Le all of Wilmington, and Eureka Amus ment Co., by S. L. Mackey, Slaughter and H. Kennedy, also all Wilmington.

Fox Caldwell Theatres Corp., Boi Idaho, has increased its capital fr $1,000 to $1,500.

"Here I am Again"


pencer TRACY
Luise RAINER
HALL of FAME

French Censor Admits Quota Is Exhausted

(Continued from page 1)

divided as follows: M-G-M, 13; 20th Century-Fox, 10; Universal, eight; Paramount, six; Warners, five; United Artists, three; RKO, two. In addition, 26 American dubbings were released by local French distributors, including eight of Columbia's current product released by Osso. The remaining 18 are 10 Columbia films and two Universal pictures which were produced from 1933 to 1936, and six old independent American films.

The seriousness of the situation is indicated by the fact that a meeting has been held here, presided over by Harold Smith, representing the Hays office in Paris, to study the matter. It has been indicated that American companies here may reduce the number of their employes until better conditions of distribution exist. American companies have complained that too many dubbing licenses have been given for German product and to French distributors.

G. B. Promotes Mazur

Arthur A. Lee, vice-president and general manager of G. B., has named Max Mazur to succeed Fred Abelson as branch manager at Minneapolis. Abelson resigned recently. Mazur formerly was in the Chicago office of G.B.

Seek to Transfer G.N. Action Here

(Continued from page 1)

holder, is acting as chairman and steering head of the group. The committee's temporary headquarters have been established in Stern's law offices in the Packard Building, Philadelphia. He said that headquarters probably would be moved to New York after the committee had decided on a definite course of action in a few days.

Stern made it clear that although he is an attorney he would not act as counsel for the committee. He served as counsel for many years to the late Jules Mastbaum, organizer of the Stanley Company of America.

Anne Rosenthal, home office attorney for Grand National, said yesterday that while Grand National Films, Inc., is a Delaware corporation, Grand National Studios, Inc., is a California corporation and that the company's principal assets were transferred to the coast about a year ago when International Cinema, Inc., was given a contract for printing and possession of the negatives for that purpose.

Miss Rosenthal expressed the opinion that the committee's challenge of the California court's jurisdiction would not make much headway, at least not until after the March 21 hearing in the Federal district court in Los Angeles which is to decide whether the reorganization proceedings are to remain in effect.

Grand National's headquarters were recently transferred to the coast by Edward L. Alperson, president.

West Virginia Tax On Films is Voided

(Continued from page 1)

granted an injunction which had been sought by United Artists on behalf of itself and other distributors restraining the state from applying the tax to film distribution revenue.

The court took cognizance of the fact that no film exchanges are situated in West Virginia, the state's theatres being served from Cincinnati, Pittsburgh and Washington exchanges.

West Virginia officials, distributors were advised, are considering an appeal from the decision to the U. S. Supreme Court.

Equity to Decide on Status of President

The council of Actors Equity Ass'n is expected to decide at a meeting today whether the post of president of the organization will be a paid or honorary office. The decision is expected to influence to an important degree the coming nominations for the post as several candidates who might otherwise accept the nomination would be unable to do so if the post were to be made an honorary one.

The Equity membership will complete the nominating committee of nine with the election on Friday of six members of the committee. The other three members were designated by the council last week. The annual election is scheduled for late in May. Burgess Meredith, acting president, has stated he will not be a candidate for reelection.

Gottlieb Named "U" Manager in Chicago

(Continued from page 1)

Heiber has been transferred to the Detroit branch from Washington, Nate Sauber has been transferred from Buffalo to Washington, and Pete Dana from Albany to Buffalo. The Albany post has not been filled.

Scully will leave New York at the end of the week on a brief visit to Universal exchanges in the south.

Defer M & R Testimony

Boston, March 14.—The taking of depositions in the Morse & Rothenberg anti-trust suit against major distributors has again been postponed because of the engagement of counsel elsewhere.

The case, which was to have been resumed today in New York, may get under way next Monday. Depositions have been taken since late last year.

Rule on Sunday Films

Rome, Ga., March 14.—The Georgia Supreme Court has ruled that the presentation of Sunday films in this city would be subject to injunction by the solicitor general of that court circuit. Theatre operators in Atlanta would not be affected by the decision, it was said, as methods of operation are different.

Cortez Has 3-Way Pact

Hollywood, March 14.—Twentieth Century-Fox has signed Ricardo Cortez as player, writer and director to work under the supervision of Sol M. Wurtzel, executive producer.

Nazi Austria Coup Hits our Film Market

(Continued from page 1)

restrictions on the release of fund have been prohibitive, and at the sa time the German censorship has so rigid that comparatively fe American pictures have been admitte for release there. It was pointed ou here yesterday that the German censorship authorities—the Nazi Government, in effect, since the entire industry there is under the direct domination of the Nazi regime—are i the habit of accepting or rejectin pictures indiscriminately, often without any explanation of rejections.

It was said that approximately 5 American pictures were released i Germany during 1937. In effect, has been summed up in this fashion If there is an insufficient total of German product to take care of the need of the German theatres, a certai number of foreign pictures might b admitted, but if there is an ampl supply for German exhibition need then none is admitted, and there i of course, no appeal from such decision.

No Dubbing in Germany

There has been, too, a certai amount of dubbing of American product in Austria, in the past year so, but none in Germany.

Another phase of the situation a result of the Nazi coup which wa cited yesterday is that of employ of American companies in Austria, fo the most part centered in Vienna. is felt that many who will not pro acceptable to the Nazis, because th are Jews or Catholics, will have be moved from Vienna promptl Exactly the same situation existed Berlin when the Nazis took pow there, and a number of American employes were moved to Vienna.

Mayfair, Hoffman Wed

South Orange, March 14.—Mit Mayfair and Albert F. Hoffman we married here Saturday.

Wall Street

Fractional Changes on Board

	Open	High	Low	Close	Ne Char
Col.	12½	12½	12½	12½	...
Cons.	1¼	1¼	1¼	1¼	...
Cons. pfd...	5¼	5¼	5⅛	5⅛	—
E. K.	153	153	152	152	—
G. T. E....	10½	10½	10½	10½	—
Loew	45	46	45	45	+
Loew, pfd..	106⅛	106⅛	106⅛	106⅛	+
Para.	8⅞	9⅛	8¾	8¾	...
Para. 2....	9¼	9¼	9¼	9¼	+
Pathe	5⅛	5⅛	5	5	+
RKO	3⅜	3⅜	3¼	3¼	...
20th Fox ..	21⅞	21⅞	21⅞	21⅞	—
W. B.	5¼	5¼	5⅛	5⅛	...

Little Curb Activity

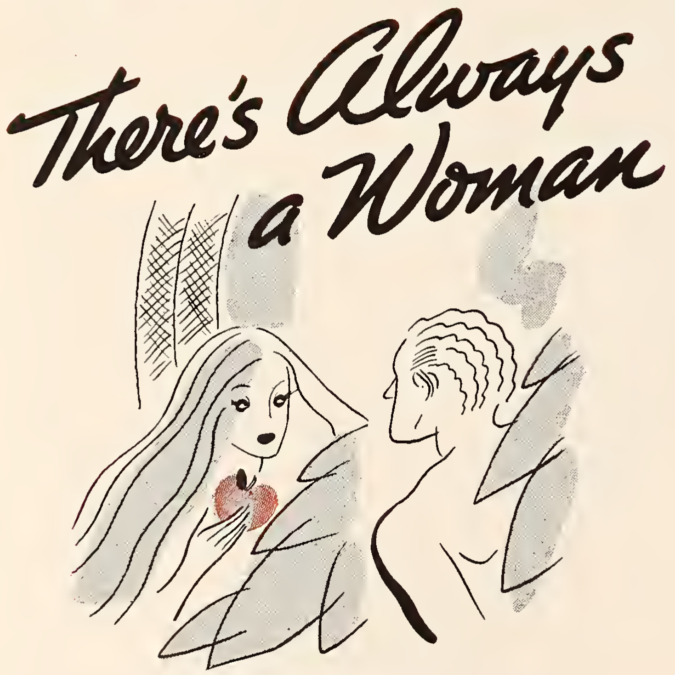
	Open	High	Low	Close	Ne Char
G. N.	½	½	½	½	...
Sonotone ..	1⅝	1⅝	1⅝	1⅝	...
Tech.	19½	19½	19⅛	19⅛	—

Warner Bonds Gain

	High	Low	Close	N Char
Para. Pict. '47....	68½	68½	68½	—1
W. B. 6s '39......	68	67⅜	68	+1

(Quotations at close of March 14)

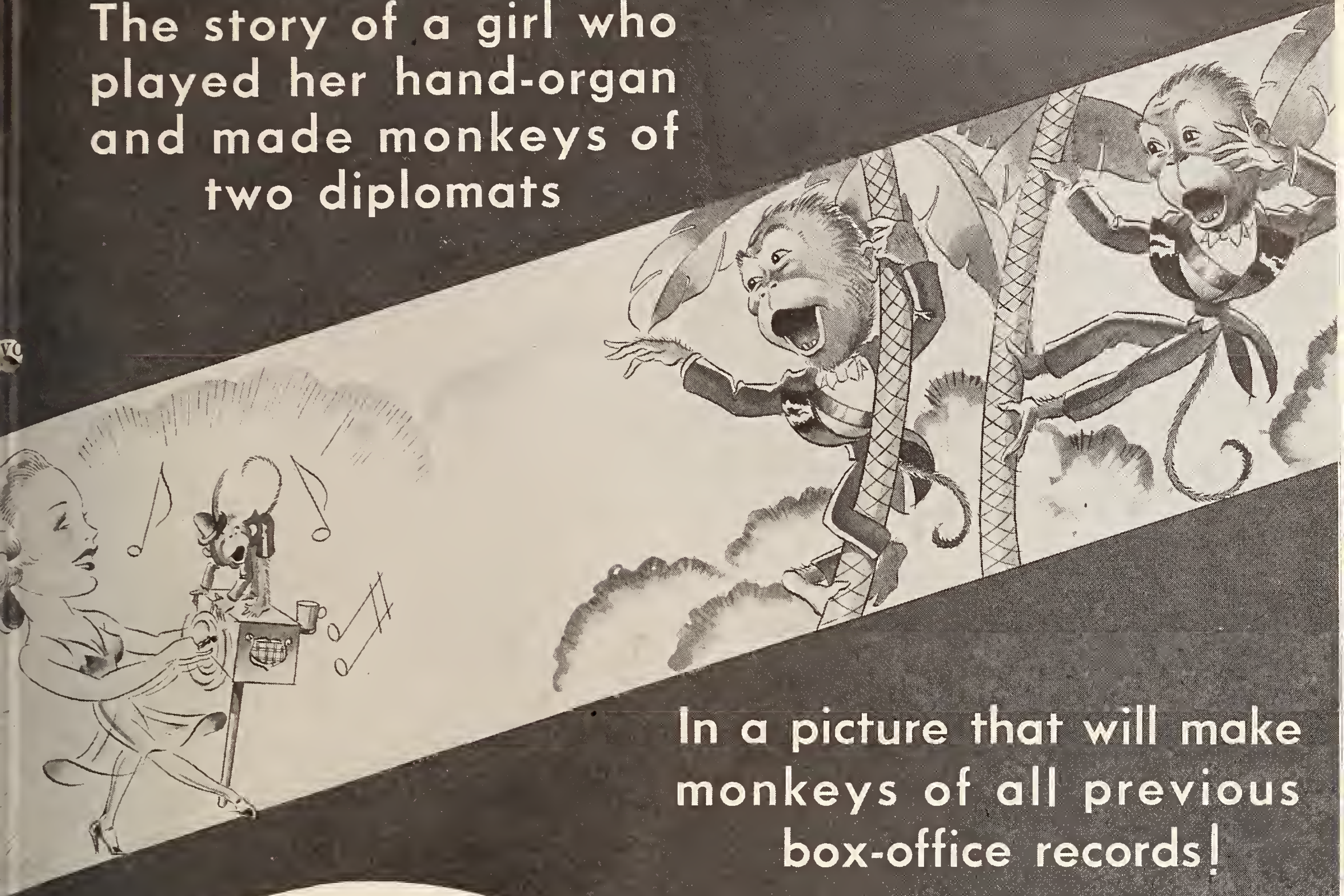
ADAM HAD EVE!



Laughter becomes hysteria in the swankiest pranks since "The Awful Truth"!

A COLUMBIA PICTURE

The story of a girl who
played her hand-organ
and made monkeys of
two diplomats



In a picture that will make
monkeys of all previous
box-office records!

Anna
NEAGLE
(The Star of the Hour)
Tullio
CARMINATI
in

LOOK OUT FOR LOVE

A
HERBERT WILCOX
Production

SONG HITS BY Lerner, Sigler, Goodhart
and Hoffman

A
GB
PICTURE

Food Firms Lead in Use of World Discs

Food advertisers led the list of World transcription users last month, with 11 companies accounting for 5,540 quarter-hours. For the month, a total of 11,227 quarter-hours was sponsored through World transcription facilities, an increase of 84 per cent over the February, 1937, total of 6,052 quarter hours.

The breakdown by quarter-hours and number of accounts is as follows: Automotive, four accounts, 1,471; Drugs and Toilet Goods, nine accounts, 1,224; Foods and Food Beverages, 11 accounts, 5,540; Financial and Insurance, one account, 226; Household Appliances, three accounts, 210; Jewelry and Tableware, one account, four; Laundry Soaps and Cleaner, three accounts, 2,260; Oil and Gas, two accounts, 100; Paints, one account, 182; Miscellaneous, seven accounts, 10.

WSGN to Air Ball Games

Birmingham, March 14.—Henry F. Johnston, general manager of WSGN, the *Birmingham News—Age-Herald* station has closed for exclusive rights to broadcast all ball games played by the Birmingham Barons in the Southern League. The broadcast of home games as well as those away from home will be a new venture. The broadcasts will be sponsored by the W. K. Kellogg Co. which sponsored the broadcast of road games over WSGN in 1937.

WAPI Sells U. P. Newscasts

Birmingham, March 14.—WAPI, CBS outlet here, has sold all its United Press newscasts to Moore-Handley Hardware Co. and Westinghouse Dealers. Three quarter-hour editions are presented daily at 8 A.M., 12:45 P.M. and 5:45 P.M. Moore-Handley Hardware is distributor, and several dealers are tied in with each newscast inviting attention to refrigerators.

Heads KVOR Sales Campaign

Oklahoma City, March 14.—John Blatt of the radio promotion department of the Oklahoma Publishing Co. has left for Colorado Springs, where he will direct a $3,500 promotion campaign for KVOR, owned and operated by the publishing company. The 10-week campaign will include an eight-page tabloid section, billboards and newspaper advertising.

Close New Pacts at KYA

San Francisco, March 14.—New KYA accounts include Hambaugh Realty Star Outfitting Co., Howard's Clothing, Gas Appliance Society, Allan P. King, Cottrell Brothers, California Pension Plan, Globe Grain & Milling Co., Silvers, Inc., Christian Science Committee on Publication.

Grace Moore to Chesterfield

Grace Moore will become a regular feature on the Andre Kostelanetz Chesterfield cigarette program on CBS March 30. Lawrence Tibbett, currently featured, will leave the series March 23.

Signs for Time Signals

Hollywood, March 14.—California Consolidated Water Co. has signed for a schedule of daytime time signals on KNX starting April 3. The contract, placed by the McCarty Co. calls for five signals daily for 52 weeks.

Petrillo Breathes Fire and Brimstone in Address Here

James Petrillo, firebrand president of the Chicago local of the Federation of Musicians, spoke before the executive board of the National Association of Performing Artists at the Hotel Astor yesterday, and delivered a typical Petrillo oration, full of smoke and brimstone.

Regarding the independent radio station owners and operators of phonograph record-vending machines who play the records of the performing artists and pocket the profit without turning over a royalty fee to the Association, Petrillo said they are "chiselers" engaged in a "lousy racket."

Petrillo came to New York to consider the N. A. P. A.'s offer to make him president of the organization, with $100,000 as the initial fee to head their fight to prevent radio stations and slot machines from playing the recordings of members without a royalty. The N. A. P. A. has a membership of approximately 500, principally band leaders, and was organized some years ago by Fred Waring. He has been a leader in their fight for recognition.

"Will Stop, or Else"

Midway in his talk Petrillo digressed from the radio to the film industry. He said that talking pictures had put 22,000 musicians out of work, and had replaced them with 300.

"We're not going to swallow that kind of treatment much longer," he shouted. "The American Federation of Musicians is just about ready to say 'stop this racket' to the studios, and when the A. F. M. says 'stop,' the studios will stop, or else."

Petrillo congratulated the N. A. P. A. for attempting to put a halt to the use of recordings by radio stations and other interests which derive a profit from the use of the recording, without in turn paying a fee to the artists who made the record. Petrillo said $5,000,000 or $6,000,000 is the annual loss to the musicians through this practice.

He said the A. F. M.'s license for transcription and recording companies would help the N. A. P. A. in its fight in this direction. Petrillo said there were approximately 300 independent stations which are now "chiseling" on musicians via recordings and transcriptions. He said that unless these stations soon sign the A. F. of M. agreement, the union will stop completely the supply of music to them. He added, however, that he was confident that 90 per cent of the owners of independent stations would sign the agreement.

Petrillo, before concluding, said he would consider the $100,000 a year offer to head the N. A. P. A.

Maurice J. Speiser, counsel for the association, delivered a report of progress made since the last meeting. He said that the performing rights of the artist has been recognized in Argentina, Brazil, Ecuador, Uruguay and Chile, and in France, Czechoslovakia and Italy.

Among the prominent bandleaders who attended yesterday's meeting at the Astor were Whiteman, Ben Bernie, George Olsen, Phil Spitalny, Benny Goodman, Don Voorhees, Isham Jones, Xavier Cugat, Emile Coleman, Ruby Newman, Harold Stern and Walter Damrosch and Fritz Reiner.

Open Early

NBC, CBS and Mutual opened their network lines at 5 A. M. today, two and one-half hours earlier than the usual starting time, to offer Chancellor Hitler's broadcast from Vienna, which was short waved to the networks.

Hearst Radio Sales Rumor Substantiated

(*Continued from page* 1)

Features, when queried, emphatically denied the report.

Connolly, who asked to be quoted, said: "The report of the sale or the prospective sale of WINS, KOMA, KTSA, WACO and KNOW is untrue. The only Hearst station involved in a sale is KEHE." The sale of KEHE to Earle C. Anthony was reported in Motion Picture Daily last week.

Ski Train Broadcast Spoiled

Montreal, March 14.—An attempt to broadcast from a Canadian Pacific ski train returning from the Laurentian Mountains yesterday was ruined when the singing and shouting of the occupants of the train drowned out the voices of Herb Hewetson, announcer, and Alan Irwin, commentator.

Sets 39-Week WHN Pact

A new contract for 39 weeks for spot announcements, has been placed at WHN by the Alvin Austin agency for Barney's Clothes, Inc.

"Man on Street" Is Re-Signed 13 Weeks

Hartford, March 14.—The "Man on the Street" broadcast conducted by Bob Martineau on WTHT has been renewed for another 13 weeks by the Whalen Jewelry Co. Program has been on the air for almost two years now without a break.

A new commercial on WTHT is "Treasure Hunt," sponsored by a local department store. The first 15 minutes of the program are devoted to commercials and a list of articles to be brought to the station. Listeners are given two hours to gather their treasures and bring them in. The second 15 minutes are given over to announcements of winners and interviews. Prizes are merchandise certificates and theatre passes.

Charter Rock Hill Firm

Columbia, S. C., March 14.—Rock Hill Broadcasting Co., Rock Hill, has received a charter from Secretary of State Blackwell to operate under an authorized capitalization of $10.000. Officers are: T. F. Bell. president: I. C. Hardin, vice-president; A. W. Huckle. secretary and treasurer

Parent Groups Back Milwaukee Dual Ba

Milwaukee, March 14.—Defin support for a ban against dou features has been voted by the Pare Teachers Association's city coun comprising 35 parent-teacher assoc tions with an estimated 3,600 memb ship.

The local council also will se the support of the state unit i movement by proposing that it a similar resolution at its annual c vention April 25-27 at Stevens Poi The proposal for an ordinance banni duals awaits the report of a co mittee to determine their harm children. Mayor Hoan has indicat that such an ordinance might passed if medical authorities fou double features caused eye stra nervousness or the like.

British Exports in February Increa

London, March 14.—British ports of exposed positive film February, 1938, totaled 2,237,785 fe according to Board of Trade figur just released. The total marked increase over February, 1937, of 54 851 feet.

Imports of exposed positive film the month in 1938 totaled 1,459,786 decrease from February, 1937, of 53 666 feet.

O'Loghlin in Hospita

Toronto, March 14.—J. P. O'Lo lin, Canadian district manager 20th Century-Fox and S. R. K Drive leader, is in St. Catherine's H pital here. He rushed back from N York home office conferences l week for treatment. Physicians pect him to recover in time to att the annual sales conference Apri and 2 in Kansas City where he receive the President's prize for he ing the district leading the 1937 K Drive.

Gehrig Debut in Flori

St. Petersburg, Fla., March 14 "Rawhide," 20th Century-Fox starring Lou Gehrig, will have premiere at the Capitol here Ma 23. Gehrig himself, as well as complete personnel of the New Y Yankees, St. Louis Cardinals Brooklyn Dodgers will attend.

Hartford Manager Qu

Hartford, March 14.—Lou C roll has left as manager of the Ha Bros. State and has been replaced Frank R. Abrams. Carroll has offer from a string of New Y neighborhood houses, he says.

Form Managers' Uni

Philadelphia, March 14.— Theatrical Managers, Agents Treasurers Union has formed a here with 26 members. Lex Ca is chairman and Mark Wilson rec ing secretary.

Brantons on Vacatio

Des Moines, March 14.—G. R. Branton, business manager of State Theatres Corp., and Mrs. B ton, have left for a two-week vaca in Florida.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 43. NO. 61 NEW YORK, WEDNESDAY, MARCH 16, 1938 TEN CENTS

Duals Ban in France to Be Passed Soon

Would Seriously Affect American Companies

By PIERRE AUTRE

PARIS, March 15.—The situation of American film companies in France today took a decided turn for the worse, with the report that the measure banning double features will be passed shortly by the French Parliament.

The enactment of such legislation would make the position of the American distributors practically impossible here, since the majority of the country's exhibitors show duals which are composed of a French film as the leading attraction and an American picture, dubbed into French, as the secondary feature.

American interests here contend that the banning of double bills is contrary to the most recent Franco-American commercial treaty guaranteeing to American companies the advantages they had before. Considering a dual ban in violation, it is indicated that the American companies

(*Continued on page* 5)

English Disturbed By Quota Changes

By AUBREY FLANAGAN

LONDON, March 15.—The British film industry generally is dissatisfied with the action of the House of Lords committee considering the Films Bill in increasing the quota for distributors and exhibitors. It is felt in some quarters that, although the amendments calling for an increase in the quotas were sponsored independently, they actually represent a "punitive" attitude on Government's part.

The exhibitors will meet and discuss the situation probably on Thursday. The measure is expected to

(*Continued on page* 5)

Song Is Cancelled

Among the songs which had been scheduled for rendition by Alfred Wallenstein's orchestra on the "Voice of Firestone" program March 21, was "Vienna, City of My Dreams."

For obvious reasons, "Wally" has ordered the song cancelled from the schedule.

U.A. Purchase Moves Suffer Slight Chill

Goldwyn Will Go Abroad To Talk with Korda

HOLLYWOOD, March 15.—Trade talk lately concerned with the likelihood that the Whitney-backed Selznick International would purchase the Mary Pickford, Charles Chaplin and Douglas Fairbanks partnerships in United Artists under some form of mutual control with Samuel Goldwyn was hastily revised last night when it became known that Goldwyn plans to sail for London March 23 in company with Fairbanks.

The swift assumption was that the recently abandoned Goldwyn-Korda purchase plan utilizing British capital is to be revived, indicating discussions

(*Continued on page* 5)

Jersey Legislature Studies Censor Bill

A bill for film censorship has been introduced in the New Jersey legislature at Trenton and is being considered by the House Ways and Means Committee.

The measure is sponsored by Assemblyman John Kerner of Union County, who is chairman of the Ways and Means Committee. It provides

(*Continued on page* 6)

NATIONAL SALES MEETS CURTAILED

Golden Will Be Vice-President

Edward A. Golden, Monogram sales manager, will be elected a vice-president of the company in charge of exchange operations and executive assistant to W. Ray Johnston, president, at a meeting of the board of directors of the company on Friday, Johnston stated yesterday.

The change is being made to permit Johnston to spend additional time at the Monogram studio with Scott Dunlap, vice-president and production head, it was said. The move will place Golden in charge of the home office during Johnston's absences at the studio. A successor to Golden as Monogram sales manager will be designated within the next few days.

Golden has been sales head of the company since its inception.

Regionals Favored This Year as 20th-Fox and M-G-M Lead Way

National sales conventions will be dispensed with by a majority of the principal distributors this year, it appears at present. With M-G-M and 20th Century-Fox departing from custom to hold reduced sales meetings, sales managers of other companies are pondering the advisability of holding sales conferences or regional meetings in the place of large national conventions.

Most of the companies have not as yet decided what type of meeting to have, but there is considerable sentiment this year for regional gatherings attended by home office officials, district and branch managers. M-G-M is following this procedure. 20th Century-Fox will hold a sales conference in Kansas City on April 1 and 2 which will be attended by about 90 and, following, there will be branch meetings at which new season's policies and product will be outlined to the field staffs.

Those who favor the smaller meetings say that large conventions are unwieldly and that the individual salesmen do not get the value from a mass explanation by company officials that they obtain in smaller groups. Furthermore, it was said, much of the ballyhoo characteristic of a large national convention has lost its effect on the salesmen. The economy factor is also being taken into consideration this year.

The opposing school of thought

(*Continued on page* 2)

Mystery Shrouds Austrian Radio Officials' Status

The international airways have been choked with short wave broadcasts from the continent since Hitler's annexation of Austria, but not one word has filtered through regarding the fate of the officials of the official Austrian radio system, "Osterreichische Rundspruch," known in this country as "Ravag."

One of the reasons advanced for the concern felt here for the safety of these men is that "Ravag," under their supervision, neglected propaganda for entertainment, despite its governmental control.

It is believed that "Ravag" has ceased to exist by that title, and is now a general part of the official German radio system, Reichs-Rundfunk-Gesselschaft.

Network officials here, it is known, have queried their European and Continental representatives regarding the status of the directors of "Ravag," but thus far their queries have been unanswered.

"Ravag" is composed of two primary stations and six subsidiary stations, and because of the excellence of its programs it long has been one of the most important radio transmitters in Europe. Its programs have been picked up consistently by networks throughout the world.

The primary stations are located in Vienna, with the broadcasts emanating from Ravag House. According to Ravag's most recent log, published late in 1937, one station in Vienna has a power of 100,000 watts; the other has a power of 1,500 watts. The lat-

(*Continued on page* 6)

Additional developments in radio yesterday on page 6.

"U" Stockholders Name 3 Directors

WILMINGTON, March 15.—Three new directors were added to the board of Universal Pictures Co., Inc., at the annual meeting of the company's stockholders here today. The new members are Matthew Fox, a vice-president of Universal and executive assistant to Nate J. Blumberg, president; Samuel I. Posen, a New York insurance broker, and J. Dabney Penick, who is associated with A. M. Kidder & Co., New York.

Posen and Penick were elected to represent holders of first preferred stock and fill vacancies created by the recent resignations from the board

(*Continued on page* 5)

MOTION PICTURE
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(Registered U. S. Patent Office)

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Sears to Coast Soon

Gradwell L. Sears, Warner general sales manager, and Carl Leserman, assistant to Sears, plan to leave for the coast March 24. They will stop over in Dallas for the Ned E. Depinet dinner given by Karl Hoblitzelle and arrive March 29 on the coast to set the new season's plans with H. M. and Jack Warner and studio officials. Mort Blumenstock and Sam Schneider will go to the coast together for the conferences but will not stop off in Dallas.

Ad Men to Hear Quigley

Martin Quigley, publisher of Motion Picture Daily and *Motion Picture Herald*, will address the open luncheon meeting today of the New York chapter of the American Marketing Ass'n in the Advertising Club. His subject will be "Motion Pictures and Marketing."

Allen Net Is $18,201

Toronto, March 15.—The financial report for 1937 of Allen's Toronto Theatres, Ltd., shows a net income of $18,201 as compared with $16,309 in 1936. Dividends of $4 per share have been paid for the past two years, leaving arrears of $87.75 per share at the end of 1937.

◂ Purely Personal ▸

LeROY and MRS. PRINZ are en route from the coast. The Paramount dance director is mixing business with a vacation. He will visit Chicago, Kansas City, St. Louis, St. Joseph, Fort Worth and Maimi seeking new talent.

•

Tommy Kelly and Ann Gillis, "Tom Sawyer" stars, will complete a 7,000-mile personal appearance tour of 12 cities tomorrow in Chicago, under the guiding hand of Jackson Parks of Selznick-International, and will return to the coast, reaching there on March 19.

•

Lee Adams, former district circulation manager for the Curtis Publishing Co., has joined the Jam Handy organization's executive contact staff. He will operate out of the midwestern office at Chicago.

•

Willard S. McKay will return from a brief trip to Maryland today, his last day as Universal general counsel. His association with Rosenblatt & Jaffe begins tomorrow.

•

Arthur K. Howard, recording secretary of Allied States, returned to Boston yesterday after three days of conferences here on the formation of a New York Allied unit.

•

Herman G. Weinberg has completed the titling of the new Jan Kiepura musical, "The Charm of La Boheme," for International Cinemart Corp.

•

Hunt Stromberg, M-G-M producer, is due this morning for conferences with Robert E. Sherwood on the forthcoming "Idiot's Delight."

•

William A. Scully, Universal general sales manager, will leave Friday for a brief visit to the company's Charlotte and Atlanta branches.

•

Sonja Henie, accompanied by her mother; Hugo Quist, her manager, and Marion Gyhl left for the coast last night on a TWA plane.

•

Ed Schreiber of Warners' publicity staff will be married tomorrow and will spend a weekend honeymoon in Atlantic City.

•

Harry Buxbaum, 20th Century-Fox branch manager, will return March 28 from a sojourn in Florida.

•

Milton Blackstone of the Blackstone advertising agency left for Florida yesterday on a week's vacation.

•

Major Jack Fieman, manager of Loew's Mayfair, returned yesterday from two weeks at Miami Beach.

•

Bert Sanford of Altec Service Corporation mourned the loss of three teeth to his dentist yesterday.

•

Dan Doherty of Movietone News is back on the job after a tussle with the grippe and sinus.

•

Gus Eyssell and Russell Markert of the Music Hall have returned from a cruise.

ITOA Asks $25,000 Maximum on Loans

Long-term loans for exhibitors covering types of theatre rehabilitation and renovation and equipment purchases not now covered by the Federal Housing Administration credits will be sought by the I. T. O. A. Applications on behalf of exhibitors will be made to the Reconstruction Finance Corp. Applications will also be filed with F. H. A. for loans coming within its jurisdiction.

Harry Brandt, I. T. O. A. president, said he is endeavoring to have the maximum credits set at $25,000 for individual loans, but the Government agencies so far have limited the amount to $10,000.

The F. H. A. has restricted credits to immovable equipment and the present negotiations are to obtain Government loans for all types of equipment, including booth installations. It is also sought to have the loans cover such work as painting and redecorating. It was made clear that I. T. O. A. will not make application for loans to cover new theatre construction.

RKO Makes Changes In Foreign Staffs

Personnel changes in the RKO foreign offices have been made by Phil Reisman, foreign sales manager. Leon Wynbergen has been appointed head of the office in Brussels. Ned Clark, who has been acting manager at the Belgium post, will return to his Paris headquarters. M. Czaban has been appointed by Reginald Armour, general European manager, to manage the office in Warsaw, replacing H. Lehman who has resigned. Armour has also appointed Marcel Gentel as sales manager for RKO Radio Films, S. A., a French subsidiary, who will make his headquarters at the Paris office.

Bruno Cheli, Brazilian manager, has appointed Jose M. Henriques exchange chief, and Hermogenes Americano as manager of the Juiz de Fora and Bello Horizonte offices, respectively.

RKO Takes Opera House

The Grand Opera House at Eighth Ave., from 23rd to 24th Sts., has been purchased from Warco Trading Co., Inc., by the Opera Theatre Co., Inc., a subsidiary of RKO. The purchase price is said to have been in excess of $1,000,000. RKO will start alterations immediately to provide a completely modern theatre.

E. M. Loew Men Shifted

Boston, March 15.—John McConville is now managing the Gayety. The brother of the Columbia Pictures executive has replaced Grover Burkhardt, who is ill. McConville went to the Gayety from the Davis Square. Edward Meyerson has been transferred to the Davis Square.

Seeks LaGuardia Film

Councilman Straus has suggested that a film depicting the operation of the New York government be made at a cost of $50,000 and exhibited at the World's Fair next year. Straus said the film could be turned over to the Board of Education for exhibition here and in other cities.

National Sale
Sessions Wil
Be Curtaile

(Continued from page 1)

maintains that it is not real econo
to dispense with a national conven
in favor of a small meeting and
trict meetings later, as the var
conferences, in the aggregate, cost
much money as the one big gatheri
and take up the time of home off
executives in traveling around
country. This is the viewpoint
Gradwell L. Sears, general sales ma
ager of Warners. He said that
company has not decided whether
have a national convention or regio
meetings.

RKO, Paramount, United Arti
Columbia and Universal have
made any decision. RKO may h
two regionals, although there is
possibility for a national meeti
Paramount is discussing the adv
ability of dispensing with a natio
convention in favor of district or
gional sessions. Universal may
decide on its plans for another mor
as for the balance of this month
ecutives will be occupied with co
pleting this season's production pla
Universal executives are divided
the matter, some feeling that a
tional meeting would give the new
ministration an opportunity to beco
acquainted with the field forces, wl
others see no real necessity for a la
convention.

Monogram Meet in March

Monogram will have a national c
vention of franchise holders, bra
managers and salesmen in Cincinn
March 24 to 27. Plans have b
made also for a regional meeting
Hollywood for Los Angeles,
Francisco, Portland, Seattle and D
ver sales staffs. This meeting
scheduled for the end of this mo
and may be canceled in view of
proximity of the national meeting.

Republic will have its first la
convention in Hollywood May 2 t
to be attended by home office exe
tives, franchise holders, field su
visors, branch heads, salesmen
bookers. Between 350 and 400 will
tend.

M-G-M Southern M
To Attend Meet He

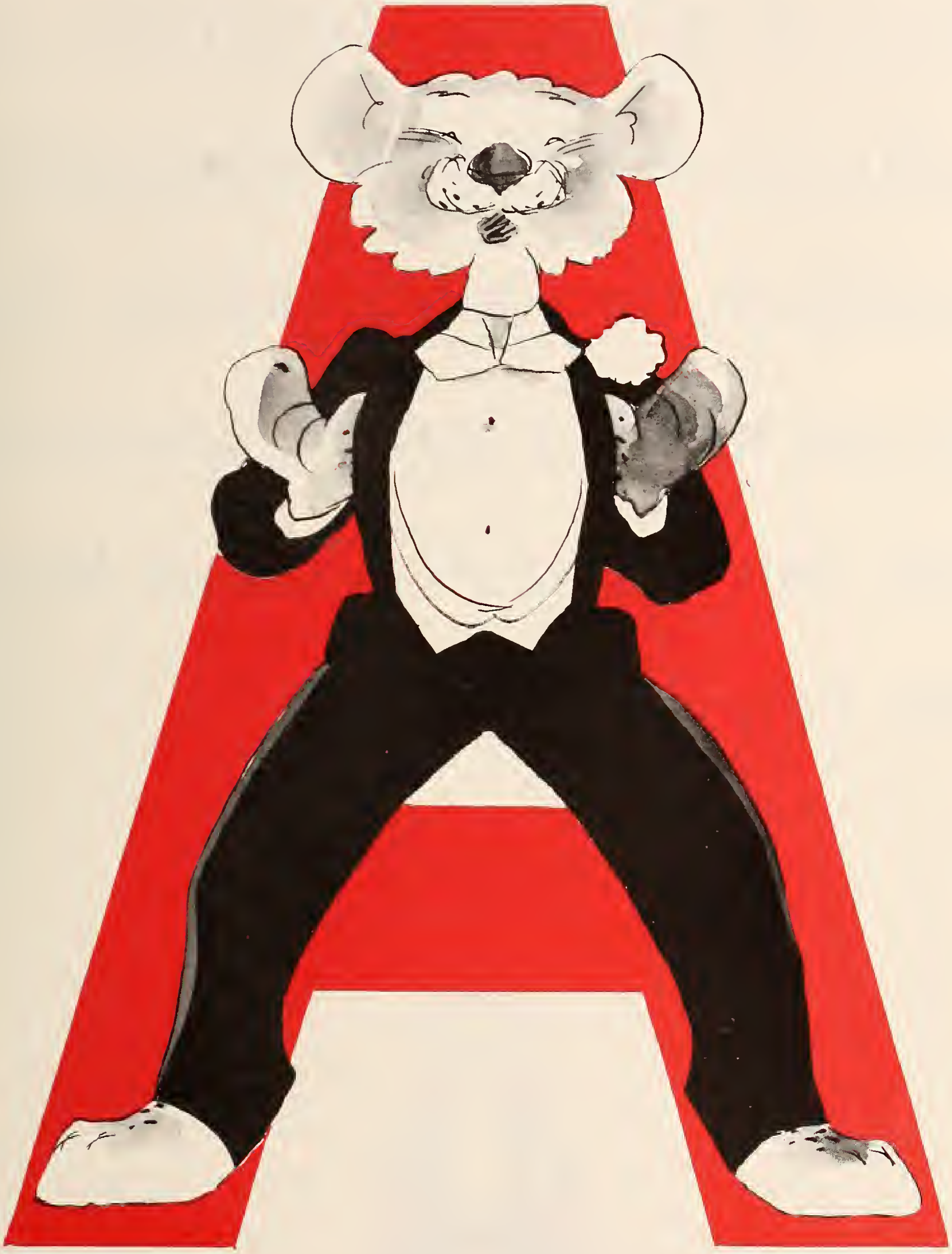
Southern branch managers
M-G-M will attend the eastern
trict meeting on March 27 and
in New York, one of three schedu
It was decided not to have a ses
for the southern territory. W.
Hayner, Canadian sales manager,
also attend.

Tom Connors, E. K. O'Shea
William R. Ferguson returned
terday from the Kansas City con
ence. Robert Lynch, Philadel
branch manager, also returned.

Green Quits Circuit

Kansas City, March 15.—Joe Gr
general manager of Mutual Theat
independent circuit operated by W
Fulton and Stanley Schwartz, will
sign March 19. It is expected that
successor will be named.

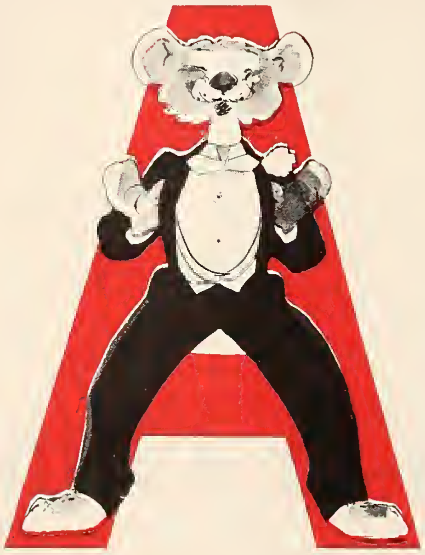
100%



M-G-M 1938-39

Only one studio has the stars, featured players, directors and producers sufficiently outstanding to embark on such a policy. Anyone can make a similar announcement but Metro-*Goldwyn*-Mayer alone can deliver

100%



.A. Purchase loves Suffer Slight Chill

(*Continued from page 1*)

ween Goldwyn and Whitney in- s had bogged down.

ile this speculation added fuel he slow fire long burning in the . area, no responsible person in- ved would authenticate the specu- on. Informed sources interpret dwyn's European journey as in- ative of nothing more significant n a vacation trip made possible, the recent Honolulu holiday, by sent inactivity at his studio, al- ugh none doubts he would enlist English capital which might be ilable. This is considered a dubi- possibility under prevailing Lon- conditions. Korda's ability to se at this time funds which failed materialize several weeks back in then better investment market is nkly scoffed at.

elznick International spokesmen e the position that the Whitney l was never affirmed as a concrete ssibility and cannot therefore be nmented on as abandoned or con- uing as a prospect.

Money Principal Factor

t is known, however, that lengthy versations were conducted and no stacles encountered which money uldn't overcome. These are known have cooled within the past fort- ght, but without rancor and subject renewal. As last discussed, this oject would likewise have interna- nal ramifications. Renewal of the lznick-U.A. releasing deal after the livery of two pictures still due der the current contract is under- od to depend upon developments in s connection, but no urgency char- terizes this negotiation.

The U.A. board meeting called for sterday was postponed to Thursday cause of lack of a quorum.

U" Stockholders Name 3 Directors

(*Continued from page 1*)

Myer Schine and Willard S. cKay. William Freiday, formerly representative of common stock- lders on the board, was reelected the board as the representative of cond preferred holders, filling the acancy created by the recent resig- ation of R. H. Cochrane. Fox was ected a representative of the com- on, replacing Freiday. All other rectors, who represent common areholders, were reelected. They re J. Cheever Cowdin, chairman; lumberg, Paul G. Brown, D. C. Col- ns. Ottavio Prochet, Budd Rogers, harles R. Rogers, Daniel M. Shaef- r and Willis H. Taylor, Jr.

No organization meeting is sched- led, as new officers of Universal ere elected early this year. The ewly constituted board will hold its rst meeting April 5, the regularly cheduled date.

Warfield to Worcester

BOSTON, March 15.—Raymond War- eld is now manager of the Family in Vorcester. It is a Loew House.

The Newsreel Parade

Movietone News
Vol. 20, No. 63
(*20th Century-Fox*)

Displaying the usual production values which make this a significant reel even when important news is wanting, this release measures up in all respects to Movietone's standards of interest and entertainment.

The lead position goes to maneuvers of the French fleet in the Mediterranean. Other international coverage includes the return to Tokyo of General Matsui, commander of the Japanese army in China, and the attendance of King George VI at an amateur boxing bout in London. Mother-in-law day in Texas with Mrs. F. D. Roosevelt as the guest of honor is diverting, and Tom Mooney's plea to the California legislature for pardon is of general interest. The sports department includes some excellent shots of individual events in the K. of C. indoor track meet at Madison Square Garden and five big league teams at their training camps. The award of the Irving Thalberg Memorial trophy to Darryl Zanuck at the Academy dinner in Hollywood is included.

Lew Lehr gains his usual quota of laughs with some additions to his already remarkable list of inventions. Running time, 11 mins. K.

News of the Day
Vol. 9, No. 251
(*M-G-M*)

Capitalizing on the recent German coup in central Europe, News of the Day has gathered enough stock material together in this release to portray graphically the seriousness of the development to Czechoslovakia. The subject depicts the Czechs military machine in recent maneuvers, the precarious geographical position of the nation and adds a statement of Czech policy by its minister to this country in Washington.

Other subjects are of average interest and include the celebration of Lloyd George's golden wedding anniversary; Tom Mooney's appeal to the California legislature for clemency; the First Lady and five governors at a mother-in-law celebration at Amarillo, Texas, and demonstration of a new air tunnel to test the effects of wind currents on airplanes. The sports department includes some good shots of the K. of C. games at Madison Square Garden, the Chicago White Sox in training and King George VI at an amateur boxing bout in London. Running time, 9 mins. K.

Paramount News
No. 64
(*Paramount*)

The big news, journalistically on the radio, in films and otherwise is the German invasion of Austria. But this reel gives first place to the flower show at Grand Central Palace. The Nazi "putsch" is taken care of in the second lead. The rest of the reel is an interesting display of aviation, sport and David Lloyd George's golden wedding anniversary.

The Austrian "story" was culled from the stock shot library. It offers scenes of everyone and everything concerned in the affair, but Hitler. The swastika is seen flying at the Austrian embassy in Washington and Senator Pitman has his say on the situation, informally, in front of what looks like the Union Station at the Capital. There are good shots of the experimental devices at Langley Field, Va.; Lloyd George at Cardiff, Wales; Max Baer, battered but telling how he is attempting to make a pugilistic comeback, and the Pittsburgh Pirates at San Bernardino, Cal., where the cameraman utilizes a number of novel camera stunts to cleverly put the subject over. Running time, 9 mins. P.

RKO Pathe News
Vol. 9, No. 68
(*RKO*)

The Austrian situation, the big news of the week is almost entirely neglected in this reel. The only mention of the event is made during the display of scenes of the French Navy off Nice. There is no assemblage of library shots. Attention is drawn to the significance of the fleet as Germany's expansion policy, threatening the Franco-Czech alliance is narrated. The rest of the reel is composed of diverse, interesting material culled from run-of-the-mill sources.

There are shots of a fire in an excelsior warehouse, the testing of airplane models in a wind tunnel, baseball teams at their training quarters, the Chicago boy who writes upside down and backwards. figures in the T.V.A. dispute, Tom Mooney attending a pardon hearing, Max Baer discoursing on his hurts and offspring, Lloyd George celebrating his golden wedding anniversary with a few quips and Glenn Cunningham winning the Columbian Mile at the K. of C. games at Madison Square Garden. Running time, 8 mins. P.

Universal Newsreel
No. 649
(*Universal*)

Universal has dramatized the German annexation of Austria by assembling clips showing soldiers on parade in Vienna, Italians at Brenner Pass, Leon Blum in Paris, the Red army marching in Moscow, Senator Joseph C. O'Mahoney advising this country to mind its own business at Washington, army formations at Prague, and Prime Minister Neville Chamberlin leaving 10 Downing St., London. The whole is tied together by Graham McNamee's commentary. It's probably more effective than actual scenes of the arrival of Storm Troops would have been.

One of the surprises of the reel, and an interesting human interest angle, is the appearance of Tom Mooney before the California House and cut-ins of legislators listening to him. Mooney's vigor is astonishing.

The sport interests is taken care of by shots of Glenn Cunningham running in the Columbian mile of the Knights of Columbus games. A plane tester that actually makes planes fly in a wind tunnel ought to interest juvenile fans. Other subjects include shots of Gabriele d'Annunzio's funeral, spring baseball practice, the flower show and a man's fashion show. Running time 9½ mins. J.

Duals Ban in France to Be Passed Soon

(*Continued from page 1*)

will register vigorous protest if the law is enacted.

The American distributors here are considerably disturbed, seeing a threat to their operations here, in view of the fact that the quota on dubbed films for the first half of 1938 already is exhausted, and the attacks from German sources, the trade unions and Communist elements. The trade unions are demanding an increase of the tax on dubbing and higher taxes on raw film and the importation of prints.

If all these measures were to be made effective, American distributors would be faced with the necessity of reducing or even possibly suspending activity in the French market. The situation even at present is difficult, in view of the strong competition offered by French product, which is increasing in quality and popularity, and the general business depression.

Informed circles have disclosed that Jean Zay, Minister of National Education for the last two years, and L. O. Frossard, new Minister of Propaganda, are trying to rush through to enactment bills which would give either one virtual control of the film industry. It is a case of competition between the two cabinet ministers for film control. The two measures are similar, and both have as their most important element the banning of dual bills.

English Disturbed By Quota Changes

(*Continued from page 1*)

reach the report stage in the House of Lords next Tuesday, with a possibility existing that there will be still further changes. The formal third reading of the measure is expected next Thursday, after which the measure will be returned to the House of Commons for final ratification. It will become a law on April 1.

Under the amendments as approved by the Lords committee yesterday, the exhibitors' quota will start at 15 per cent instead of 12½ per cent as in the bill passed by the House of Commons. The distributor quota will start at 20 per cent under the new bill, instead of 15 per cent, as originally scheduled.

Equity Denies Radicalism

Actors' Equity Council and officers yesterday denied the existence of a subversive group in the organization, or the control of the council by such a group, in a statement issued following a meeting of the council. George Arliss has alleged that Communists are a force in Equity.

The council also resented the recent attack on Burgess Meredith.

Reopen at Washington

WASHINGTON, March 15.—The Belasco, former legitimate house, reopened today with foreign films. The Goldberg Bros have assumed control.

Radio Personals

BOBBY BREEN will be the air guest of Radie Harris on Mutual tomorrow at 6:45 P. M. . . Jay Meredith has joined the cast of "Way Down East," transcribed series. . . Charles Capps, production manager of WMCA, is in charge of moving the station to its new offices some time next month.

. . Don Johnson is nearing completion of his first novel. . . Tommy Dorsey's band will appear at the Earle in Washington the week of March 23. . .Nino Martini will appear on the Ford "Sunday Evening Hour" March 27. . . Jimmy Shields has been chosen as the Canadian Broadcasting System's guest singer for St. Patrick's Day. Linton Welles departed for Montreal last night for Sunday's "Magic Key" broadcast. . . . Bob Carter yesterday made recordings for Dodge-Plymouth at RCA.

✚

Al Mitchell, WOR's "Answer Man," answers all queries pertaining to film matters by consulting *Motion Picture Almanac*. . . Midge Williams has joined Louis Armstrong's band as vocalist. . . Milton Berle will take up the guest spot left open in the Jack Oakie series by the death of Lydia Roberti.

WMCA Sets Three Program Contracts

New business on WMCA includes: A 13-week contract, three times weekly, for Zeke Manners and his Hillbillies," sponsored by the River Bank Canning Co. The contract was placed by Klinger Advertising Corp.

Also listed for renewal is the "Zion Variety Show," sponsored by the Zion National Kosher Sausage Factory, through Advertisers' Broadcasting Co. Clark Shoe Co. has contracted for half-minute announcements eight times weekly for 52 weeks ending March 10, 1939. The announcements were placed through the Friend Advertising Agency.

Wall Street

Decline Halts; Majority Gain

	Open	High	Low	Close	Net Change
Cons.	1⅜	1⅜	1⅜	1⅜	+ ⅛
Cons., pfd..	5½	5½	5½	5½	+ ⅜
E. K.	153½	154½	153½	154½	+2½
G. T. E.....	10½	11	10½	11	+ ½
Loew	45⅝	47¼	45⅝	47¼	+2¼
Loew, pfd..	106	106	106	106	— ⅛
Para.	8⅞	9⅜	8⅞	9⅜	+ ⅝
Para. 2.....	9¼	9½	9¼	9¼	.....
Pathe	5¼	5⅜	5¼	5⅜	+ ⅜
RKO	3¼	3⅜	3¼	3⅜	+ ⅛
20th Fox ..	21⅞	22¼	21⅞	22¼	+ ⅜
20th pfd. ..	28½	28½	28½	28½	+ ½
Univ. pfd...	40	40	40	40	+ ⅛
W. B.	5⅛	5⅜	5⅛	5⅜	+ ¼

Technicolor Rises on Curb

	Open	High	Low	Close	Net Change
G. N.	½	9/16	½	9/16	+1/16
Monogram	2	2	2	2	— ⅛
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	19½	19⅞	19½	19⅞	+ ¾
Trans-Lux	2½	2½	2½	2½	— ⅛

Keith Bonds Off

	High	Low	Close	Net Change
Keith 6s '46......	85	85	85	—2
Para. Pict. '47....	69	68½	69	+ ½
W. B. 6s '39......	68	67½	67½	— ¼

(Quotations at close of March 15)

May Dissolve NAB California Branch

SAN FRANCISCO, March 15.—Dissolution of the Northern California Broadcasters' Association, which includes stations in Nevada and Hawaii, is being considered by a committee appointed by Ralph R. Brunton, director of the 15th N.A.B. district. The committee will report back on April 15.

Brunton named the committee after reporting to representatives of 31 stations, on proposed changes in the radio industry, as suggested at the recent N.A.B. conference in Washington. On the committee are Phil Lasky, KSFO; Art Westland, KRE; Clarence Juneau, KYA, and Jack Bennett, KHUB.

Burns and Allen Are Re-Signed for Year

Burns and Allen yesterday were re-signed for an additional year of broadcasting for General Foods Corp. The comedians broadcast Mondays over 73 stations of the NBC-Red network from 8 to 8:30 P. M., with a rebroadcast from 10:30 to 11 P. M. The renewal is effective April 4. Young & Rubicam is the agency.

CBS Adds Three Men

The CBS research department has added three newcomers to the staff, Clifford P. Houghland, Oscar Katz and Fred Mahlstedt. All three are working under the supervision of Dr. Frank N. Stanton, manager of the department. Houghland came to CBS from the American Mutual Liability Insurance Co. Katz was formerly with National Markets Analysis, Inc., and Mahlstedt with Arthur Kudner.

Two Shows Change Time

"Saturday Night Swing Club," CBS feature, will inaugurate a new time schedule when it is heard from 7:30 to 8 P. M. this Saturday. Also about to undergo a change in time is Ben Bernie's program on CBS. Beginning March 30, the program will be aired from 8:30 to 9 P. M.

Lucy Monroe on "Hall'

Lucy Monroe has been engaged to headline the guest cast on the Hammerstein "Music Hall of the Air" over CBS this Friday. Elissa Landi will be among the other entertainers.

He Should Know

"Johnnie" Johnstone, WOR's director of publicity, yesterday made an address before the Teachers' Association at Great Neck, L. I., on the "History and Development of Radio."

And "Johnnie" knows whereof he speaks, for on March 23 he will celebrate his 15th year in radio.

Will Quiz Nathanson On Canada Rate Rise

TORONTO, March 15.—N. L. Nathanson, president of Famous Players Canadian Corp., will be called before the select committee of the Canadian House of Commons which is to investigate the activities of the Canadian Broadcasting Corp. in connection with the proposal to raise the annual license fee for receiving sets from $2 to $2.50.

Nathanson will be examined as a governor of the corporation, along with other members of the directorate, before the committee, of which Arthur L. Beaubien of Manitoba is chairman, examines General Manager Gladstone Murray and other officials. The investigation is scheduled to open toward the close of March and it is understood that the fee increase will not go into effect in April, as originally intended, pending the outcome of the study.

One of the questions to be asked at the inquiry concerns the amounts paid to the big networks in the United States for commercially sponsored radio programs now released over the Canadian chain of stations. Nathanson was appointed to the board of governors of the Canadian Broadcasting Corp. in 1936 when the original Canadian Radio Commission was superseded by the corporation.

Warners Show April 5

According to Warners, its new transcribed series, sponsored by the Gruen Watch Co., will begin in New York over WNEW April 5. WMCA also is scheduled to carry the program, beginning April 8.

Defer Studio Opening

Opening of the new WMCA studios, originally scheduled for the end of March, has been deferred until some time in April.

Mystery Shrouds Austrian Radio Officials' Status

(Continued from page 1)

ter station is the unit used for short waves.

Other stations are in Graz, 15,000 watts; Salzburg, ,2000 watts; and Voenfurt, 5,000 watts; Linz, 15,000 watts; Salsburg, 2,000 watts; and Voralberg, 5,000 watts.

The officials of "Ravag," all of whom are well-known to radio executives in this country, and whose present status is a matter of grave concern here, are: Edward Heinl, president; Julius Ritter von Steyskal; Dr. Rudolf Hornek; Dr. D. Ludwig Draxler, vice-presidents. The directors include Rudolph Bronwold, Oskar Czeija, Alexander Burjan, Dr. Karl Fenzl, Dr. Franz Gruber, Dr. Karl Maria Gullich, Gustaf Hallwich, Dr. Josef Joham, Prof. Karl Lugmayer, Dr. Roas Pertner, Hans Pfeuffer, Rudolph Schober, Dr. Ernst Ritter von Streeruwitz, Karl Weninger, Gustaf Adolph Witt and Franz Rudolf Mullner.

Expect Agency Bill To Pass in Alban

ALBANY, March 15.—The prevail ing sentiment on Capitol Hill is fo passage of the Ostertag employmen agency bill, which exempts theatr circuit booking offices. It will be o Wednesday's third-reading calenda in the Assembly and is due to b passed after a debate. Other Assem bly employment agency bills are dea MOTION PICTURE DAILY underst[illegible] on good authority. This includes [illegible] Breitbart and so-called "moss backed De Matteo hoppers.

Senator Howard's employment bi is now amended to conform wit Ostertag's. The belief here is tha the Senate theatre seating and matro measures will not be reported.

Ask Wage Bill Changes

Amendments are being sought to th Delany-Mahoney bill, strongly sup ported by I.A.T.S.E., making stock holders liable for employes' wage The bill was proposed by Assembly man Delany, who thinks the measur will pass the Senate if a satisfactor change can be made and is confider the Assembly will accept revision.

The fate of the Ascap bill still is i doubt, although members of that or ganization are hopeful they have i stopped in one house. Theatre suppo from upstate exhibitors and fro broadcasting stations may possibl swing the scale in its favor. The Sen ate passed the Doyle bill restrictin school and college orchestras fro playing outside commercially. It death in the Assembly is predicte however.

Jersey Legislature Studies Censor Bil

(Continued from page 1)

for a board of three, one to receiv an annual salary of $4,800 and tw $4,500. Additional clerks are to b hired as necessary.

An inspection fee of $2 for eac reel of 1,200 feet or less is provide for all prints released in the state.

Members of the committee whic has the bill under consideration, be sides Kerner, are Assemblyme Young of Essex County; McClav Bergen County; Lance, Hunterto County, and Browne, Mercer Count

Allied of New Jersey's legislativ committee is watching development It is opposed to the bill on the groun that it is unnecessary and imposes burden on taxpayers.

A similar measure was introduce in the New Jersey legislature tw years ago.

Approve Neely Measure

Allied of New Jersey members a a regular meeting at the Hotel Lin coln yesterday expressed unanimou approval of the Neely bill, declarin that it will aid the independents an will not be as great a hardship the distributors as has been claime Subsequent run business on "Sno White and the Seven Dwarfs" al was discussed. Irving Dollinge president, was chairman of the mee ing.

Endorse Neely Bill in N. H.

NEW HAVEN, March 15.—Th Neely bill was unanimously endors at a special meeting of Allied The tres of Connecticut here today.

TOPPING THE PREDICTIONS OF REVIEWS . . . OUTDOING HER OWN BOX OFFICE RECORDS ALL OVER THE COUNTRY!

EWSPAPER REVIEWS

"Extraordinary—Even better than her previous ones!" LIBERTY MAGAZINE

"A 'Must See' Picture!" LOUELLA PARSONS

"The whole town's going to be mad about "MAD ABOUT MUSIC!" N. Y DAILY NEWS

"Will do a whale of a lot of business." MOTION PICTURE DAILY

"Mad About Music is Deanna's best picture to date . . . heart-warming entertainment." TIME MAGAZINE

"Three in a row for Deanna!" N. Y TIMES

"Better than 100 Men and A Girl" SEATTLE STAR

"Another Smash" VARIETY

"Sure-fire. Should pay big dividends at B.O." FILM DAILY

HELD OVER ALL OVER!

NEW YORK TO FRISCO! LOS ANGELES! MIAMI! DETROIT! BALTIMORE!

BOX OFFICE REPORTS

BIGGEST OPENING IN HISTORY! DETROIT! BUFFALO! MIAMI! SMASH BUSINESS NEW YORK ROXY! Record Breaking All Key Openings!

DEANNA DURBIN

IN A NEW UNIVERSAL PICTURE

"MAD ABOUT MUSIC"

with

HERBERT MARSHALL

GAIL PATRICK · ARTHUR TREACHER

WM. FRAWLEY · Franklin Pangborn · Elisabeth Risdon · Cappy Barra's Harmonica Ensemble · Music & lyrics by Jimmy McHugh & Harold Adamson

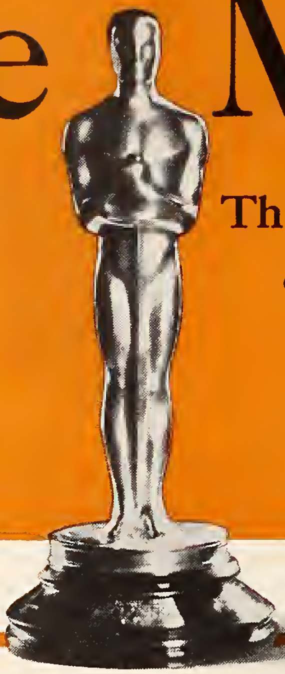
Screen Play by Bruce Manning and Felix Jackson

Directed by NORMAN TAUROG · Assoc. Prod. JOE PASTERNAK

CHARLES R. ROGERS

Executive Vice-President IN CHARGE OF PRODUCTION

Once More



The World Has Been Reminded That The Best of All The Pictures of 1937 Was Produced by

WARNER BROS.

Mr. Paul Muni

in

THE LIFE OF EMILE ZOLA

Director, WILLIAM DIETERLE

Screen Play, Norman Reilly Raine, Heinz Herald and Geza Herczeg • *Story,* Heinz Herald and Geza Herczeg

Music, Max Steiner • *Orchestra,* Leo Forbstein

Assoc. Producer, Henry Blanke • *Asst. Director,* Russ Saunders

Photographer, Tony Gaudio • *Film Editor,* Warren Lowe

Art Director, Anton Grot • *Unit Manager,* Al Alborn

JACK L. WARNER
Vice-President in Charge of Production

HAL B. WALLIS
Associate Executive in Charge of Production

Trade Reminder: **It Is Now Establishing A New Record for Return Engagements**

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 62 NEW YORK, THURSDAY, MARCH 17, 1938 TEN CENTS

M-G-M Sales Organization Is Realigned

hange Three Districts; Shift 4 Managers

Realignment of three district terri- ries and shifts in four branch man- ger posts have been completed by I-G-M. The changes increase the stricts from six to seven, rearrang- g them to make for compactness and reater facility in handling by the strict heads.

Sam A. Shirley, district manager ith headquarters in Chicago for 19 ears, is taking over the branch in nat city, succeeding Felix Mendelsohn, who has retired from the film usiness. Shirley has been ill about year and is unable to travel.

J. E. Flynn, district manager with eadquarters in Detroit, takes over hirley's territory, retaining Detroit nd supervising also Chicago, Indianpolis, Milwaukee and Minneapolis.

Cincinnati, Cleveland and Pitts-

(Continued on page 15)

Quigley Urges New Standards In Advertising

Tells Marketing Men of Film Experiences

Application of the principles of the industry's advertising code to general advertising was urged by Martin Quigley, president of Quigley Publications, yesterday at a luncheon meeting of the New York Chapter of the American Marketing Association at the Advertising Club.

In stressing the need for higher standards in advertising in the general field of advertising, Quigley cited a number of cases that he had noticed recently which, he said, transgressed the bounds of decency and good taste.

He drew a parallel between the industry before the introduction of the production and advertising codes and

(Continued on page 3)

NEELY BILL VOTE CHANCE HELD DIM

Probe Is Ordered Into Air Monopoly

By BERTRAM F. LINZ

WASHINGTON, March 16.—Demanding an immediate investigation of alleged monopoly in the chain broadcasting, Federal Communications Commissioner T. A. M. Craven today laid before his fellow commissioners a resolution calling for creation of a committee of three members to hold hearings and study the question.

Following almost a full day of discussion of the matter, the resolution was made a special order for con-

(Continued on page 16)

Additional developments in radio yesterday on page 16.

Crowded Program, Hope Of May Adjournment Must Be Hurdled

WASHINGTON, March 16. — Desire of Administration leaders to adjourn the current session of Congress in May, if possible, is seen in Washington as barring any chance of enactment this year of the Neely block-booking bill or other motion picture legislation.

The Neely bill, reported five weeks ago by the Senate Interstate Commerce Committee, is on the Senate calendar. However, the Senate has not taken up the calendar for many weeks and probably will not do so for some time to come, having been delayed in its work by the fights on the anti-lynching and reorganization bills.

When the measure is reached, it is expected to be the subject of a controversy over whether the committee acted properly in reporting the bill on the basis of hearings held two years ago without making any effort to bring its information up to date, and a motion will probably be offered

(Continued on page 15)

New Yorkers Going To Depinet Dinner

Approximately 50 New York film xecutives will go to Dallas in special ars and by plane for the Ned E. Depnet 30th anniversary dinner to be eld at the Baker Hotel there March 6. The affair is sponsored by Karl Ioblitzelle and Robert J. O'Donnell f the Interstate Circuit, Dallas. The KO vice-president began his film areer in that city in 1908.

New Yorkers will leave by train at P. M. March 24, and will arrive in Dallas Saturday morning. Planes will eave Friday afternoon and arrive that ight. Other arrangements are being nade for a number of industry executives who will go to Dallas from Holwood and Florida.

Ban on "Children" Is Upheld by Court

ALBANY, March 16.—The Departnent of Education today preserved its ecord of never having been overruled n court on motion picture rejections hen the Appellate Division handed own a 3-2 decision late this afteroon upholding Commissioner Graves n his refusal to license "Tomorrow's Children." Foy Productions, Ltd., and Principal Film Exchange, Inc., were etitioners and Jonah J. Goldstein heir counsel.

Justice Daniel V. McNamee delivred the prevailing opinion, which held

(Continued on page 15)

Hitler's Censors and Fog Make It Bad Day for Reels

If a sour—pardon!—discordant note appears in today's issues of the five newsreels don't berate the editors. Blame it on Hitler and yesterday's weather.

Any newsreel makeup day has its full share of tribulations, but yesterday couldn't have been much worse for the five reels unless it had been visiting day for the auditors, as well. Early in the morning cables began trickling in from Vienna, spelling out messages of woe. Resident cameramen jailed for photographing Hitler's entry into the city with its attendant demonstrations. Strict censorship of all material filmed in the city. Exclusive camera rights granted to German film companies.

The afternoon was no better. In fact it was worse. From lunch time to makeup hour it brought a succession of reports of planes being grounded

(Continued on page 2)

WEEKS JOINS MONOGRAM

George W. Weeks was named general sales manager of Monogram Pictures yesterday, succeeding Edward A. Golden, who is slated to be elected a vice-president of the company and executive assistant to W. Ray Johnston, president, at a meeting of the Monogram board of directors tomorrow. Weeks' appointment will be effective Monday.

The new Monogram sales manager resigned recently as sales manager of G. B., a post which he had held for three years. Prior to that he had held important sales posts with Paramount for a number of years, among them that of general manager of distribution for Famous Players-Lasky. He entered the film business in 1910 as supervisor of the Kunsky circuit in Detroit and subsequently was a Universal and Metro franchise holder in Michigan.

As founder and president of Sono-Art Productions, Inc., and president of Mayfair Pictures Corp., Weeks produced many independent films, among them "Rainbow Man" and "Honeymoon Lane," which starred Eddie Dowling. The pictures were released by Paramount.

Lords' Final Quota Action Up Thursday

By AUBREY FLANAGAN

LONDON, March 16.—The report stage on the Films Bill in the House of Lords will be reached on Monday, and the measure will have its third reading on Thursday, it was ascertained here today.

American distributors are expected

(Continued on page 15)

Eddie's Breite

Today is St. Patrick's Day and Eddie Golden's birthday. In honor of the occasion the Monogram home office staff will wear green ties and green carnations and will attempt to affect an Irish brogue.

Also, Ray Johnston has arranged with the telephone company to have a quartet sing "Happy Birthday to You" to Golden over the wire. There's no telling what else might be attempted.

Note: Translation of "breite" on request.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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MARTIN QUIGLEY
Editor-in-Chief and Publisher
A-MIKE VOGEL, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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MELBOURNE: Regent Theatre Buildings, 19: Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
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MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Kiesling Leaves Soon

Barrett Keisling of the M-G-M studio publicity department will leave New York shortly on a tour of about 70 key cities during which he will contact newspaper editors and critics. While here he has been addressing various groups. Tuesday night he spoke on short subjects before the film division of the Museum of Modern Art. Arthur DeBra of the Hays office also spoke. Five M-G-M shorts were screened. Kiesling is scheduled to talk at Hunter College before leaving New York.

Montreal Depinet Leader

Standings in the Ned E. Depinet Drive being conducted by RKO are changing daily. The Montreal branch, directed by M. Plottel, is now in the lead, having taken first place from Cleveland, which led early in the week and which is now in fourth position. Buffalo is runnerup to Montreal and Indianapolis is in third place.

G.B. Sets Dividend

London, March 16.—Gaumont British today announced a dividend on the cumulative first preferred shares for the six months ended March 31.

◂ Purely Personal ▸

W. I. HAMILTON, personnel director at the Waldorf Astoria and Harry Martin, superintendent of mechanical communications, will leave today for Amherst, Mass., where they will show the hotel's service films to students at the Massachusetts State College.

•

Sara Allgood, English character actress and the cast of "Shadow and Substance," will attend the opening day matinee performance of "Storm in A Teacup," Monday at the Little Carnegie Playhouse.

•

J. Don Alexander, president of Alexander Film Co., Colorado Springs, is here for a two-week stay. He plans to sail March 25 with Mrs. Alexander for a 17-day cruise to South America.

•

Oscar A. Doob, advertising director of Loew's, has returned from an inspection trip to Baltimore and Washington. While in the capital he attended the White House Correspondents' dinner.

•

Phillips Holmes will return from Florida next week. He is scheduled to leave thereafter for England, where he will make a film for British International.

•

Edward Schreiber, of the Warner home office publicity department, today will wed Irene Lenkowsky. They will honeymoon in Atlantic City.

•

Joel A. Levy, film booker for Loew's out of town theatres, is in Florida with Mrs. Levy celebrating their silver wedding anniversary.

•

Helane, daughter of Charles Sonin, head of M-G-M's purchasing department, has announced her engagement to Monroe Meyers.

•

Charles Pati of the Loew purchasing department will celebrate a birthday tomorrow. Max Wolff will celebrate on March 24.

•

Dave Weshner of Warners' Philadelphia theatres was in town yesterday booking vaudeville acts for the Earle.

•

Judith Allen, Monogram player, will make a personal appearance tomorrow at the Strand, Brooklyn.

•

Joseph S. Hummel, Warners general foreign sales manager, has arrived in Bombay from Australia.

•

Phil Engel, Warner field representative, is back at his desk following three weeks of illness.

•

Joseph Kleckner, president of Motiograph, is due here tomorrow from Chicago.

•

Irwin Fredlyn has been promoted to assistant manager of Loew's Canal.

•

Fernand Gravet is due back from France April 10.

"Break the News" Is Lively Comedy

London, March 16.—"Break the News," Jack Buchanan production starring himself and Maurice Chevalier, which was previewed here last night, is a lively comedy directed by Rene Clair in Gallic vein, made up of equal parts of naive slapstick and subtle wit.

Chevalier is entertaining as a chorus boy, posing as a murderer for publicity purposes, who is saved from execution at the last minute by the arrival of Buchanan, who has been in difficulties as the mistaken general in a burlesqued Ruritanian revolution. The casting is good. The film opens slowly, but the pace accelerates to a hilarious finale.

Flanagan

Hitler's Censors and Fog Make It Bad Day for Reels

(*Continued from page* 1)

all over the south and west with packages of film aboard for today's issues of the reels. Tornado pictures from Illinois and the south were halted at Pittsburgh. Pictures of a San Francisco submarine launching were halted in Cleveland. Snow stuff from Sun Valley, Idaho, reposed in cans in Chicago. The story was the same in all newsreel offices here. Movietone, News of the Day, Paramount, RKO, Pathe and Universal.

One plane, unable to land at Newark, came through to unload at Floyd Bennett field. It carried pictures of the Pacific fleet's departure from San Diego for war games, and a few shots of lesser consequence. The reels went to bed last night as usual, of course, and probably in better shape than their editors.

Universal learned that its Vienna correspondent, Julius Jonak, had been arrested for attempting to defy the camera monopoly granted the German film companies on Hitler's Austrian coup. Pathe's Edouard Thule, assigned to Vienna from Paris, was imprisoned for the same reason. Movietone News and Paramount, both of which had their own men in Vienna, were unable to get word from their representatives and were in the dark up to a late hour as to whether or not the men succeeded in shooting their own pictures and, if so, in getting them out of the country without their being censored.

Exchange arrangements between the reels and European cameramen will make some footage available to all newsreels. How much of it will be usable here, in view of the censorship imposed, is not yet known.

Para. Arranges Some Far Flung Openings

Paramount is planning a series o unusual openings in various parts o the continent in connection with th "Paramount on Parade Around th World" drive, according to Neil F Agnew, vice-president in charge o sales. "Tropic Holiday" will ope simultaneously in Mexico City an Washington. "Spawn of the N will have its premiere in N Alaska.

"Dr. Rhythm" will open in Seattle Bing Crosby's home town; "Th Texans" in San Antonio and Dallas Texas, and Abilene, Kan.; "Stole Heaven" in New York, probably i May. "Men with Wings," Technicolor film, will open in Cleveland a the time of the annual air meet there and the print will be flown from th coast on the first official flight of th new mystery speed plane of Pau Manz, Hollywood pilot and airplan designer.

Para. Makes Sales Film

Paramount has produced a one-ree promotional film in connection wit its international sales drive showin brief scenes from forthcoming product Fred MacMurray acts as narrator The last sequence is a Technicolo bit from "Her Jungle Lover." Th new product covered includes "Colleg Swing," "You and Me," "Romance i the Dark," "Professor Beware, "Stolen Heaven," "Doctor Rhythm, and "Bluebeard's Eighth Wife."

MGM Frisco Meeting Saturday and Sunda

San Francisco, March 16.—A regional meeting of M-G-M will be hel here next Saturday and Sunday fo the purpose of discussing policies, contracts and product for the comin year. Attending will be division managers from Portland, Seattle, Sal Lake City, Los Angeles, Denver an San Francisco.

George Hickey, southern divisio manager, will attend the meeting, a will Al Lichtman, assistant to Nicholas M. Schenck; E. M. Saunders manager of Western sales, and A Cummings, manager of branch operations.

Mayer Speaks for Erin

San Francisco, March 16.—Loui B. Mayer, vice-president of M-G-M tomorrow will speak at the annua broadcast of the Hibernian Club. H will present as guest stars Alle Jones, Leo Carrillo, Betty Jaynes Mickey Rooney, Cliff Edwards an Douglas MacPhail.

LeMaire Talent Aide To Pandro S. Berma

Hollywood, March 16.—Rufu LeMaire today was signed to a contract as assistant to Pandro S. Berman, executive producer at RKO and will be placed in charge of th seeking and developing of new acting writing and directing talent. His position will not affect the status of Robert Palmer, casting director.

LeMaire until recently had bee executive assistant to Charles R. Rogers, vice-president and production hea at Universal. He was in charg of new acting talent.

Quigley Urges New Standards In Advertising

(Continued from page 1)

the advertising business, and urged [illegible] listeners to benefit by the industry's experience in order to prevent a public protest.

A round table discussion following Quigley's talk was of the consensus that his analysis and conclusions were correct. Speakers brought out that the advertising profession has been making efforts to "clean its own house" and that unless its adopts self-regulation, such as is now in effect in the film industry, outside pressure will be brought to bear.

Profit of Decency Cited

James O'Shaughnessy, general manager of the National Independent Broadcasters, Inc., and chairman of the group, in introducing Quigley, recalled his services and the influence of the Quigley Publications in bringing about higher standards of the screen through the industry's own efforts at a reasonable adjustment to its moral and social responsibilities. O'Shaughnessy said that decency had resulted in greater popularity of films and estimated the increased revenue at 200 million dollars last year.

"The lessons that the motion picture industry learned in the stress of great public protest have not been learned in general advertising," Quigley said.

"The organized film industry, since the adoption of the codes, has learned among other things that decency is good business. It had its test at the bar of public opinion, a test which might have been avoided but was not, probably for the same reasons that govern the continuance of wrong practices in the advertising business: First, the public had not been heard from, at least not emphatically enough; second, the easiest way is always attractive, and third—and very important—the practical application of the principles of morality either in the making of motion pictures or in the preparation of advertising requires very much more than the mere intention to do so."

Criticises New Publications

Commenting on a "crop of new magazines which are rapidly destroying America's traditional reputation for decency," Quigley said, "If I were either an advertiser or an advertiseing agency I would not be happy over some of these new standards in publications which are now flourishing."

"I shall not venture to suggest the specific steps the advertising profession should take to meet and control the conditions which obviously need attention," he declared. "I do know that the danger signal is plainly visible. Adequate, intelligent and reasonable regulation will provide great satisfaction for those who accomplish it. It will create a genuine public benefaction and at the same time will inevitably prove to be good business."

Gets Music Box Post

SEATTLE, March 16.—Ron Kelly has been named manager of the Music Box here.

Hollywood Previews

"There's Always a Woman"

(Columbia)

HOLLYWOOD, March 16.—There is enough slick, silky mystery-comedy in "There's Always a Woman" to make it fit entertainment for any exhibitor's patrons. The film moves at machine gun speed, blending brilliant dialogue into the story of a harassed investigator and his wife who knows she is a super sleuth. The film should take a place in the season's list of popular serio-comic attractions.

For exploitation there are the names of Joan Blondell and Melvyn Douglas. Mary Astor, Frances Drake, Jerome Cowan and Robert Page round out the support, while Thurston Hall, Pierre Watkin, Walter Kingsford and Lester Mathews capably assist in minor roles. There are also tricky possibilities for showmen's talents.

Wilson Collison's original is a soundly contrived yarn that merges entertainment elements. Gladys Lehman's adaptation offers comedy that borders on slapstick, mystery to befuddle the fans and double-dyed-in-the-wool melodrama that perks up attention immediately and holds it throughout. Alexander Hall directed.

Douglas has a complicated murder to solve. Miss Blondell, his wife, has no great respect for his sleuthing talents and takes a hand in the case. They approach the problem from different angles. Despite everybody's efforts to keep the woman out of the case, she comes up with the solution. The goings on are high amusement that should prove pleasing and profitable to all concerned with its public presentation.

Running time, 80 minutes. "G."

"Law of the Underworld"

(RKO)

HOLLYWOOD, March 16.—"Law of the Underworld" may be described as an afterthought of the gangster picture cycle. It will provide plenty of entertainment for those who like their melodrama in the raw. It concerns an advertising man who mingles in society while directing the activities of a gang of thieves and who, having involved two youngsters, boy and girl, in a life of crime, gives up his life to gain them freedom.

The cast is topped by Chester Morris, Anne Shirley, Eduardo Ciannelli, Walter Abel, Richard Bond, Lee Patrick, Paul Guilfoyle and Eddie Acuff, all of whom deliver well seasoned performances, outstanding among which is Ciannelli's portrayal of a cold blooded "kill crazy" gunman. A polished directorial job has been done by Lew Landers, who guided the screenplay of Bert Granet and Edmund L. Hartmann. It was based on the story "The Lost Game," and the Al H. Woods stage production by John B. Hymer and Samuel Shipman. Robert Sisk produced.

Morris, the head of the thieves, forces Miss Shirley and Bond, about to be married, into acting as decoys for a robbery. Ciannelli, anxious to head the gang, kills one of the victims, disobeying Morris, who later slays him. In a civic cleanup move, Miss Shirley and Bond are arrested by Abel, a special prosecutor, but maintain silence, fearing underworld retribution. Morris, taken into custody, confesses so the youngsters may go free.

Running time, 60 minutes. "A."

(Additional Reviews on Page 6.)

Conferences Start Soon with AF of M

Definite arrangements for the proposed conferences between American Federation of Musicians officials and the producers' labor committee on reemployment of musicians within the industry will be made immediately upon completion of the A. F. of M. meetings with independent broadcasters on the use of transcriptions, Joseph N. Weber, A. F. of M. president, said yesterday.

"The subject of increased employment of musicians by film producers is on the docket of our national executive board, the only body which has authority to take up the matter, and will be the first order of business upon completion of our present discussions of transcriptions," Weber said. He added that, inasmuch as no definite arrangements had been made yet, he was unable to say whether the meetings would be held here or in Hollywood.

The A. F. of M. president declared that he had no knowledge of any move to call off or postpone the annual negotiations of the international unions included in the basic contract with producers, as reported. The negotiations are expected to be held here in about three weeks, with present indications pointing more to conferences on methods of spreading employment, rather than to a reopening of new wage and hour schedules.

Sherman Signs Selander

HOLLYWOOD, March 16. — Director Lesley Selander has been signed to a year's contract by Harry Sherman. He will guide the current "Hopalong Cassidy" series, now being prepared by five writers—Norman Houston, Maurice Geraghty, Louis Gasnier, John Rathmil and Jack O'Donnell.

Short Subject

"March of Time, No. 8"

(RKO)

In many ways this is one of the strongest issues which March of Time has offered. Composed only of two subjects, each is brilliantly handled. "Brain Trust Island" and "Arms and the League" are the titles, and the second, in view of the events of the past few weeks in Europe, becomes perhaps the most timely subject the producers ever have released.

It is, in effect, a review of the history of the League of Nations, picturing Woodrow Wilson, its founder, Aristide Briand, Ramsay MacDonald and Gustav Stresemann giving it courage and a measure of strength. But then came the rise of Hitler and Mussolini, and Japan's blows at China, and the virtual collapse of the League. And this, despite the frantic efforts of Anthony Eden, young and brilliant English Foreign Secretary and League champion. Then Eden is displaced as Prime Minister Chamberlain seeks conciliation. With every newspaper in the country screaming of turbulent Europe, this reel is marquee material of no mean drawing power.

The second half of the reel is devoted to the rejuvenation of battered and poverty-stricken Key West by a young New Dealer, Julius F. Stone, Jr., who turned to the tourist trade as a means of reviving the island with New Deal dollars, and who succeeded admirably. The only difficulty seems to be that Key West faces the danger of becoming a glorified Coney Island, and its citizens are worried. All of it is excellently pictured. Running time, 18 mins. "G."

Plan Johnson Memorial

A program planned as a memorial to Martin Johnson, film producer and explorer, will be held at Carnegie Hall on the evening of April 1. Mrs. Osa Johnson will lecture during the showing of a film containing excerpts from the explorer's best known productions. An impressive list of sponsors is headed by Mayor LaGuardia.

Wall Street

Board in Decline Again

	Open	High	Low	Close	Net Change
Cons.	1⅜	1⅜	1⅜	1⅜	.....
Cons., pfd.	5⅝	6	5⅝	5⅝	+ ⅛
E. K.	150	150	150	150	—4½
G. T. E....	10⅞	10⅞	10⅞	10⅞	— ⅛
Loew	46	46⅜	44½	45½	—1¼
Para.	9¼	9¼	8½	8½	— ¼
Para. 2.....	9	9	9	9	— ¼
Pathe	5⅜	5⅜	5	5	— ⅜
RKO	3⅜	3⅜	3⅛	3⅛	— ¼
20th Fox ..	22¼	22⅜	21½	21½	— ¾
20th pfd. ..	28	28	28	28	— ½
Univ. pfd...	39⅞	39⅞	39⅞	39⅞	— ⅛
W. B.	5⅜	5⅜	5	5	— ⅜
W. B. pfd..	35	35	34½	34½	—3⅜

Curb Issues Drop

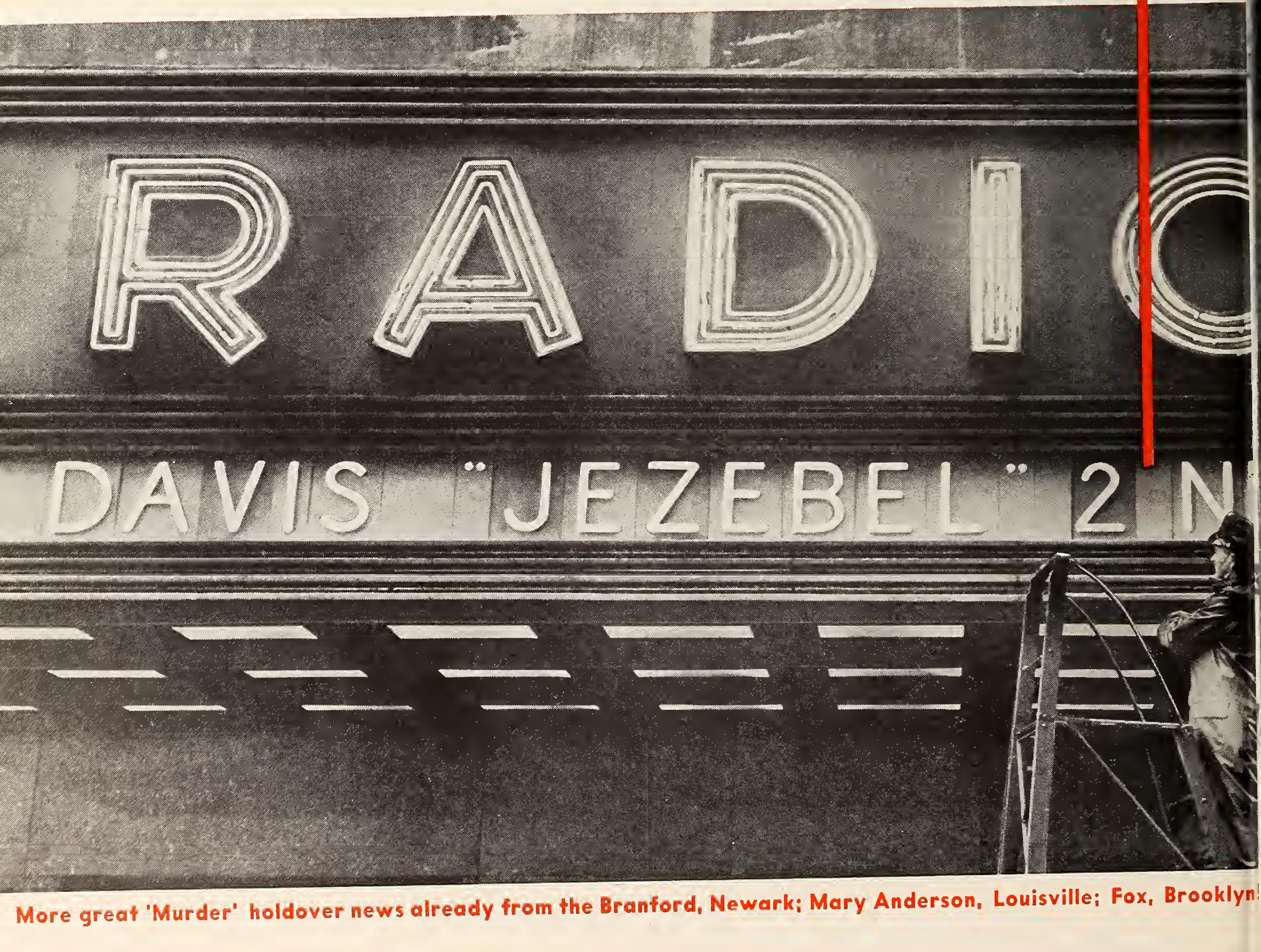
	Open	High	Low	Close	Net Change
G. N.	½	½	½	½	—1/16
Monogram	2	2	2	2	.....
Sonotone ..	1⅝	1⅝	1⅝	1⅝	— ⅛
Tech.	19⅝	19⅝	18½	18⅞	— ⅞
Trans-Lux	2½	2½	2½	2½	.....

Bond Movement Uneven

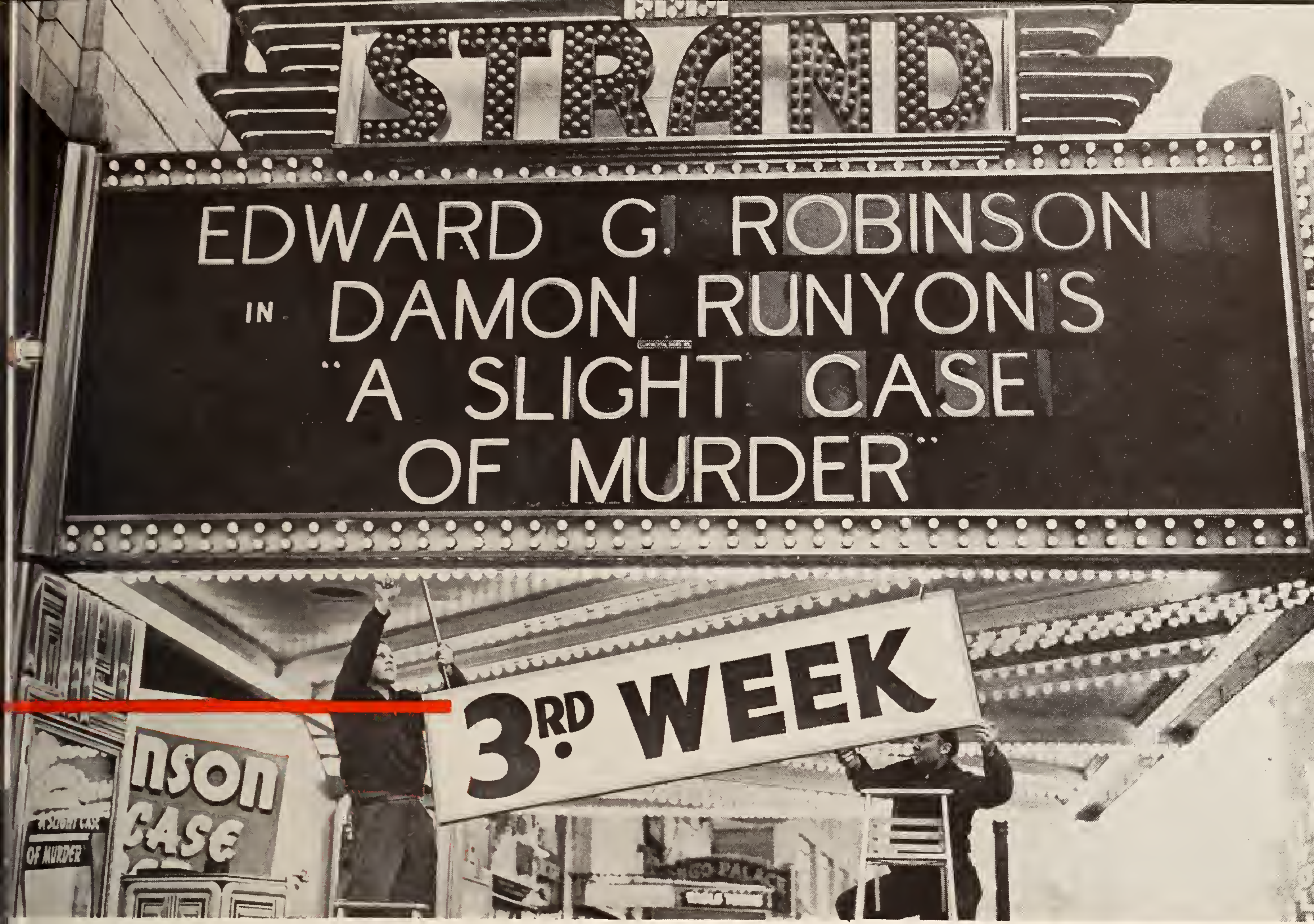
	High	Low	Close	Net Change
Loew 3½s '46.....	98¼	98¼	98¼	+ ¼
Para. B'way 3s '55	58½	58½	58½	— ¼
Para. Pict. '47....	68½	68½	68½	— ½
W. B. 6s '39.....	68	67¾	68	+ ¼

(Quotations at close of March 16)

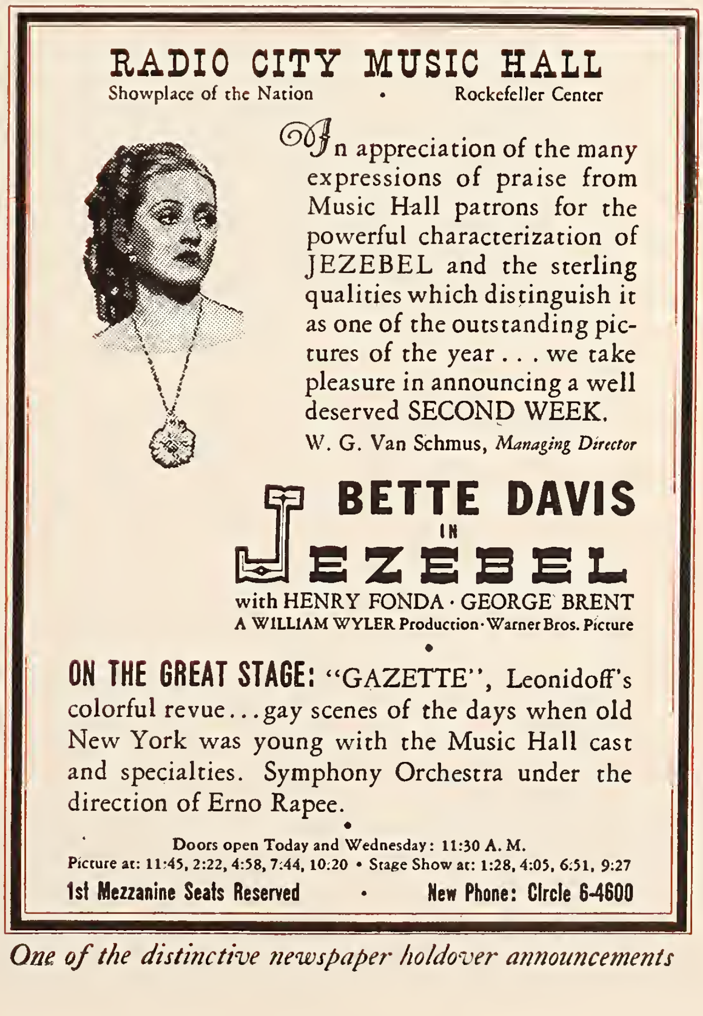
ADDING THAT WARNER TOUCH!


RADIO
DAVIS "JEZEBEL" 2 N

More great 'Murder' holdover news already from the Branford, Newark; Mary Anderson, Louisville; Fox, Brooklyn



2nd jammed 'Jezebel' week at Radio City! 3rd marvelous week of 'Murder' at Broadway Strand! Two terrific New York holdovers and both from Warner Bros.!



RADIO CITY MUSIC HALL
Showplace of the Nation • Rockefeller Center

In appreciation of the many expressions of praise from Music Hall patrons for the powerful characterization of JEZEBEL and the sterling qualities which distinguish it as one of the outstanding pictures of the year . . . we take pleasure in announcing a well deserved SECOND WEEK.

W. G. Van Schmus, *Managing Director*

BETTE DAVIS
IN
JEZEBEL
with HENRY FONDA · GEORGE BRENT
A WILLIAM WYLER Production · Warner Bros. Picture

ON THE GREAT STAGE: "GAZETTE", Leonidoff's colorful revue . . . gay scenes of the days when old New York was young with the Music Hall cast and specialties. Symphony Orchestra under the direction of Erno Rapee.

Doors open Today and Wednesday: 11:30 A. M.
Picture at: 11:45, 2:22, 4:58, 7:44, 10:20 • Stage Show at: 1:28, 4:05, 6:51, 9:27
1st Mezzanine Seats Reserved • **New Phone: CIrcle 6-4600**

One of the distinctive newspaper holdover announcements

"About Music" Out Front in Coast Houses

Los Angeles, March 16.—"Mad About Music," on a dual with "Midnight Intruder," was something of a sensation on a generally dull week for first runs. It pulled $11,800 at the Hillstreet, passing par by $5,300, and reached $13,500 at Pantages.

"Gold Is Where You Find It," with "Penrod and His Twin Brother," also got into the money with a take of $18,200, up by $4,200, at Warners' Hollywood; $19,000 at Downtown.

Total first run business was $113,535. Average is $105,700.

Estimated takings for the week ending March 16:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 12th week. **Gross:** $10,724. (Average, $10,000)

"SALLY, IRENE AND MARY" (20th- Fox)
"DANGEROUS TO KNOW" (Para.)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $10,754. (Average, $12,500)

"MAYERLING" (Pax Film)
ESQUIRE—(900), 55c-$1.10, 7 days, 9th week. **Gross:** $2,300. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 9th week. **Gross:** $3,880. (Average, $8,000)

"IN THE FAR EAST" (Amkino)
GRAND—(750), 35c-40c, 6 days. **Gross:** $1,900. (Average, $1,200)

"MAD ABOUT MUSIC" (Univ.)
"MIDNIGHT INTRUDER" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $11,800. (Average, $6,500)

"SALLY, IRENE AND MARY" (20th-Fox)
"DANGEROUS TO KNOW" (Para.)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $13,977. (Average, $14,000)

"MAD ABOUT MUSIC" (Univ.)
"MIDNIGHT INTRUDER" (Univ.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $13,500. (Average, $7,000)

"ROMANCE IN THE DARK" (Para.)
PARAMOUNT—(3,595), 50c-65c, 5 days. Stage: Gene & Glenn with "Jake & Lena," Dave Seed & Co., F. & M. revue, Kurt Houck and orchestra. **Gross:** $7,500. (Average, $18,000)

"GOLD IS WHERE YOU FIND IT" (F. N.)
"PENROD AND HIS TWIN BROTHER" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $18,200. (Average, $14,000)

"GOLD IS WHERE YOU FIND IT" (F. N.)
"PENROD AND HIS TWIN BROTHER" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $19,000. (Average, $12,000)

"Snow White" Hits Omaha High Spots

Omaha, March 16.—"Snow White and the Seven Dwarfs" did terrific business at the Brandeis. The first single to play that house in six months, the Disney feature grossed $11,300 in seven days to top weekly par by $7,300. It was held.

Total first run business was $30,900. Average is $16,700.

Estimated takings:

Week Ending March 9:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
BRANDEIS—(1,200), 25c-40c, 7 days. **Gross:** $11,300. (Average, $4,000)

"GOLDWYN FOLLIES" (U.A.)
"INVISIBLE MENACE" (W.B.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $10,900. (Average, $5,500)

Week Ending March 10:

"EVERYBODY SING" (M-G-M)
"LOVE IS A HEADACHE" (M-G-M)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,700. (Average, $7,200)

Hollywood Previews

"Fools for Scandal"

(LeRoy-F. N.)

Hollywood, March 16.—By a wide margin "Fools for Scandal" fails to attain the commercial and amusement potentialities of the current series of eccentric romantic comedies. Carole Lombard strives valiantly with inadequate material. So does Fernand Gravet, whose talents, demonstrated in "The King and the Chorus Girl," are given little opportunity. Much of the dialogue is rhymed.

The film is a chatty, sophisticated comedy moving at a speed that permits no interruptions if all the dialogue is to be understood. The plot is based on the idea that if a man makes himself a persistent pest he will find his way to the heart of the lady he loves. Gravet meets and attaches himself to Miss Lombard, actress, who is traveling incognito in Paris. He follows her to London and installs himself as her cook. This is much to his delight, to her embarrassment, to the envy of her friends and the chagrin of Ralph Bellamy, her suitor. The suavely genteel Gravet is resourceful enough to awaken love in Miss Lombard's heart, eliminate Bellamy, and cause her to chase him through fog-drenched London before he succumbs to her plea to marry.

The picture was adapted by Nancy Hamilton, James Shute and Rosemary Casey from "Return Engagement," a stage play. The piece is handsomely mounted. Allen Jenkins and Marie Wilson are efficient in accentuating the comedy motif. Bellamy has a couple of amusing bits and Isabel Jeans and Heather Thatcher are pleasing as they interpret a pair of envious women friends. Gravet sings two songs and Jeni Legon and Les Hite and his orchestra are in a special musical sequence.

It is hardly of the stuff that can be depended upon to arouse much enthusiasm. It must appeal to sophisticates for popularity with much reliance placed on the name values of Miss Lombard and Gravet to whip up interest.

Running time, 85 minutes. "G."

"Rawhide"

(Lesser-20th Century-Fox)

Hollywood, March 16.—It was once a picture making custom to grab any celebrity or freak that came along and endeavor to make a screen personality of him. The custom died a deserving and natural death. Sol Lesser endeavored to resuscitate it with Glen Morris and Eleanor Holm, but, unlike the 20th Century-Fox-Sonja Heine coup, the result was far from successful. Undiscouraged, however, he now gives the motion picture public and exhibitors Lou Gehrig, noted New York Yankee baseball player. While Gehrig is no great actor, the omens are favorable that his feature screen debut will not come a cropper.

Gehrig is just the hero in an action laden western yarn that does not lack comedy, romance, music and all the stock material that goes into the making of such a film. A racketeer "protection association" is making things tough for the ranchers. But aided and hindered by a company of well known outdoor players, Gehrig is the leading figure in the many skirmishes that run the "association" off the ranges.

The original story by Don Jarrett and the screenplay by Jarrett and Jack Natteford do not ignore any of the quantities or qualities that the public expects in a western show. Producer Lindsay Parsons and Director Ray Taylor have permitted Gehrig to be natural and have not tried to make a Gene Autry, Bill Boyd or Buck Jones out of him. They let him come west to get away from baseball contract squabblings, expecting to find peace and quiet, but yet running into more excitement than he ever knew in any World's Series.

Gehrig is the name to sell and the merchandise is by no means counterfeit.

Running time, 60 minutes. "G."

Signs for Allvine Play

Glendon Allvine has signed a contract with Oscar Hammerstein, II, for production of his play, "Knights of Song," in New York during October. The production is now having a three-week run at the Pasadena Community Playhouse.

Acquire Kiepura Film

International Cinemart Corp. has acquired the U. S. distribution rights to "The Charm of La Boheme," Viennese production featuring Jan Kiepura and Marth Eggerth. The film will be released here with English subtitles.

A. H. Blanks Return

Des Moines, March 16.—A. H. Blank and Mrs. Blank have returned from their trip to Honolulu and Hollywood. They spent four days floodbound in a hotel in Palm Springs, where they could see the water pouring down the mountain side and washing out roads and bridges.

David Whelan Engaged

Boston, March 16.—David B. Whelan, publicity manager for Herman Rifkin of Republic, has announced his engagement to Kathleen Lamb. They will be married this spring.

New IATSE Policy Scented by Equity

That the I.A.T.S.E. may make no formal claim to jurisdiction over the various A. F. of L. actors' unions, including the Screen Actors' Guild, as threatened for some months past, is indicated by Frank Gillmore, president of the Associated Actors & Artistes of America, the parent ac[illegible] organization, in an article appearing in the current issue of *Equity Magazine*, out today.

"Within the last day or two," Gillmore asserts, word has reached us that George Browne, president of the I.A.T.S.E., has said he has been misunderstood, that all he wished to do was to have the different branches of the Four A's align themselves with his organization."

Gillmore, however, indicates some skepticism over this development in commenting that, "If that be so, it is rather strange that this explanation was not given immediately. There must be a catch in it somewhere. If we were to consider such an amalgamation the enormous voting power of the I.A.T.S.E. would completely subordinate all the branches of the Four A's put together."

History Described

Gillmore's article outlines the history of Four A's jurisdiction in the actors' fields and observes that, "The entire (I.A.T.S.E.) affair, seems to me, so extreme and so impossible to maintain that I cannot conceive of its being carried to its ultimate court—an annual A. F. of L. convention. The council of Actors Equity Ass'n will recommend to a membership meeting of the organization to be held at the Astor tomorrow that the post of Equity president be an honorary rather than a paid office. The meeting is slated to elect six members to the nominating committee of nine, three of which have already been named by the council. The committee's nominations for the annual election to be held in May are expected to be influenced to a large extent by the change in the paid status of the organization's presidency, as the major office under the new arrangement will be that of executive secretary, a paid post now held by Paul Dullzell.

Burgess Meredith, acting president of Equity, will leave New York April 10 with the road company of "The Star Wagon" on a nine-week tour.

In Warner Film Lead

Hollywood, March 16. — Johnny (Scat) Davis has been assigned the leading role in "The Chump," formerly titled "Up She Goes," at Warners. Opposite him will be Jane Wyman. William Clemens will direct the George Bricker screenplay.

Fox Closes 2 Houses

Denver, March 16.—With grosses off, Fox has closed two houses in the Denver area for all but one day a week, when Spanish films will be shown. They are the Del Rio, Las Cruces, N. M., and the Kit Carson, La Junta, Col.

Fannon Made Salesman

Robert Fannon, office manager at the Republic New York exchange, has been named salesman for Long Island and upstate New York. He replaces Irving Grossman.

HORSE SENSE!

"I'd rather eat regularly every day than have a feast once in a blue moon and starve the rest of the time!"

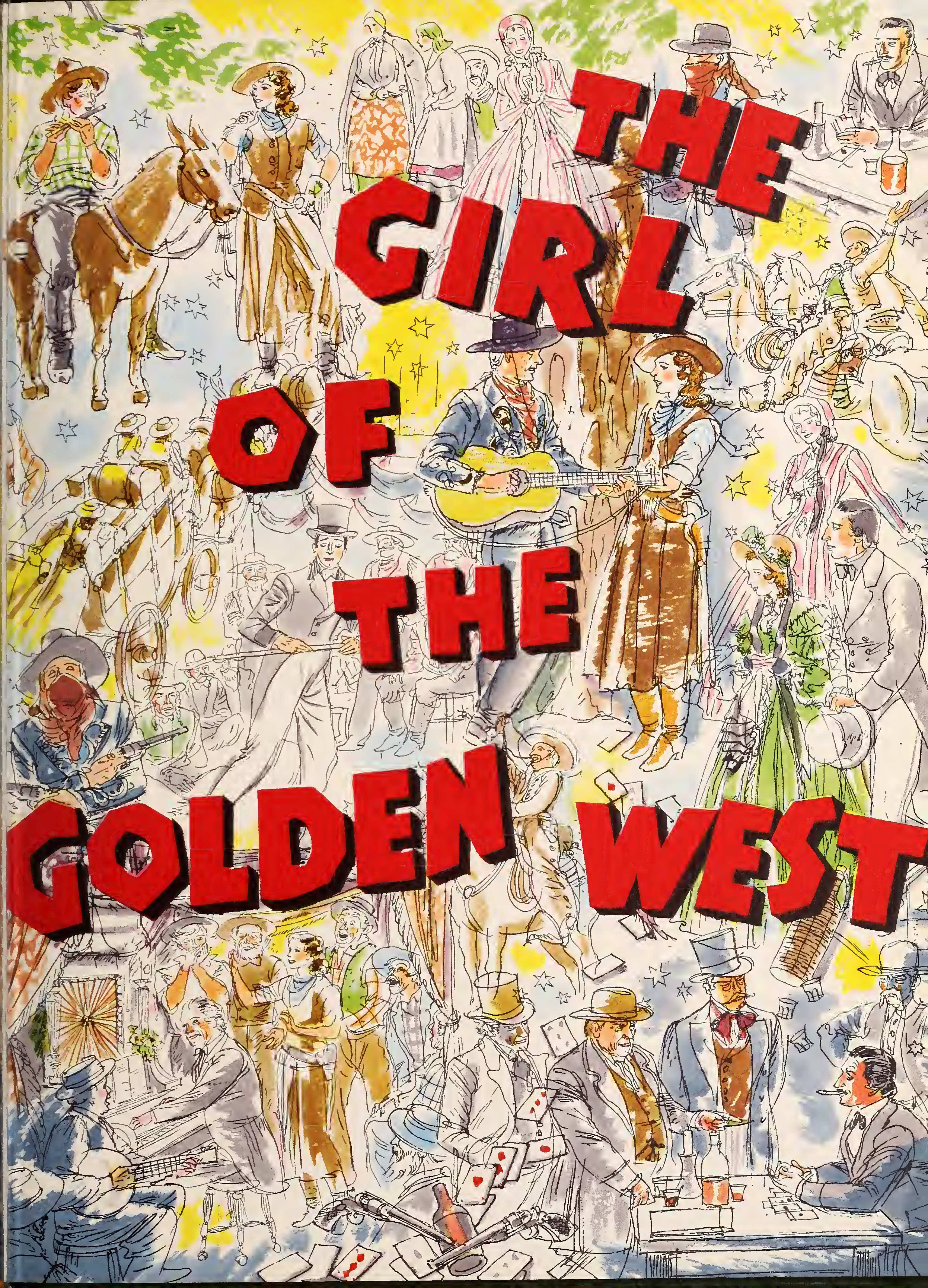
TRUE TALK!

Remember this fact! At the end of each year it is your theatre's records that give the complete story. One hit or even a few successes do not make a profitable season. When the books are balanced it is the average of product over 52 weeks that counts! Every year since M-G-M began—and this year again—you will find the greatest number of profit pictures are from your pal Leo!

BOX-OFFICE
ARS GRATIA ARTIS
TRADE
MARK

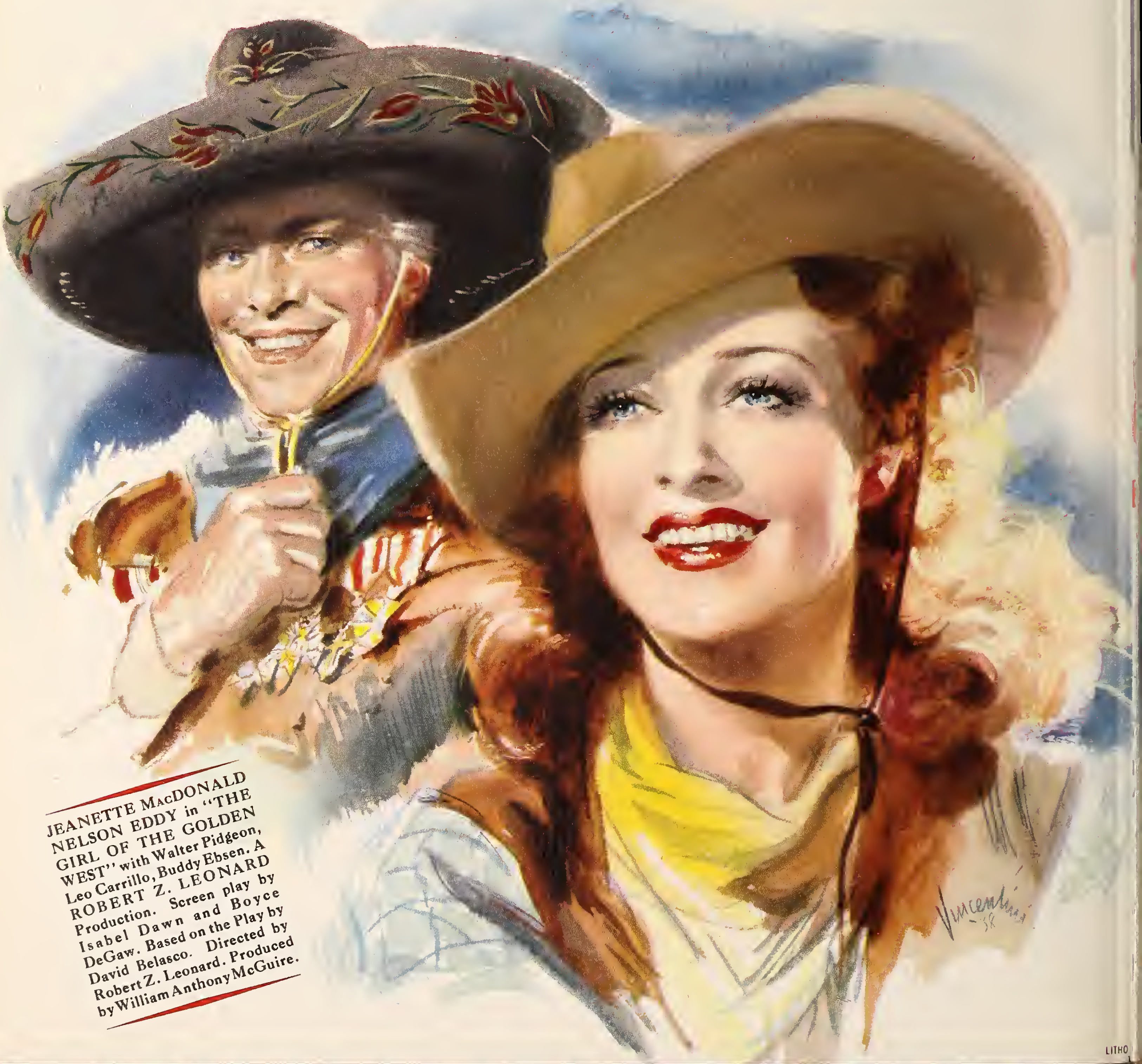
"The Sign of Good Times"

THE GIRL OF THE GOLDEN WEST



Of all the great Jeanette MacDonald, Nelson Edd
productions from M-G-M the greatest in song
thrill, romance and scenic splendor is on the way

"THE GIRL OF THE GOLDEN WEST"



JEANETTE MacDONALD NELSON EDDY in "THE GIRL OF THE GOLDEN WEST" with Walter Pidgeon, Leo Carrillo, Buddy Ebsen. A ROBERT Z. LEONARD Production. Screen play by Isabel Dawn and Boyce DeGaw. Based on the Play by David Belasco. Directed by Robert Z. Leonard. Produced by William Anthony McGuire.

LITHO

AND SPEAKING OF MEAL TICKETS!

Along the Film Rows of the nation you'll get a cheerful earful of M-G-M box-office chatter. Spring comes in like a Lion as you will see on the next page where we list just a few from the company that is truly the

BREAD & BUTTER OF THE INDUSTRY!

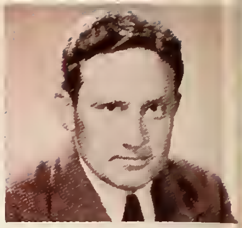
Turn—

JEANETTE
MacDONALD

NELSON
EDDY

CLARK
GABLE

MYRNA
LOY


SPENCER
TRACY

ROBERT
TAYLOR

LUISE
RAINER

CONSTANCE
BENNETT

FRANCHOT
TONE

BRIAN
AHERNE

SPRING! GOLDEN SPRING!

Stars draw crowds!

M-G-M PRESENTS—

"GIRL OF THE GOLDEN WEST" (*Jeanette MacDonald, Nelson Eddy*)

"SWISS MISS" (*Laurel and Hardy*)

"TEST PILOT" (*Clark Gable, Myrna Loy, Spencer Tracy*)

"THE FIRST HUNDRED YEARS" (*Robert Montgomery, Virginia Bruce*)

"MERRILY WE LIVE" (*Constance Bennett, Brian Aherne*)

"PORT OF SEVEN SEAS" (*Wallace Beery*)

"THREE COMRADES" (*Robert Taylor, Franchot Tone, Robert Young, Margaret Sullavan*)

"MADAMOISELLE FROU FROU" (*Luise Rainer, Melvyn Douglas, Robert Young*)

"LORD JEFF" (*Freddie Bartholomew, Mickey Rooney*)

"SHOPWORN ANGEL" (*Rosalind Russell James Stewart*)

WALLACE
BEERY

FREDDIE
BARTHOLOMEW

ROBERT
YOUNG

MARGARET
SULLAVAN

MICKEY
ROONEY

MELVYN
DOUGLAS

STAN
LAUREL

OLIVER
HARDY

JAMES
STEWART

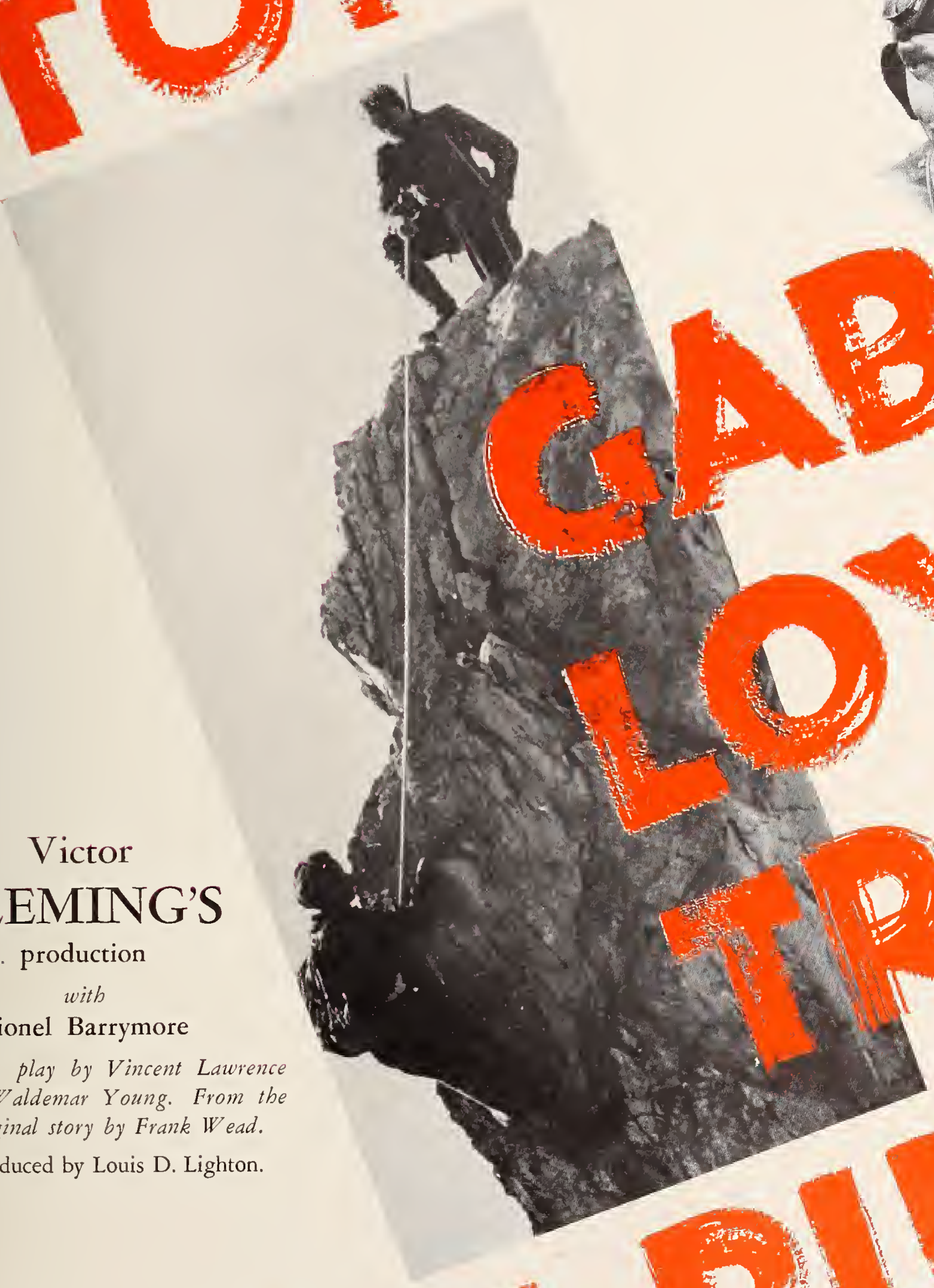
ROSALIND
RUSSELL

THE TOP!

GABLE

LOY

TRACY



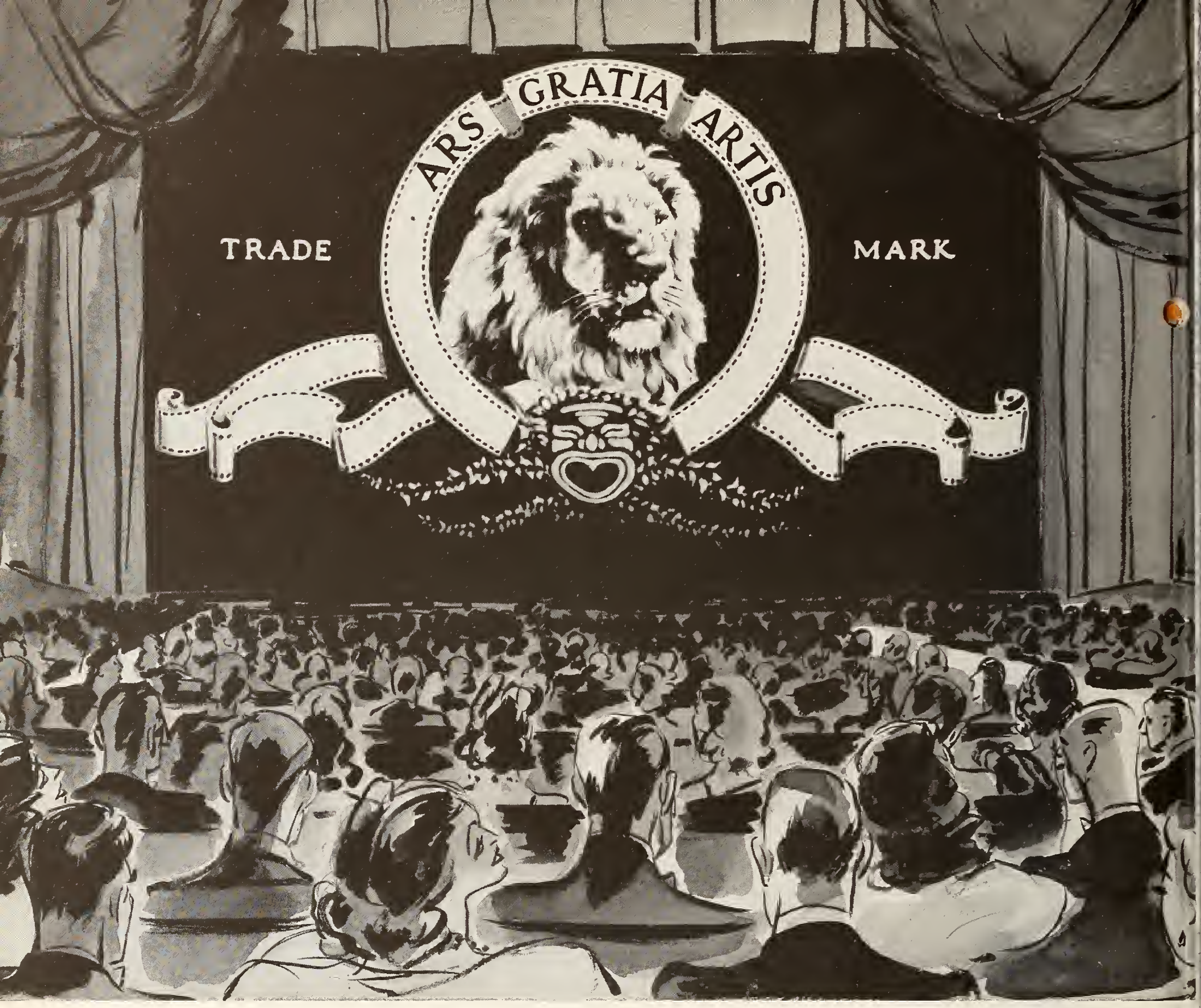
Victor
FLEMING'S
production
with
Lionel Barrymore

Screen play by Vincent Lawrence and Waldemar Young. From the original story by Frank Wead.

Produced by Louis D. Lighton.

"TEST PILOT"

it's in the air!
another M·G·M
sensation!


ARS GRATIA ARTIS
TRADE
MARK

"THE SIGN OF GOOD TIMES"

Early Vote on Neely Measure Not Expected

(*Continued from page* 1)

[illegible]ecommit the bill for further con-[illegible]ation.

Even if the bill is voted on by the Senate, which seems doubtful, it is generally conceded time would not permit of its passage by the House, and there is some question whether block-booking legislation, in the form of the Neely measure, will not be supplanted by legislation now being framed by independent exhibitor organizations for introduction in the near future.

If it is decided to center all efforts on the new legislation, action this year would be impossible, since the bill would have to be the subject of committee hearings and action before reaching the House for debate and vote.

Lords' Final Quota Action Up Thursday

(*Continued from page* 1)

to appeal to the Government for the restoration to the bill of the original quota figures, starting the exhibitor quota at 12½ per cent and the distributor quota at 15 per cent. The Lords committee has approved starting the two quotas at 15 and 20 per cent, respectively. Americans appear confident Oliver Stanley, president of the Board of Trade, will act favorably in the matter.

Irving Asher Quits Warner London Post

LONDON, March 16.—The resignation of Irving Asher as managing director and executive in charge of Warners' production at Teddington studios was made known here today. Sam E. Morris, vice-president in charge of foreign activities, arrived Monday from New York.

Asher's resignation will not change the company's production activities here. Morris is setting the new season's plans and production is scheduled to be resumed the last week in March or early in April. A. M. Solomon, British studio manager, returned with Morris.

Asher has not announced his plans, but may join another major American studio here in an executive capacity.

Randforce Gets "Snow"

RKO has closed a deal with the Randforce Circuit for "Snow White and the Seven Dwarfs." The transaction calls for runs in the circuit's 45 houses following the completion of bookings in the RKO circuit. Bob Wolf of RKO and Sam Rinzler of Randforce negotiated the deal.

Jordan to Columbia

COLUMBIA, S. C., March 16.—O. W. Jordan will succeed G. R. Craver as manager of the State. Jordan was formerly manager of the Paris in Greenville and was transferred from there to Roanoke, Va., as manager of the Jefferson.

Ban on "Children" Is Upheld by Court

(*Continued from page* 1)

that Commissioner Graves' actions were not arbitrary. McNamee said:

"The Commissioner of Education is entrusted by the state with the education of its children, which necessarily involves obedience to law; and by the statute in question, he is also charged with the duty of protecting their morals in keeping with the moral standards of the people of this state. His action in rejecting this picture and in refusing a license in this case we regard as neither capricious nor arbitrary but a proper exercise of the office with which he is clothed."

Presiding Justice Hill delivered a dissenting opinion, taking sharp issue with Graves. The dissenters disagreed on the department's "immoral," "indecent" and "tending to corrupt morals" angle on sterilization propaganda, stating "the film contains nothing lewd or lustful."

In view of the split vote, petitioners may take the case to the Court of Appeals.

"Tomorrow's Children" was the second film reviewed in court by the Appellate Division, the first having been "Ecstasy" last October. Costs were assessed against petitioners.

Ostertag Bill Vote Today

ALBANY, March 16.—The Ostertag employment agency bill, exempting theatre booking agencies and bearing the endorsement of the American Federation of Labor, will be voted on tomorrow in the Assembly. It is backed by the larger theatre circuits.

Court Names Walcer On 'Lynton' Damages

Kenneth E. Walcer, an attorney, was designated Special Master by Federal Judge Robert P. Patterson in the U. S. District Court here yesterday to assess damages and take an accounting of the profits earned by Moredall Realty Corp., operators of the Capitol, during the exhibition of the M-G-M picture "Letty Lynton." Edward Sheldon and Margaret A. Barnes, authors, brought suit which charged infringement of their play, "Dishonored Lady," in the film. The infringement was established by an action against M-G-M and a suit against the exhibitor followed.

Judge Patterson's order revealed that the U. S. Circuit Court of Appeals last month had reversed a previous order granting a temporary injunction, but had refused to pass on the question of whether or not the exhibitor was liable. After Special Master Walcer renders his final report, the higher court will hear the appeal.

B. N. Fines in Montreal

MONTREAL, March 16.—Two local theatre managers yesterday were fined in Recorder's Court for operation of Bank Night. According to police such attractions are lotteries and therefore illegal.

Alexis St. Charles, manager of the Cameo, pleaded guilty to two charges, and Julius Belson, manager of the Midway, pleaded guilty to 10 similar charges. Each was fined the costs in every case to which he pleaded guilty. A third exhibitor, Roland Cardinal, manager of Theatre Canadien, entered a plea of not guilty. His case is still before the courts.

Expect $58,000 at Roxy with "Music"

"Mad About Music" at the Roxy and "The Big Broadcast of 1938," plus Cab Calloway and his band, at the Paramount are Broadway's leaders this week. The first will do an estimated $58,000 in the seven days ending tonight, which includes $32,000 more than last weekend. The Paramount's gross was $43,000 for the week. Both films are being held.

Business at several other houses was off. This was explained as due to Lent, income tax payments and the weather. The Music Hall did $78,000 with "Jezebel." Business built the last two days of the week and is expected to hold up well in the second stanza. "Everybody Sing" did $19,000 at the Capitol.

Warners' "Fools for Scandal" will follow "Jezebel" at the Music Hall, with Korda's "Divorce of Lady X" due to open at the theatre March 31 and "The Adventures of Marco Polo" penciled in for April 7.

The Rivoli will open "Romance in the Dark" on Saturday, the first Paramount film to play the house in about two years, following four weeks of "The Goldwyn Follies." "Radio City Revels" will start at the Globe on Saturday.

Griffith Films to Museum

More than 250,000 feet of film from the early silent days, as well as books and records compiled during his 13 years as a producer, have been presented by David Wark Griffith to the Museum of Modern Art Film Library. The gift includes such Griffith features as "Judith of Bethulia," "Intolerance," "Hearts of the World," "Orphans of the Storm," "Broken Blossoms" and "America." The producer previously had presented the library "The Birth of a Nation."

Lee Chamberlain Dies

KANSAS CITY, March 16.—Lee Chamberlain, 51, manager of the Perkins at Harrisonville, Mo., for the Commonwealth circuit, and for many years an exhibitor in the territory, died yesterday at the University of Kansas Hospital, Kansas City, Kan., of injuries sustained the evening before in an automobile accident. Funeral services will be held Thursday morning at the Newcomer chapel here.

Duals Trial Successful

OKLAHOMA CITY, March 16.—Double bills at the Plaza, Standard Theatres suburban house, have been successful in building box-office figures in a recent tryout. Double bills are run on two changes a week with a single bill on Bank Night.

To Do New Lloyd Story

HOLLYWOOD, March 16.—Indicating that Harold Lloyd will start another picture for Paramount this year, the star-producer has signed Delmar Daves, who did the screenplay on "Professor, Beware," to write a new vehicle.

"Mayerling" Is Booked

"Mayerling," which just closed a six-month run at the Filmarte, will open a two-week engagement at the Brooklyn Paramount starting March 23.

M-G-M Sales Organization Is Realigned

(*Continued from page* 1)

burgh, which were in Flynn's territory, are now a separate district to be managed by John J. Maloney, promoted from the post of Pittsburgh branch manager.

Albany and Buffalo have been taken from Flynn's former territory and added to the district managed by E. K. (Ted) O'Shea, which now includes also New York, Washington and Charlotte. Tom Connors, eastern, southern and Canadian manager, pointed out that O'Shea formerly was branch manager at Albany and Buffalo and the addition of these cities to his territory is therefore logical.

Boston and New Haven, up to now in O'Shea's territory, have been formed as a district managed by Maurice N. Wolf, who was promoted from the Boston branch managership.

Connors disclosed the following branch shifts: Jack Byrne, branch manager at New Haven, promoted to Wolf's spot in Boston; Tom Donaldson, now salesman in Boston, to branch manager in New Haven; Burtus Bishop, Jr., branch manager in Charlotte, to branch manager in Pittsburgh, succeeding Maloney; Benn Rosenwald, salesman at Charlotte, to branch head there.

Promotions from Ranks

In accordance with M-G-M policy, all promotions were made from within the company's ranks, Connors pointed out.

He said the company executives hoped that Shirley's health would improve in time to warrant his taking over an important position. Mendelssohn, whom Shirley succeeds, also has been in ill health.

Shirley has been in the business 30 years. He started in 1908 as manager for the Pittsburgh Calcium Light & Film Co. in Wilkes-Barre. Two years later he was made manager for General Film Co. in that city. He held that position seven years, in 1917 becoming manager for Metro Pictures Corp. in Kansas City. He was appointed district manager at Chicago in 1919 and has held that position since.

The remaining three district territories remain unchanged. These are managed by Charles E. Kessnich in the south, G. A. Hickey on the west coast and Harris P. Wolfberg in the midwest with headquarters in Kansas City.

Drake Abroad; Bach Ill

Whitford Drake, Erpi president, will sail for London on the *Queen Mary* next Wednesday to be gone about six weeks. He will supervise the company's British operations on a temporary basis during that time, due to the current illness of William Bach, Erpi's manager in London.

Theatre Head Resigns

PORTLAND, March 16. — Andrew Saso has resigned as manager of the Fifth Avenue, Hamrick-Evergreen house. He has moved to California. James Q. Clemmer has been named as successor to Saso.

CBC Answers Critics with Air Concerts

Montreal, March 16. — Major Gladstone Murray, general manager of the Canadian Broadcasting Corp., last night hit back at those attacking him on his program policy, with the declaration that for the first time since its organization in 1936, CBC will present regularly the leading symphony orchestras of Canada to a nationwide audience.

Recent attacks in the press and in public addresses have stressed CBS's laxity in using Canadian talent. The organization now will present the best entertainment of Canadian origin, made possible by strengthened finances. NBC will carry some of the programs in an international exchange.

Dated May 5 to Oct. 13

Murray said the Toronto Symphony Promenade concerts will be broadcast from May 5 to Oct. 13 by CBC from 9 to 10 P.M., E.S.T., on Thursdays, and these will go to NBC. The Toronto Symphony Orchestra under the direction of Ernest MacMillan, will do 24 broadcasts, starting Oct. 25, and the Montreal Symphony Orchestra will do a series of 10, starting Oct. 27. Also La Societe des Concerts Symphoniques will broadcast a series of 10, either alternating with or following the Montreal orchestra. It is also proposed that the Vancouver Symphony Orchestra broadcast the Sunday afternoon concerts during the summer, and that the Calgary Symphony Orchestra be introduced to radio audiences in the spring of 1939.

World Coverage for Hull Address Today

Worldwide coverage will be accorded Secretary of State Cordell Hull today when he discusses "Our Foreign Policy" over the NBC and CBS networks.

Secretary Hull's talk will be carried over both networks, and will be short waved to all corners of the world over W3XAL and W2XE, the NBC and CBS short wave transmitters. During the evening it will be transmitted in translation and by transcription to those sections of the globe which did not receive the original address. The Secretary will speak from Washington from 1:30 to 2:15 P. M.

It will be the first time the networks have extended such worldwide coverage to a speaker in this country other than the President.

Star Radio Closes Deals

The "Star Commercials," a service of Star Radio Programs, Inc., continues to be one of the script organization's leading features. Among new subscribers are WRDW, WGES, WJAC and WCHV.

WHN Signs Waldron

Jack Waldron, night club "em cee," has been signed to replace Jay C. Flippen on the WHN "Original Amateur Hour."

Probe Is Ordered Into Air Monopoly

(*Continued from page 1*)

sideration and decision on Friday. The discussion today is said to have been heated, with chairman Frank R. McNinch and two members of the commission reported seeking to have the investigation postponed.

Pointing out that there have been many criticisms and charges regarding alleged shortcomings of radio service, Commissioner Craven explained tonight that "the time has come when complete facts and data are necessary to establish the truth or falsity of such charges," both in the interest of the public and for the stabilization of the industry. The basis for the proposed investigation, he said, was laid down in his report on the social and economic aspects of broadcasting in January.

Determination to make the study is understood to have been prompted by promises of Representative John O'Connor of New York, chairman of the House Rules Committee, that if the commission did not go into the question of monopoly Congress would.

Inception in Brooklyn

O'Connor's assurance was given in a letter to the *Brooklyn Tablet,* one of a number of Catholic papers which has been pressing for an investigation of broadcasting conditions, copies of which are said to have been sent to the F.C.C.

Explaining that the Rules Committee is reluctant to approve investigations because members of the House do not have adequate time to carry on inquiries during the session and also because the House rarely provides adequate funds, O'Connor said that "frankly, if McNinch suggested an investigation by the commission the House probably would not push plans for a Congressional probe."

"If the commission does not do something about it, however, I assure you that I shall do everything possible to cause a Congressional investigation," he wrote.

It is understood the matter was to be brought up for consideration at a regular meeting of the commission this week, at which consideration would be given to the development of plans for a thorough study of monopoly in broadcasting.

To Build "Radio Square"

Indianapolis, March 16.—Erection of a new building here to be known as Radio Square was announced today by Eugene C. Pulliam, president of WIRE, and Glenn Vanauken, owner of WGVA, a station to be established here soon. The cost of the new building is estimated at $100,000. It will include a room for future television and facsimile transmission, as well as an auditorium seating 500.

Construction will begin in 60 days, completion being scheduled for Oct. 1.

WGVA is licensed for daytime only, 1,000 watts, on 1,050 kilocycles.

Shift Kennedy Program

"New York on Parade," featuring John B. Kennedy, Mark Warnow's orchestra and guest players, now heard Mondays over WEAF, will be heard on Fridays, starting April 1. It is sponsored by Consolidated-Edison. Lord & Thomas is the agency.

Not That Smart

Conductors of quiz programs must appear to be extremely erudite ladies and gentlemen to their listeners, what with their prompt and accurate answers to all sorts of problems.

One such listener, impressed by the way Jane Martin conducts her quiz program on Mutual, has written her, asking that Jane offer an explanation of the Einstein theory of relativity on her show!

Plan Oklahoma Web Celebration April 1

Oklahoma City, March 16.—Arrangements are being made for the celebration April 1 of the Oklahoma network's first birthday. Ross Porter is president of the state network and manager of KGFF, Shawnee, Okla., member station.

One year ago seven Oklahoma stations were incorporated and became affiliated with the Mutual network, forming the southwestern outlet for the third largest radio chain in the nation. Included among the plans for the birthday party April 1 will be a dinner-dance to be held by Oklahoma network directors, managers of the various stations and their wives. Programs in honor of the day will be broadcast, the features to be announced shortly.

Add 4 Subscribers To NBC Thesaurus

Four new subscribers have been added to the NBC Thesaurus list of clients. They are KLAH, Carlsbad, N. M.; WCSH, Charleston, W. Va., and OAX4I and OAX4J, Lima, Peru.

Stations which have just entered into renewals for the Thesaurus transcriptions are: CKPR, Fort William, Ont.; WAIR, Winston-Salem; WAAT, Jersey City; WIBG, Glendale, Pa.; KQW, San Jose; WOW, Omaha, and HP5K and HP5O, Colon, Panama.

Get Television Permit

Washington, March 16.—Farnsworth Television, Inc., of Pennsylvania today was granted permission by the Federal Communications Commission to make a 30-day test of its television transmitter, W3XPF, at Philadelphia in the 42,000-56,000 and 60,000-86,000 kilocycle bands, with 1,000 watts power for aural and 250 watts for video transmission.

Seek Carolina Station Approval

Washington, March 16.—Approval of plans of the Rock Hill Broadcasting Co. for a new 1,310-kilocycle, 100-watt daytime station at Rock Hill, S. C., has been asked of the Federal Communications Commission.

Other applications received at the commission included petitions from WIBX, Utica, for increase of night power from 100 to 250 watts; KGBX, Springfield, Mo., for increase of power from 500 to 1,000 watts; KWTO, Springfield, Mo., for increase of time from day to unlimited, and KGVO, Missoula, Mont., for increase of day power from 1,000 to 5,000 watts.

▸ *Radio Personals*

AL PEARCE and his Gang v make two more personal appe ances, in Kansas City and St. Lo Their regular CBS programs v come from those cities March 29 a April 5 . . . Morton Gould wil a guest appearance on Mark now's "New York on Parade" o NBC, March 21. His NBC s will end at 7:55 P. M., which v leave him five minutes to get to WOR Playhouse, a dozen blo away, for his regular 8 P. M. Mut series . . . The "Hollywood Hot broadcast of "Goodbye Broadway" been postponed from March 18 April 4 because of the illness of Al Brady . . . "Snowtime," new tune Ken Sisson, will reach the mu stands very shortly . . . Jack V Tilzer of NBC's artist bureau booked Mary Kendall, Pat Ryan a Honey Dean to sing with Bill Bart band when he opens at the Biltmo April 1.

✚

Gay Lee, director of daytime p grams for Star Radio Programs, I will be a special guest speaker a meeting of "The Woman's Forum" the Hotel Roosevelt tomorrow . Frank Novak's orchestra will play the inaugural dance of the Dartmo Club at its new headquart March 26.

✚

Victoria Pauline Geiger, secret to C. W. Farrier, NBC coordina of television information, has bec engaged to James Wood Jr., work engineer, with the wedding for April 23 . . . KDKA has mai an elaborate brochure on Mau Spitalny, newly appointed director music for the station.

Has Discs on Ball Gam

Washington, March 16.—A n arrangement has been worked out t year by Arch McDonald, WJ sportscaster, in connection with repo ing events at the training camp of Washington baseball club. Arch cutting records at Orlando, Fla., a sending them via air mail. Former a direct line from WDBO, Colum affiliate there, was used. He plans take the recording machine out on field to wax the play-by-play comm on practice game.

Adds Three Stations

Allis Chalmers, Inc., has ad three more stations to its NBC-B network for the program, "Far Party." The total is now 34 s tions, while 27 were ordered or inally. The new outlets are KR Westlaco, Tex.; WBOW, Te Haute, and WOOD, Grand Rap The agency is Bert S. Gittins of M waukee.

Plaque to Amos 'n' And

Amos 'n' Andy will be presen a plaque on the occasion of celebration of the 10th anniversary their network debut by NBC a CBS presidents Lenox R. Lohr a William S. Paley during the "Hol wood Hotel" program tomorrow. T award will be presented by Cecil DeMille.

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Suggests Air Levy Paid by Set Makers

Tube Tax Should Pay for CBC, Says Writer

Montreal, March 17.—A scheme to make radio set manufacturers pay for the support of the Canadian Broadcasting Corp. is suggested by one of Canada's leading radio men writing under the nom de plume of H. H. Stallsworthy in the current issue of *Canadian Business*, the official organ of the Canadian Chamber of Commerce.

"A practical and sensible alternative of the present question of handling revenue for CBC would be to have a tax on tubes and that this tax be collected not from the individual but from the manufacturers," Stallsworthy says.

"The advantage of the system is

(*Continued on page* 11)

Additional developments in radio yesterday on page 11.

Thirty Features in Work; 15 Preparing

Hollywood, March 17.—With eight pictures finishing and four starting, production dropped to 30 features shooting this week. A total of 15 is being prepared, and 43 are in the cutting rooms.

Started were: "Thunder in Alaska" and "Fighting Devil Dogs," Republic; "Racing Blood," 20th Century-Fox, and "Sinners in Paradise," Universal.

The features that finished were: "Test Pilot," M-G-M; "Female Fugitive," Monogram; "Professor Beware," Paramount; "Riders of the

(*Continued on page* 4)

Arbitration Unit in Canada Faces Crisis

Toronto, March 17.—A crisis has been reached in the affairs of the conciliation committee of the film branch of the Toronto Board of Trade by the refusal of N. A. Taylor, general manager of the Independent Theatres Association of Ontario, to continue to act as chairman of the committee or as a conciliator until the subject of clearance in film bookings or first run protection is definitely dealt with.

In adopting this stand, Taylor declared, "The clearance schedule as it

(*Continued on page* 9)

Schenck to Discuss Films in Radio Symposium on Business

Joseph M. Schenck, president of the Motion Picture Producers' Association, will represent the film industry when he, in conjunction with other outstanding business leaders, speaks on the "Spring Outlook on Business" in a special broadcast over NBC Monday.

Schenck, speaking from Hollywood, will discuss the national economic outlook for the picture industry for the coming months.

Other national business leaders who will participate in the discussions are T. M. Girdler, representing steel; Alvin McCauley, president of the American Automobile Manufacturers' Association; A. J. Byles, president of the American Petroleum Institute; J. J. Pelley, president of the Association of American Railroads; Paul S. Willis, president of the Grocery Manufacturers of America; Dr. John F. Anderson, president of the American Drug Manufacturers' Association; Morris W. Haft, Chairman of the Advisory Committee of the National Cloak and Suit Recovery Board, and Edwin S. Friendly, chairman of the Committee on Advertising of the American Newspaper Publishers' Association.

Court Sets Aside Censor Decision In Pennsylvania

Philadelphia March 17.—The Pennsylvania censors were raked fore and aft by Judge Curtis Bok in Common Pleas Court today as he set aside their action prohibiting the showing of "Baltic Deputy." He accused the three members, Margaret Fallon Palmer, chairman; Patrick A. Duffy and Esther Mahen Frye of being "incompetent, prejudicial and abusing their discretionary powers." In his opinion he said, "The censors failed to state their reasons for disapproval

(*Continued on page* 10)

Ampa's Officers Nominated Again

Present officers of Ampa constitute the regular slate for the annual elections which will be held soon. The candidates were submitted by Ed McNamee, chairman of the nominating committee, at a closed business meeting at the International Casino yesterday and will have no opposition unless an independent ticket appears, which is considered unlikely.

Officers to be reelected are Ralph Rolan, president; Paul Lazarus, vice-

(*Continued on page* 9)

Eastman 1937 Profit Total Is $22,347,345

The 35th annual report of the Eastman Kodak Co., covering the year ending Dec. 25, 1937, lists a net profit of $22,347,345 after deduction of all charges and taxes. This is equal to

(*Continued on page* 10)

Hammons Studies Distribution on Revived FN Plan

A national distributing organization similar to the old First National exchange system is under consideration by E. W. Hammons, president of Educational, he said yesterday. His plan includes the production of features and the participation in the company by exhibitors on a franchise basis, as under the old First National setup.

The distributing company would also be an outlet for Educational's shorts, for which Hammons will need a release starting Aug. 1, when his

(*Continued on page* 10)

Kansas City Notes Single Bill Trend

Kansas City, March 17.—Despite the fact that 90 per cent of the film programs in Kansas City are shown on double and triple bills, there is evidence that duals have passed the peak of their popularity and that there is a definite trend, among patrons and exhibitors, toward single bills. Jerry Zigmond has started singles at the Newman and will continue them as long as they prove successful.

Several neighborhood operators now

(*Continued on page* 9)

Agency Measure Is Passed in Assembly

Albany, March 17.—The Ostertag-Howard employment agency measure went through the Assembly here today without a slow roll call or debate. Passage may be won in the

(*Continued on page* 10)

Booking Bill And Old Trade Order Similar

Court Refused to Permit Enforcement of Latter

Washington, March 17.—Anti-block booking provisions of the Neely bill are almost identical with the wording of the Federal Trade Commission's order in the Famous Players-Lasky case 11 years ago, it was disclosed today upon reference to the record in that proceeding.

The Famous Players case, one of the most notable proceedings undertaken bv the commission, was based on a complaint issued August 3, 1921, and charged the respondents with unfair competition, restraint of trade and monopoly by reason of block-booking practices. The case was before the commission for 71 months. Its decision was issued July 9, 1927, and during its hearings and arguments piled up probably the longest record of any case prosecuted by the F.T.C.

During the latter part of the proceedings and at the time of the deci-

(*Continued on page* 4)

Long Baltimore Ad Controversy Ended

Baltimore, March 17.—The first run theatres here and the Baltimore *Sun* and *Evening Sun* today reached an agreement after more than a year's controversy on rates. During the fight the newspapers reduced editorial space given to films and refused to review pictures.

At a meeting with William Schmick, business manager for the papers, the theatre spokesmen accepted a plan outlined by the newspaper and under the new rate schedule

(*Continued on page* 4)

Resume IA Branch Conferences Today

Conferences which were interrupted for several weeks while I. A. T. S. E. officials were out of town will be resumed today on a master contract to cover exchanges in 31 distribution centers. Major company representatives and John Gatelee, the union's New England organizer, will attend. Gatelee has been in the field ironing out some problems that have arisen among exchange "back room" employes. The meeting will be in the Warners' board room and Frank Phelps of that company will sit in as adviser.

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U. A. Meeting March 21

Hollywood, March 17.—The meeting of United Artists' board of directors scheduled today has been postponed to March 21. Prospects of any changes in the immediate status of the company are regarded at the present time as slim.

Goldwyn Arrives Monday

Sam Goldwyn and Douglas Fairbanks, Sr., accompanied by their wives, will arrive here Monday morning en route to London, where Goldwyn will remain one week on business. They will sail Wednesday on the *Queen Mary*. Accompanying them east is Sigrid Gurie.

Fairbanks is taking to England the ashes of Lord and Lady Plunkett who were killed recently in an airplane accident.

"The Screen Traveler"
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"VIENNA"
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◂ Purely Personal ▸

CLAUDIA MORGAN, Valerie Cossart, Brenda Forbes, Leo G. Carroll and Sara Allgood will attend the premiere of Alexander Korda's "Storm in a Teacup" at the Little Carnegie Playhouse March 21. Miss Allgood is starred in the film. The other players were featured in the stage version.

•

Oscar Doob's publicity department at Loew's had arrangements made for Tommy Kelly, the Bronx Irish lad who made good in films, to ride in the St. Patrick's Day parade, but Tommy could not interrupt his personal appearance tour to come to New York.

•

Sam D. Cocalis, circuit operator, had booked passage for a vacation in Greece and was to sail tomorrow, but an attack of bronchitis forced him to cancel the trip.

•

J. F. Ransley, Chicago slide manufacturer, postcards from Tampa that he is "Spending the winter, not much else" in Florida.

•

Harry Gold, eastern division sales manager of United Artists, is back from a four-week trip to the southern exchanges.

•

Paul Lukas, King Vidor, Gilbert Miller and Irving Haim, London producer, will sail today on the *Ile de France*.

•

Allen Campbell and his wife, Dorothy Parker, have arrived from Europe. They are at the Waldorf Astoria.

•

Robert Ritchie, M-G-M production executive in England, has arrived on the coast for studio conferences.

•

Merle Oberon will leave England next Wednesday aboard the *Normandie* bound for New York.

•

E. W. Hammons, Educational president, lost two teeth during a visit to the dentist yesterday.

•

Joe Coughlin of *Motion Picture Herald* will celebrate a birthday Saturday.

•

Budd Rogers has returned from a business trip to Toronto.

Weismuller in Mexico

Mexico, March 17.—Johnny Weismuller, arriving here to attend the premiere of "La Zandunga," first Mexican-made starring vehicle of Lupe Velez, his wife, was welcomed with a tremendous ovation along the six miles extending from the airport to his hotel.

Nazis Bar "Plainsman"

Cecil B. DeMille's "The Plainsman" has been barred from Germany, it is reported, because DeMille sent Christmas greetings to Boris Shumiatsky in 1935.

Col. Buys "Golden Boy"

Columbia has bought Clifford Odets' current successful Broadway stage play, "Golden Boy," which will be produced as an important picture on the Columbia schedule.

"Congratulations"

Frank Henson, manager of Loew's Palace, Canton, O., has sent to the circuit's home office a copy of a display ad run by Warners' Ohio, opposition house, headed "Congratulations to the Palace Theatre" and complimenting it on having "Snow White and the Seven Dwarfs." In a P. S. to the ad, the Warner house asks the Loew's management to tell its overflow audience to attend the Ohio to see 'A Slight Case of Murder."

Now the circuit is asking its managers for an opinion on whether this was smart advertising or "an admission of defeat on opening day." All in fun, of course.

Infringement Suit Filed on Broadcast

A copyright infringement suit seeking $100,000 damages, a permanent injunction and an accounting of the profits was filed in the U. S. District Court here yesterday by Harry Delf, a playwright, against the National Broadcasting Co., Inc., Marcus Loew Booking Agency, Inc., Loew's, Inc., Metro-Goldwyn-Mayer Corp., Metro-Goldwyn Picture Corp., General Foods Corp., Maxwell House Products, Ltd., Benton & Bowles, Inc., Frank Dolan, a scenarist, Robert Taylor and June Clayworth.

Delf alleges that he wrote a play, "The Joker" in 1924 and that it was "pirated" in a sketch used for "Good News of 1938" in a broadcast over the NBC-Red network and WHN Jan. 27.

Leibell Explains Dismissal

In a lengthy opinion rendered in the U. S. District Court here yesterday, Federal Judge Vincent L. Leibell set forth his reasons for dismissing the copyright infringement suit brought by F. Kay Kaplan against Fox Film Corp. The suit was dismissed Feb. 9. Although Judge Leibell found that "the infringement is clear," he dismissed the suit on the grounds that the plaintiff had failed to establish ownership of the copyright.

Ends Momand Restraint

U. S. District Judge Francis G. Caffey has modified a restraining order dated June 16, 1934, to permit A. B. Momand to file on or before April 8 an anti-trust action in Oklahoma Federal Court against Paramount. The original order prevented the start of the suit before the final decree in the Paramount reorganization proceedings.

Report Reinhardt Arrest

Warsaw, March 17.—Reports were current here today that Max Reinhardt had been arrested in Vienna. A series of performances scheduled here has been cancelled as a result of information that he had been refused permission to leave Austria.

World Closes Three Deals

World Pictures has closed deals with Thomfilms for the distribution of "Monastery" in the east; with Special Attractions for Chicago; and with Harry Segal for New England.

Loew School Paper Reported in Demand

A circulation of 300,000 has been attained by *Screen Forecasts*, four-page tabloid publication issued by Loew's circuit, in the schools in the metropolitan area. The paper was started a month ago and numerous requests have been received from principals and teachers asking that it be continued since it is of aid in film appreciation classes, according to Ern Emerling of Loew's.

The circuit is using the paper as a medium to publicize current and coming films, with the publicity angle subdued. It is planned to make the publication a monthly. It has been decided not to publish editions for out of town theatres because of the conflicting bookings.

Invitation General For Depinet Dinner

Karl Hoblitzelle, who is sponsoring the Ned E. Depinet 30th Anniversary Dinner to be held at the Baker Hotel, Dallas, March 26, has issued through the trade press an invitation to all who may have failed to receive one personally from the sponsors. Hoblitzelle closes his letter with the statement:

"So, by the kind cooperation of the trade papers we are extending to you an invitation to be with us whether a formal invitation reaches you or not."

Representing the sponsor in the arrangements are: Ralph Rolan, New York; Howard Benedict, Hollywood, and Robert J. O'Donnell, Dallas.

Plan Tour for Popeye

A life-size reproduction of Popeye, the Sailor Man, has arrived here and today will board the *Ile de France* on the first leg of a tour arranged for him by Paramount as a part of the company's "Paramount on Parade Around the World" drive. Among the countries which will see the pugnacious tar are England, France, Italy and India.

Equity Meets Today

Actors' Equity members will meet at 2 o'clock today at the Hotel Astor to elect six members to the nominating committee which will select the regular ticket to be submitted at the annual meeting about June 1. This meeting will be followed by the first regular quarterly meeting of 1938. Burgess Meredith, acting president, will preside.

"Music" Sets "U" Mark

Universal reports that records are being set by "Mad About Music," with the Deanna Durbin film being held for extra playing time in practically all situations. It is the first picture, says the company, to be held over at the Fox in Detroit and Lincoln in Miami.

To Film "Graustark"

Hollywood, March 17.—Samuel Goldwyn will produce "Graustark," famous play with a mythical kingdom background. Gary Cooper and Merle Oberon will be starred.

Garbo Denies Marriage

Pavello, Italy, March 17.—Greta Garbo today denied to the press that she was married to Leopold Stokowski or intended to marry him.

"For the most
consistent
high quality
of production
achievement
during 1937"

The Irving G. Thalberg Memorial Award

is presented to

Darryl F. Zanuck

by the

Academy of Motion Picture
Arts and Sciences

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Booking Bill And Old Trade Order Similar

(Continued from page 1)

sion, Abram F. Myers, now general counsel for Allied, was a member of the commission.

The order calling upon the respondents, among other things, to discontinue block booking in almost the phraseology of Section 3 of the Neely bill, was presented to U. S. Circuit Court of Appeals in the form of a petition for enforcement. The court refused to permit enforcement of the order in a decision handed down April 5, 1932.

That decision held that block-booking was not an illegal practice, did not disclose a dangerous tendency to hinder competition and did not bring about monopoly. It was held that a distributor had the right to offer his product for sale en bloc and that to do so did not of itself deprive an exhibitor of any rights to which he was entitled.

Court's Reasons Listed

Among reasons advanced by the court for its refusal to act were the following:

"It is admitted that the purpose of the respondent's method of negotiation and block booking is to sell the entire product to a single exhibitor in a single locality, but the method is said to deny to exhibitors freedom of choice in leasing films. Where an offer, unaccompanied by any declaration the exhibitor must take all or none, is accepted, there is no restraint upon the exhibitor's freedom of choice. If the offer is rejected and the respondent refuses to consider the lease of less than the block until the block has been successively offered to the exhibitor's competitors, there is no restraint placed upon the freedom of choice of the exhibitor if all refuse the block. But if, under these circumstances, the exhibitor is induced to take all, by refusal of respondent at that time to consider the lease of less, the result is not due to denial of freedom of choice, but to the exercise of his choice of two alternatives. . . . After this there is the insistence on an increase in price by the respondent if individual films are accepted. But these we regard as merely ordinary incidents of bargaining and negotiating between seller and buyer, out of which a contract may or may not result. In either case, the buyer exercises his legal right to purchase or not, as he chooses. . . .

Evidence Called Lacking

"The commission may not interfere with the respondent's attempt to effectively dispose of their products as a whole before entering upon negotiations for the disposition of less than all. Nor is this method of negotiation and sales creative of a dangerous tendency to unduly hinder competition or to create monopoly. . . .

"An examination of the record reveals, however, that this is a conclusion of the author of this finding, which is not sustained by the evidence. Without support by evidence in the record, it will not sustain the order to cease and desist. . . .

"Effective competition requires that traders have large freedom of action when conducting their own affairs. Success alone does not show reprehensible methods, although it may increase or make insuperable the difficulties which rivals face. . . .

"Nor is the alternative offer permitted to be made for the films, that is, to lease less than a block at higher prices, a coercive or intimidating method. . . .

"If reasonable competition is to continue, the right of the individual to exercise reasonable discretion in respect to his own business methods must be preserved. . . .

"The respondent has lawfully exercised its right to sell its product to the best advantage and in such quantities and to such persons as it chooses. It neither has a monopoly, and, apparently, not the ability to acquire one."

Comparisons . . .

Federal Trade Commission Order Issued in 1927

The cease and desist order against Famous Players-Lasky Corp. and its officers read:

"From leasing or offering to lease for exhibition in a theatre or theatres motion picture films in a block or group of two or more films at a designated lump-sum price for the entire block or group only and requiring the exhibitor to lease all such films or be permitted to lease none; and from leasing or offering to lease for exhibition such motion picture films in a block or group of two or more at a designated lump-sum price for the entire block or group and at separate and several prices for separate and several films, or for a number or numbers thereof less than the total number, which total or lump-sum price and separate and several prices shall bear to each other such relation as to operate as an unreasonable restraint upon the freedom of an exhibitor to select and lease for use and exhibition only such films or films of such block or group as he may desire and prefer to procure for exhibition; or shall bear such relation to each other as to tend to require an exhibitor to lease such entire block or group or forego the lease of any portion or portions thereof; or shall bear such relation to each other that the effect of such proposed contract for the lease of such films may be substantially to lessen competition or tend to create a monopoly in any part of the certain line of commerce among the several States, or with foreign nations, involved in said proposed sale, to wit, the business of the production, distribution and exhibition of motion-picture films to the public, or the business of production and distribution, or of production or distribution of moving-picture films for public exhibition." (Transcript pages 61-62.)

Section Three of The Neely Bill Presented in 1938

The section at issue in the Neely block-booking measure reads as follows:

"Sec. 3 (1) It shall be unlawful for any distributor or motion picture films in commerce to lease or offer to lease for public exhibition films in a block or group of two or more films at a designated lump-sum price for the entire block or group only and to require the exhibitor to lease all such films or permit him to lease none; or to lease or offer to lease for public exhibition films in a block or group of two or more at a designated lump-sum price for the entire block or group and at separate and several prices for separate and several films, or for a number or numbers thereof less than the total number, which total or lump-sum price and separate and several prices shall bear to each other such relation (a) as to operate as an unreasonable restraint upon the freedom of an exhibitor to select and lease for use and exhibition only such film or films of such block or group as he may desire and prefer to procure for exhibition, or (b) as tends to require an exhibitor to lease such entire block or group or forego the lease of any number or numbers thereof, or (c) that the effect of the lease or offer to lease of such films may be substantially to lessen competition or tend to create a monopoly in the production, distribution and exhibition of films."

Mae West Due at State

Mae West, who has been making personal appearances, will headline the stage show at Loew's State the week of April 21, in conjunction with "The Big Broadcast" as the film attraction. The State has a lineup of strong shows booked to the end of April, including Bert Wheeler as the headliner for the week of March 31; Allan Jones, April 7; Rudy Vallee and his orchestra, April 14.

Thirty Features in Work; 15 Preparing

(Continued from page 1)

Black Hills," Republic; "Four Men and a Prayer," 20th Century-Fox; "Goodbye Broadway," "Reckless Living" and "Nurse from Brooklyn," Universal.

M-G-M has "Marie Antoinette" and "Three Comrades" in work; Columbia, "Holiday"; Paramount, "You and Me," "Tropic Holiday," "Cocoanut Grove," "Crime Gives Orders" and "The Texans;" RKO, "Go Chase Yourself" and "Saint in New York;" Republic, "Thunder in Alaska" and "Fighting Devil Dogs;" 20th Century-Fox, "Alexander's Ragtime Band," "Kentucky Moonshine," "Kidnapped," "Josette," "Little Miss Broadway," "The Battle of Broadway" and "Racing Blood;" Universal, "Lady in the Morgue" and "Sinners in Paradise," and Warners, "Four's a Crowd," "Crime School," "Secrets of an Actress," "White Banners," "Golddiggers in Paris," "The Amazing Dr. Clitterhouse," "When Were You Born?" and "Boy Meets Girl."

M-G-M started one short subject, the only active this week in this division. This studio is preparing two, and Warners are preparing one. A total of 16 is being edited.

Long Baltimore Ad Controversy Ended

(Continued from page 1)

it is believed that all concerned will benefit.

The combined papers had demanded $1.10 per agate line, which the theatres resented. Under the new arrangement the higher rate continues in effect for advertisements on the film page, but the *Sun* offers the theatres the opportunity to buy space on the page adjoining the film page at 60 cents a line. This applies to all insertions of 100 lines or more.

Theatres made parties to the agreement are Loew's Century and Parkway, the Warner, Keith's, Hippodrome and New. The Loew houses were represented in the negotiations by Oscar A. Doob, the circuit's advertising and publicity director; Carter Barron, district manager, and William Saxton, city manager. Local managers represented the other theatres.

Mrs. Etta Kinsler Dead

CINCINNATI, March 17.—Mrs. Etta Kinsler, 65, mother of Ralph Kinsler, manager of the Grand National exchange here, died today of pneumonia. Four other sons and four daughters survive.

Mrs. A. M. Andrews Passes

Mrs. Alice M. Andrews, mother of Archie M. Andrews, chairman of the board of Dictograph Products Co., Inc., died yesterday at her home in Pasadena. Funeral services will be held there on Saturday. Andrews and his brother, Percy W. Andrews, have left for the coast by plane.

Warners Set "Pagliacci"

"Pagliacci," famous opera of Leoncavallo, will be filmed by Warners under the supervision of Sam Sax at the Vitaphone studio in Brooklyn. Writers are now at work on the script.

Buys Brooklyn Theatre

The Quentin Theatre in Brooklyn has been purchased by Jerome C. Mayer from Hanswald Realty Corp.

Wall Street

Board Declines 1—5 Pts.

	Open	High	Low	Close	Net Change
Cons.	1⅜	1⅜	1⅜	1⅜	.....
Cons. pfd...	5¾	6¼	5¾	5¾	+ ⅛
E. K.	150	150	149⅞	150	.....
Loew	46	46	44½	44½	—1
Loew pfd...	105	105	105	105	—1
Para.	8¾	8⅞	8½	8½	.....
Para. 1.....	79	79	78½	78½	—5
Para. 2.....	9	9	9	9	.....
Pathe	5¼	5¼	5	5¼	+ ¼
RKO	3⅛	3⅛	3	3⅛	.....
20th Fox...	21¾	21¾	21¼	21¼	— ¼
W. B.	5	5⅛	5	5	.....

Curb Drops in Fractions

	Open	High	Low	Close	Net Change
G. N.	½	½	7/16	½	.....
Monogram	2	2	2	2	.....
Sonotone ..	1½	1½	1⅜	1⅜	— ¼
Tech.	18⅝	19	18½	18½	— ⅜

RKO Bonds Off 3¼ Pts.

	High	Low	Close	Net Change
Loew 3½s '46.....	98¼	98¼	98¼	.....
Para. B'way 3s '55...........	58½	58½	58½	— ¼
RKO 6s '41.......	62¼	62¼	62¼	—3¼
W. B. 6s '39......	68	67¾	67¾	— ¼

(Quotations at close of March 17)

THE NEWS YOU'VE BEEN WAITING TO HEAR . . .

IN OLD CHICAGO

THE GREAT AMERICAN MOTION PICTURE

IS NOW AVAILABLE FOR YOUR THEATRE!

AN UNPRECEDEN
CAMPAIGN TIMED T
WHEN YOU PLAY

We won't rehearse the nation-wide flood of great reviews in newspapers, trade papers, outstanding magazines, over the air ... nor the editorials, page after page of news breaks, radio publicity and, above all, word-of-mouth ... nor the sweep and power of the production or the box-office appeal of its great cast ... nor its 3-month run in New York and brilliant showings elsewhere! All that is familiar to everyone in show business!

But, *in addition to that,* 20th is launching the most intensive and widespread campaign in newspapers and magazines with which it ever backed a picture!

In 164 newspapers with a total circulation

ED PRE-SELLING
REACH ITS CLIMAX
N OLD CHICAGO"!

of 14,724,794 will appear the assistant advertising campaign . . . giant ads tied directly in with key-city theatres' popular-price runs.

In the national magazine campaign, 20th has scheduled full-page ads, in color, in Life, Collier's, Look, Woman's Home Companion and 14 leading fan magazines . . . with a total reader coverage of more than 53,816,226 people . . . timed to break with "In Old Chicago's" national release!

Through these *extra* campaigns, plus the prestige and fanfare which accompanied its road showings . . . 20TH CENTURY-FOX INSURES YOU THE GREATEST READY-MADE AUDIENCE FOR ANY PICTURE IN YEARS!

"In Old Chicago" has *proven* its greatness!

But be sure you let it prove its greatness for *you!*

Give it *preferential dates!*

Give it *maximum play time!*

Get behind it with showmanship just as if no one had ever heard of "In Old Chicago" before!

In that way you will be sure to get the *most out of it!*

DARRYL F. ZANUCK'S SUPREME ACHIEVEMENT

IN OLD CHICAGO

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

PRINTED IN U. S. A.

Ampa's Officers Nominated Again

(*Continued from page* 1)

esident; Lester Thompson, secre- ry, and Paul Benjamin, treasurer. he directors are to include the offi- rs and Vincent Trotta, Martin Starr, Iort Blumenstock, Gordon White and li Sugarman. Rutgers Neilson was minated as trustee for three years. ing committee nominees are Her- ert Berg, chairman; Al Sherman and alph Lund. Hap Hadley was named s counsellor to the U. S. Chamber f Commerce.

Trotta explained changes in the an- ual advertising awards and the plan ay definitely be set at a business eeting on March 31. Seven awards re provided. They are for the best ampaign directed to the public, best ampaign directed to the trade, best ublicity campaign on a picture or ersonality, best display material, and hree awards for best all-around cam- aigns on every angle of theatre mer- handising. Plaques will be given for irst choices, with scrolls for second nd third citations, except in the all- round campaign classification, in hich three plaques will be awarded.

Four Campaigns Permitted

Each company will be permitted to nter four campaigns in each classifi- ation. All awards will take into con sideration—advertising, publicity, ex- loitation and general promotion. Box- ffice returns are to be considered only n a basis of classification or produc- ion, so that a small picture will be as eligible as a big one.

The judges are to consist of leading circuit operators. The awards plan is a departure from previous years and was considered by the committee on a basis of greater representation. The awards are to be presented at Ampa's annual dinner-dance in May.

Kansas City Notes Single Bill Trend

(*Continued from page* 1)

admit that the occasional use of single bills is so satisfactory that if the majority return to them, they would like to quit duals permanently. There are exceptions, of course, as indicated by the successful use of triple bills at the E. S. Young's Roanoke and Central. Aside from the Newman, the Fox Plaza is the only house that has given singles a thorough test over a long period, although the Fox Brookside is using singles only and a few others have used them occasionally.

Indicative of a public desire for singles in many quarters is the fact that the trailer concerning them at the Newman still draws applause at every performance, after 10 weeks of use. It is pointed out that the use of singles cuts the program length about 30 per cent, thus increasing the daily turnover.

Circuit Buys House

PAWHUSKA, Okla., March 17.—Southwestern Theatres have purchased the State here from A. B. Momand of Shawnee, operator of the house for the past 11 years. Jack Smith, who has been manager of the State for the past eight years, will remain.

The Newsreel Parade

Movietone News
Vol. 20, No. 54
(*20th Century-Fox*)

A good followup on the international crisis appropriately occupies the first place in this reel. It is in the form of a speech delivered by Secretary of State Hull explaining U. S. foreign policy. More material bearing on the subject is offered in shots of Dr. Seyss-Inquart at Linz, Austria; Herbert Hoover chatting with President Benes of Czechoslovakia and Anthony Eden departing for a holiday.

The rest of the reel includes such material, not uninteresting, as: a watery deluge in the San Jacinto tunnel, a chick incubator, feminine fashions for spring, a feet and face pulchritude contest at the International Casino, Lew Lehr on the subject of snorers with many comical asides, a vividly filmed basket ball game between N. Y. U. and Colorado and fine shots of the British Empire Games at Sydney, Australia. Running time, 9 mins. P.

News of the Day
Vol. 9, No. 252
(*M-G-M*)

This issue is all that can be desired in a newsreel. It combines international affairs, entertainment, thrills, sport and other items that are currently "alive."

The opening is devoted to Secretary of State Hull speaking on the U. S. stand on foreign affairs. There are vivid aerial shots of the new Key West highway, Navy personnel and girl friends at San Diego and the big thrill comes—scenes of a motorcycle stunt in England that misfired. A man and woman attempt to crash their vehicle through plate glass and fire but they spill in the midst of the feat. There are a few harrowing moments while the camera records the pair struggling in the tangled flaming wreck of their machine until aid comes. They escape with their lives, however. The M. P. Academy awards sequence includes scenes from the winners' pictures. It is lengthy but well presented. The Italian baby crop and scenes of the Temple-Colorado basketball game conclude the material. Running time, 8½ mins. P.

RKO Pathe News
Vol. 9, No. 69
(*RKO*)

For the most part this is made up of run-of-the-mill material, but Pathe has a way of making it look much better. The lead is Secretary Hull's statement on our foreign policy. Then there is a pageant at Natchez, Miss., which provides charming photography and nostalgic memories of the old South.

The only other outstanding clip is that of Ambassador Joseph P. Kennedy attired in evening dress and accompanied by his staff to be introduced to King George. A fashion show of what the ladies will be wearing this spring will delight the women. Otherwise, there are shots of Gerard Swope praising unemployment insurance, limestone blasting in Missouri, the Temple Owls winning the national collegiate basketball title and Mickey Cochrane leading his Tigers through a practice session. Running time, 8½ mins. F.

Universal Newsreel
No. 650
(*Universal*)

There is little exciting in this release, which includes five exclusives, but good editing and presentation make for interest. The newsreels these days reflect the attention to armaments and military activities. This issue leads off with one of the infrequent appearances before the camera of Secretary of State Hull in a pronouncement of our foreign policy, which is timely.

Then follow the commissioning of the *Savannah,* 10,000-ton cruiser; fleet maneuvers off the California coast and military maneuvers in England. The second group of clips includes a miscellany of a Milan, Italy, carnival parade, a couple celebrating their 72nd wedding anniversary, the arrival here of the King of Egypt's uncle, a Philadelphia girl newspaper photographer, animals at the zoo and a display of legs in a contest in a Manhattan night spot. The sports section includes some of the dizziest skiing seen this year, in the Swiss Alps; the Chicago six-day bike races and the Colorado-N. Y. U. basketball game. Running time, 9 mins. F.

Arbitration Unit in Canada Faces Crisis

(*Continued from page* 1)

stands today in Canada is overbalanced in favor of Famous Players Canadian Corp. and the attitude of its representatives has, so far, been that they are determined to keep it that way. The subject of clearance has deadlocked every conciliation meeting and the business accomplished was of too trivial a nature to warrant the expenditure of time involved."

Clarence Robson, supervisor of theatres, is the direct representative of Famous Players on the conciliation committee while other members include Sam Fine, representing B. and S. Theatres, Ltd., and H. T. Long, general manager of the Hanson circuit, both of which are subsidiaries or controlled by Famous Players.

The independents are represented by President H. Freedman and A. Polakoff of the Independent Theatres Association. Freedman and Polakoff are Toronto exhibitors. The exchanges are represented by L. M. Devaney, J. P. O'Loghlin and H. Allen.

Scripts to Be Auctioned

Original film scripts and manuscripts written by Donald Ogden Stewart, Dudley Nichols and MacKinley Kantor will be sold at auction at the Barbizon Plaza March 25 for the benefit of the Medical Bureau of the North American Committee to Aid Spanish Democracy.

Acquires French Film

Frank Kassler has acquired the American distribution rights to "Dark Eyes," French film featuring Harry Baur and Simone Simon. It will be released next season.

Hull Newsreel Shots Are Made in Advance

The newsreel clips of Secretary of State Hull announcing the Administration's foreign policy were taken on Wednesday under a departure from official policy, said Al Holland, Pathe News' Washington representative, here yesterday.

Usually the newsreels are allowed to take pictures of important Government officials following a press conference. But Secretary Hull considered the announcement of policy so important that arrangements were made for the films in advance in order to permit a release simultaneously with Hull's worldwide broadcast yesterday afternoon.

Holland said that Hull insisted on the utmost secrecy regarding the newsreel shots and precautions were taken to guard against his statement being revealed in advance of the radio broadcast. The statement read by Hull for the five newsreels was culled from his radio speech.

"Jungle Lover" to Open

MIAMI, March 17.—"Her Jungle Lover," Paramount film in Technicolor, will have its premiere tomorrow night at the Sheridan here. Prior to the opening, Stanton Griffis will entertain at dinner aboard his yacht, *North Wind,* and S. A. Lynch, head of Paramount Enterprises, Inc., will sponsor a party at his Sunset Island home.

Cooperative Ads Set

Cooperative ads on Warners' "The Beloved Brat" will be run by more than 85 newspapers coincidental with the national release April 30. The move is designed to supplement the major campaign in *The American Weekly.*

Copies of this advertising have been sent to exhibitors to furnish a basis for the cooperative ads.

Lillian Jacobson to Wed

BOSTON, March 17.—Lillian Jacobson and Samuel Paul will be married next Sunday at the Gardner Manor in Brookline. Miss Jacobson is secretary to George Kraska at the Fine Arts. Max Perlstein and Mildred Weisman will be married March 27, at the Roxbury Temple. Perlstein is assistant manager at the Modern in Brockton.

Caravel to Exploit Film

Caravel Distributing Corp. will send a crew of exploitation men into the field in connection with "Boy Meets Dog," an industrial short. The film, set for release on April 1, will play in Baltimore, Pittsburgh, Philadelphia, Washington and Harrisburg.

Asks a German Boycott

HOLLYWOOD, March 17.—A boycott of Germany because of its annexation of Austria was urged today by the Hollywood Anti-Nazi League in a telegram sent to Secretary of State Hull by Donald Ogden Stewart, chairman.

Don Prince Opens Office

ATLANTA, March 17.—Don Prince, former southern division public relations director of Columbia, has opened a free lance exploitation office. His first assignment is on Monogram's "Boy of the Streets" in New Orleans.

"Broadcast" Tops Seattle With $8,300

SEATTLE, March 17.—"The Big Broadcast of 1938," on a dual with "Sergeant Murphy," made an excellent showing in a slow week here. The $8,300 gross at the Paramount was $2,300 into the profit column.

"Bringing Up Baby," with "Love on a Budget," was strong at $8,200. "Nothing Sacred" went to $1,200 over the line on a take of $6,200 at the Liberty.

Total first run business was $37,400. Average is $36,500.

Estimated takings for the week ending March 11:

"LIVES OF A BENGAL LANCER" (Para.)
"SCANDAL STREET" (Para.)
BLUE MOUSE—(950), 25c, 7 days. **Gross:** $3,100. (Average, $4,000)

"BRINGING UP BABY" (RKO)
"LOVE ON A BUDGET" (20th-Fox)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $8,200. (Average, $7,000)

"NOTHING SACRED" (U.A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 2nd week. **Gross:** $6,200. (Average, $5,000)

"VICTORIA THE GREAT" (G.B.)
MUSIC BOX—(950), 30c-40c-55c, 7 days. **Gross:** $3,250. (Average, $4,000)

"GOLD IS WHERE YOU FIND IT" (F.N.)
"CHANGE OF HEART" (20th-Fox)
ORPHEUM—(2,450), 30c-40c, 7 days, 2nd week. **Gross:** $4,200. (Average, $6,000)

"THERE GOES THE GROOM" (RKO)
"THE INVISIBLE MENACE" (W.B.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Rube Deramest. **Gross:** $4,150. (Average, $4,500)

"BIG BROADCAST OF 1938" (Para.)
"SERGEANT MURPHY" (W.B.)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $8,300. (Average, $6,000)

Agency Measure Is Passed in Assembly

(Continued from page 1)

Senate, although the Finance Committee in that house has not yet reported any of the employment agency bills on which they held hearings early this week.

Assemblyman Robert J. Crews said today that he expects the Rules Committee to report out his operator bill tomorrow. If the bill reached the floor it will be put on special order and rushed to a vote. Crews anticipates that the bill will pass in the Assembly if the Rules Committee reports it. The situation on the Ascap legislation still is in doubt. The Senate and Assembly have passed resolutions for 5 P. M. Friday, when the clocks will be stopped and the work cleared.

Argentine Borrows Alton

HOLLYWOOD, March 17.—John Alton, who photographed "La Vida Boheme" for Cantabria Films which Columbia will release, has been borrowed from Cantabria by the Argentine National Film Co. to photograph their initial production at Buenos Aires. He will leave March 1.

Managers Fox Theatre

KANSAS CITY, March 17.—Frank E. Ritter, for several years booker for Harry McClure's district of Fox Midwest Theatres, Inc., has been named manager of the Fox Isis here, succeeding Ed Mater, who will book first runs.

Out Hollywood Way

HOLLYWOOD, March 17.—Paramount is planning to start the story of "Knights of the Round Table," which ALBERT LEWIN will produce in the early fall.

A "Miss Monogram" is being selected by Monogram Pictures through a contest being undertaken in cooperation with Fawcett Publications. Judges will be JAMES MONTGOMERY FLAGG, SCOTT R. DUNLAP and W. RAY JOHNSTON. The winner will be given the lead in "Romance of the Limberlost," GENE STRATTON PORTER story . . . Supporting TIM McCOY in "Renegade Law," Monogram, will be BETTY COMPSON, JOHN MERTON and ALAN BRIDGES . . . LEW MAREN has been engaged as assistant to GEORGE BROWN, Columbia publicity director. Maren will make trailers with the assistance of WALTER TEMPLE, assigned for that purpose by National Screen Service.

DARRYL F. ZANUCK is seeking GEORGE ARLISS for "Suez," to be produced on a large scale . . . DENNIS MOORE will be featured in "Racing Blood," opposite LYNN BARI, 20th Century-Fox . . . Universal has started location work on "Flaming Frontiers," 15-chapter serial starring JOHNNY MACK BROWN. RAY TAYLOR and ALAN JAMES will co-direct . . . PRESTON FOSTER draws the lead in Universal's "Fighting the Underworld," to be produced by IRVING STARR as a Crime Club offering, although it is not a mystery . . . LILLIAN STROMBERT, secretary to LARRY DARMOUR, was married this week to CARL HIECKE, assistant director.

✚

Casting—FRANCES MERCER, newcomer, will play opposite RICHARD DIX in "Blind Alibi," RKO . . . H. B. WARNER in "Mlle. Frou-frou," M-G-M . . . Another newcomer getting a break is DONALD O'CONNOR, cast in "Sing, You Singers." He is in his early teens . . . FUZZY KNIGHT in "Spawn of the North," Paramount . . . BERYL WALLACE draws the lead opposite DICK PURCELL in "Daredevils," marine aviation picture to be produced by TREM CARR for Universal . . . PENNY SINGLETON in "Boy Meets Girl," Warners . . . EDWARD GARGAN in "Crime School," Warners . . . LEWIS STONE in "Yellow Jack," M-G-M.

✚

Contracts—M-G-M has placed GUY KIBBEE under term contract . . . JAN HOLM, 18-year-old little theatre actress, has been signed by Warners.

Hammons Studies Distribution on Revived FN Plan

(Continued from page 1)

present deal with 20th Century-Fox expires. He estimated that $5,000,000 would be required, but pointed out that the present condition of the financial market would make it difficult to obtain that amount of money now.

Hammons said that several well known producers have expressed a willingness to associate with him for feature production.

He is studying alternative plans. One is an affiliation with Grand National, which has an exchange system already in operation. He estimated that it would take about six months to get a national distributing organigation under way. Should he make a deal with Grand National, however, much time would be saved.

Regents Meeting Here

ALBANY, March 17.—The Board of Regents will meet in the State Office Building in New York tomorrow, when they are expected to pass a resolution on the matter of the new appeal for "The Birth of a Baby." The matter probably will not be referred to their special subcommittee in view of the fact that the whole board viewed the film in New York on Dec. 8. It is expected that Commissioner of Education Frank P. Graves will be upheld in his ban on the film.

Seawright Gets Pact

HOLLYWOOD, March 17.—Because of his work on "Topper" and "Swiss Miss," Roy Seawright, head of Hal Roach's special effects department, has been given a straight three-year term contract.

Court Sets Aside Censor Decision In Pennsylvania

(Continued from page 1)

as is required by the act. To supply this inexcusable neglect, the three members of the board were put on the witness stand and their testimony showed a lack of any intelligence, basis of judgment or any conception of the true nature of censorship."

In their testimony in the hearing, the board members stated they rejected the Soviet film on the grounds that it might create public upheaval.

Eastman 1937 Profit Total Is $22,347,345

(Continued from page 1)

$9.76 per share on the common stock and compares with a profit of $18,906,371 in 1936, equal to $8.23 per share on the common.

Current assets total $65,593,110, representing a decrease from the $73,077,462 of 1936, a decrease said to result largely from plant and property expansion.

The profit and loss statement shows $369,942 paid in dividends on the preferred stock, $18,007,368 on the $8 per share common and nothing on the $6.75 per share common.

Consolidated to Pay 25 Cents

Consolidated Film Industries, Inc., has declared a dividend of 25 cents per share on the $2 preferred stock. It is payable April 1 to holders of record March 25.

Change "Cowboy" Title

HOLLYWOOD, March 17.—"Cowboy from Brooklyn" will be released by Warners as "The Brooklyn Cowboy."

"Snow White" $29,000 Hit Philadelphi

PHILADELPHIA, March 17.—Af a rainy opening, "Snow White a The Seven Dwarfs" caught up stride at the Stanley and jingle cash register for $29,000 for its n week. The gross was not prop tionately as great as attendance in much as there were many childr at two bits a head. The film loc set for three good weeks.

The Earle was more restful t week, after its record-breaking s sion with Benny Goodman, but $1 000 was reached by "Start Cheerin on the screen and Fats Waller the stage.

"Goldwyn Follies" ended its fou week at the Aldine with $7,000, sligl ly under average.

Total first run business was $10 500. Average, excluding "In C Chicago," is $83,560.

Estimated takings for the we ending March 10:

"GOLDWYN FOLLIES" (U. A.)
ALDINE—(1,300), 40c-55c-75c, 7 days, week. **Gross:** $7,000. (Average, $8,160)

"A YANK AT OXFORD" (M-G-M) (2nd run)
ARCADIA—(600), 25c-40c-55c, 11 da **Gross:** $4,700. (Average, 7 days, $2,800)

"BRINGING UP BABY" (RKO)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gro** $12,000. (Average, $14,000)

"START CHEERING" (Col.)
EARLE—(2,000), 25c-40c-55c, 7 da Stage: Fats Waller, with orchestra a revue. **Gross:** $19,000. (Average, $14,000)

"IN OLD CHICAGO" (20th-Fox)
ERLANGER—(2,000), 57c-86c-$1.14-$1. 7 days, 4th week. **Gross:** $7,000.

"A SLIGHT CASE OF MURDER' (W. B.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gro** $12,000. (Average, $14,000)

"GOLD IS WHERE YOU FIND IT' (W. B.) 2nd run)
KARLTON—(1,000), 25c-40c-55c, 7 da **Gross:** $3,000. (Average, $4,000)

"ROMANCE IN THE DARK" (Para. (2nd run)
KEITH'S—(2,000), 30c-40c-55c, 7 da **Gross:** $2,800. (Average, $4,000)

"SNOW WHITE AND THE SEVE DWARFS" (RKO)
STANLEY—3,700), 40c-55c-65c, 7 da **Gross:** $29,000. (Average, $14,000)

"ARSENE LUPIN RETURNS" (M-G-
STANTON—(1,700), 30c-40c-55c, 7 da **Gross:** $5,000. (Average, $7,000)

Lease Indiana House

DELHI, Ind., March 17.—The Ar 28-year-old theatre here, has be leased by Walter Beymer of India apolis and William Henry Harrisc Indianapolis attorney, owner, from M. Gardner, who will continue to ov the real estate. Mrs. Gardner play the piano for the house for 19 yea in the old silent days.

Shamis in Croyden Spo

BALTIMORE, March 17.—Richa Shamis, proprietor of the Reala here, has taken over the Manor Croyden, Pa., and has placed h brother Raye in charge. Julian Amc has been appointed manager of tl Realart here by Shamis.

Erpi Moving Offices

Erpi's uptown offices which ha been the principal headquarters the company for the past 10 yea will be moved to the A. T. & home office at 165 Broadway durir the next month. The moving oper tions were begun this week.

uggests Air Levy Paid by Set Makers

(*Continued from page 1*)

at it would eliminate completely the ful cost of selling radio licenses. scheme could be accomplished by tablishing the radio tube tax now, the same time maintaining the an- al license fee for a period of three ars. At the end of that time the bes presently in use will have be- me useless and those who wish to e radio will have had to buy new bes. At the end of the three years, e radio license fee could be abolished d the tax would be producing ough revenue to provide CBC with l the money it needed."

In his article Stallsworthy also aims that the corporation's license llection system is weak, netting only ,000,000 each year when there are sufficient number of radios in the ominion to bring in $3,000,000.

"Slackness in collections is admitted the Government on the excuse that rtain sections of the country are not ing adequately served by CBC, but e wish to avoid political disfavor has ore than a little to do with it," he ys.

Pittsburgh Show Back

Pittsburgh, March 17. — "Club elebrity" has returned to the air here gain under the sponsorship of the arris Department Store, but on a ifferent station, WWSW, and with new "em cee," Ollie O'Toole. The how was handled on KQV for sev- al years by Joe Villella, who origi- ated the title but sold the copyright the Harris firm when they bought originally. The show consists of re- orded music, songs and specialties resented in the style of a night club evue.

Shift Mutual Shows

Changes in a number of Mutual rograms will take place during the eek of March 27. Among these will e Morton Gould's program, moving rom Monday to Tuesday night 8 to :30 P. M. Vic Erwin will be heard he same evening, 9:30 to 10 P. M., nd "Witch's Tale" will take to the ir from 10:30 to 11 P. M. Fridays, rom 9:30 to 10 P. M., Ernie Fiorito's Studies in Contrast" will be heard. he Bamberger Symphony will move he same night to the 10:30 P. M. pot.

Scher Obtains Leave

George Scher, director of publicity or Lennen & Mitchell, has obtained temporary leave of absence to em- ark on a freighter trip around the vorld. His experiences will be pub- ished in a book following his return. cher will leave April 20, and will eturn to New York in September.

AFRA Party April 3

San Francisco, March 17.—The lo- al unit of the American Federation f Radio Artists, representing more han 400 local radio performers, has et Sunday evening, April 3, as the date for the second annual "AFRA-MIX," an informal party and dance.

F. C. C. Assigns New Broadcast Hearings

Washington, March 17. — The Federal Communications Commission has tentatively assigned broadcasting applications for hearing, as follows:

April 21, before the commission: Applications of the Birmingham News Co. for a new 590-kilocycle, 1,000-watt station at Birmingham; Kanawha Valley Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Charleston, W. Va.; Pacific Radio Corp. for a 1,320-kilocycle, 500-watt daytime station at Grants Pass, Ore., and Martin R. O'Brien for a 1,250-kilocycle, 250-watt daytime station at Aurora, Ill., and contesting applications of Voice of Detroit, Inc., for an 1,120-kilocycle station at Detroit with 500 watts night, 1,000 watts day; Cadillac Broadcasting Co. for an 1,140-kilocycle, 500-watt daytime station at Detroit; WWPO, Inc., for an 1,120-kilocycle, 250-watt station at Pittsburgh, and Times Printing Co. for an 1,120-kilocycle station at Chattanooga, with 500 watts night, 1,000 watts day.

April 25, before an examiner: Applications of Pinellas Broadcasting Co. for a 1,370-kilocycle station at St. Petersburg, with 100 watts night, 250 watts day, and KMED, Medford, Ore., for change of frequency from 1,410 to 1,320 kilocycles and increase of power from 250 to 1,000 watts.

Set Tentative Hearing Dates

Washington, March 17.—Tentative dates for examiners' hearings on a number of broadcasting applications have been set by the Federal Communications Commission, as follows:

April 12: Applications of George W. Taylor Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Williamson, W. Va., and Roberts-McNab Co. for a 1,310-kilocycle station at Livingston, Mont., with 100 watts power night, 250 watts day.

May 10: Applications of George H. Payne for a 1,440-kilocycle, 500-watt station at San Jose, Cal., and Dan B. Shields for a 1,200-kilocycle, 100-watt station at Provo, Utah.

May 17: Application of Edward J. Doyle for a 1,500-kilocycle station at Rochester, with 100 watts night, 250 watts day.

May 31: Application of Cuyhoga Valley Broadcasting Co. for a 1,500-kilocycle, 100-watt daytime station at Cleveland.

Approve New Station Licenses

Washington, March 17.—Licensing of the new station, WBRK, Pittsfield, Mass., to be operated by Harold Thomas on 1,310 kilocycles with 100 watts power night, 250 watts day, has been approved by the Federal Communications Commission.

The commission also has granted a license to WCOA, Pensacola, Fla., to increase its day power from 500 to 1,000 watts.

Applications received at the commission include requests of WOR, Newark, for an increase from 5,000 to 50,000 watts in the power of its facsimile station operated between 2 A.M. and 6 A.M.; WHP, Harrisburg, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, and KWSC, Pullman, Wash., for increase of night power from 1,000 to 5,000 watts.

Set Dates for Start Of Warner Air Show

Hollywood, March 17.—Some of the dates for the start of the new Warner air show, retitled "Warner Bros. Academy of Acting," over stations throughout the country via transcription have been disclosed here. Gruen Watch Co. is sponsoring the half-hour programs.

The stations and dates are: April 3—WMAQ, Chicago; WLW, Cincinnati; KRNT, Des Moines; KWK, St. Louis; WHAM, Rochester; WBZ, Boston; April 5—WCAU, Philadelphia; WCAO, Baltimore; WGAR, Cleveland; WNEW, New York; WJAS, Pittsburgh; April 6—WXYZ, Detroit; April 8—WMCA, New York.

The California Radio System will present the live show Wednesdays from the KFWB studios.

Seek National Radio Dealer Organization

First attempt to form a national organization of electrical and radio dealers will be made at the Hotel Commodore Monday when representatives of more than 50 localized organizations meet for a one-day convention. Five hundred radio dealers are expected to attend.

William H. Ingersoll, trade policy advisor of the Metropolitan Association, estimates that representatives from organizations as far distant as San Francisco, St. Louis, Chicago and other cities will be in New York for the meeting. At a dinner in the evening, Linton Wells, commentator, and Orestes Caldwell, editor of *Radio Today*, will speak.

Connah Radio Head Of Atlanta Agency

James A. Greene & Co., advertising agency in Atlanta, has appointed Doug Connah as radio and publicity director, Connah will make his headquarters in New York at the present, with his duties largely concerned with the "Royal Crown Revue," new NBC program sponsored by Nehi, Inc., and serviced by the Greene agency.

Connah for five years was with CBS, and for two years with Batten, Barton, Durstine & Osborn.

WCKY Takes Equipment

Cincinnati, March 17.—Recording equipment is being installed at WCKY, NBC outlet operated by L. B. Wilson, to permit recording of network programs which may be crowded off the station due to previous commitments. It also will be used to make permanent records of studio programs, and for recording of material which will be employed in training announcers and performers.

Quits Chicago News

Chicago, March 17. — Charles J. Gilchrest, radio editor of the *Chicago News*, has resigned to devote full time to script writing. He has been writing the Zenith "Telepathy" and "Skelly Court of Missing Heirs" programs.

Fredda Gibson Signed

Fredda Gibson, vocalist who is heard on many commercial series, was signed yesterday under a CBS artists bureau management contract.

▶ Radio Personals ◀

LUCY MONROE has been engaged for a week of personal appearances at the Earle in Philadelphia the week of April 1. . . . Betty Goodwin, NBC fashion editor, will leave the network in April and will be succeeded in the post by Amelia Umnitz, her present assistant. . . . Gene O'Fallon, owner of KFEL, Denver, was a visitor here yesterday. . . . Fred Weber of Mutual left for Chicago last night. . . . It's usually the press agent who tenders the parties for the client, but Phil Lord will reverse the procedure Monday night when he will entertain at the Cafe Royale in honor of Will Yolen, his "p.a." . . . Nellie Revell will appear on "New York on Parade" over NBC Monday. . . . Abe Schechter, director of news and special events for NBC, will discuss the workings of his department on the "Home and Fireside" program on the Blue Monday.

+

Ed Kahn, comptroller of Phillips H. Lord, Inc., will marry Alice Gitzendanner June 19. . . . Orrin Tucker wound up his engagement at the Edgewater Beach Hotel yesterday and will come to New York where he will succeed Guy Lombardo at the Roosevelt March 23. . . . Judith Allen was interviewed by David Lowe, WNEW's Hollywood commentator, last Saturday, and listeners were offered free tickets to see her at the Brooklyn Strand where she is featured on the vaudeville bill starting today. The mail response was 2,373 letters.

+

Lincoln

When Lowell "Jiggs" Miller came here from KFEQ to fill Lyle DeMoss' place as program director of KFAB, he went the full route by even moving into DeMoss' vacated house. . . John Montgomery, member of the "Pine Ridge Mountain Boys" trio, is taking a trick as announcer on KFOR. . . Katherine Stone, writer of the KFAB "Children's Theatre," is doing a script on "Tale of Two Cities" to be done on six broadcasts. . . Jack Hanssen is being broken into the KFOR program director's job by John Shafer, who will leave the post.

+

Oklahoma City

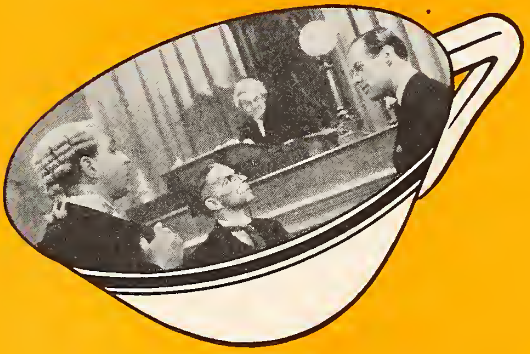
John Stratton, KOMA engineer, is back on the job after several weeks recovering from injuries received in an automobile accident. . . . Albert V. Davis of the *Daily Oklahoman and Times*, has resigned to go to KTOK as an advertising solicitor. . . . Walter Cronkhite, WKY newscaster, was off the job for several days recently on vacation to Kansas City. . . .Ben Bezoff, WKY announcer, has recovered fully from the flu. . . . Bob Knisely of the KADA, Ada, Okla., commercial department, is the father of an eight-pound baby girl.

Resumes KDKA Book Reviews

Pittsburgh, March 17.—G. Dare Fleck, traffic manager at KDKA, has resumed a weekly program of book reviews that was discontinued seven years ago. He will go on the air for 15 minutes every Wednesday afternoon. During the original series, which ran from 1927 to 1931, Fleck reviewed more than 1,000 books, calling himself the "KDKA Bookworm."

This is "Patsy", the center of the storm that had every man, woman and dog in the country howling with glee!

A brand new slant on love-making by Vivien Leigh and Rex Harrison, a captivating pair of sweethearts!



Not since Mr. Deeds pixilated the world has there been such honest fun in a court-room!

Packed with a hundred high-spots of the showmanship type that audiences go wild about!

THIS PRANKISH AND REFRESHING COMEDY IS THE MOST UNUSUAL PICTURE YOU'VE SEEN THIS YEAR!

"*A delightful and wistful affair becomes uproarious farce*" —LITERARY DIGEST.

"*Different and entirely refreshing*" —SCREENLAND.

"*A well produced comedy that is actually funny throughout*" —FILM DAILY.

"*A sheer laugh-maker . . . will be a laughing success in any theatre that plays it*" —M. P. DAILY.

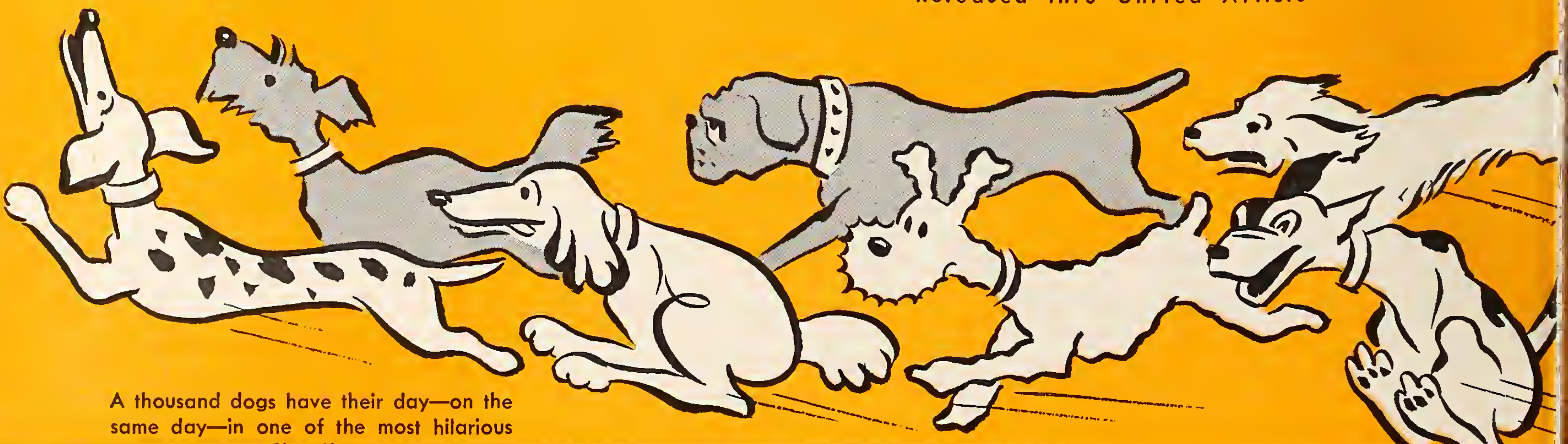
"*A bright and frolicsome comedy high up in the entertainment class*" —HOLLYWOOD REPORTER.

"*Excellent entertainment*" —VARIETY.

Alexander Korda presents

STORM IN A TEACUP

with **VIVIEN LEIGH • REX HARRISON**
URSULA JEANS • Directed by VICTOR SAVILLE
and IAN DALRYMPLE • Written by JAMES BRIDIE
Released thru United Artists



A thousand dogs have their day—on the same day—in one of the most hilarious

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 43. NO. 64 NEW YORK, SATURDAY, MARCH 19, 1938 TEN CENTS

Brandt Starts Letter Attack On Neely Bill

's Road to Monopoly, He Writes Nine Senators

The Neely bill, if passed, will foster monopoly in the industry, it was declared by Harry Brandt, president of he I. T. O. A., in a letter to nine Senators. The protest was mailed yesterday to Senators Robert F. Wagner and Royal S. Copeland of New York, Gerald P. Nye, William Gibbs McAdoo, Rush D. Holt, Carter Glass, Henry S. Bridges, George W. Norris and Matthew M. Neely, the sponsor of the bill in the Senate.

"The people who are advancing this bill would have you believe that it is being advanced to break up a monopoly," the letter stated. "Let me assure you that the quickest way to oster a monopoly in our industry is o pass this bill. Only those with the greatest financial resources can operate under it and even they would have o do so with great risk of loss to hemselves. The 'little fellow' of

(Continued on page 3)

Seek to Increase Quota for Shorts

By AUBREY FLANAGAN

LONDON, March 18.—When the report stage on the Films Bill is reached n the House of Lords on Monday various influential members will seek to win approval of amendments which would increase the quota on short subjects for both distributors and exhibitors. They plan to ask that the distributor shorts quota should start at 15 per cent, the exhibitors' at 12½ per cent, progressively increasing to highs of 25 and 22½ per cent, respectively.

Exhibitors have appealed to Oliver Stanley, president of the Board of Trade, to restore the quota schedules, as they were at the time of the second Commons reading. They have agreed that a new increase may stimulate production slightly.

Child Admission Bill Is Through Assembly

ALBANY, March 18.—The bill of Assemblyman Harold Ehrlich which would legalize the admission of children over eight and under 16 to theatres employing matrons moved to order of passage in the Senate tonight. Sponsored by the Children's Aid So-

(Continued on page 3)

Federal Probe of Radio Will Cover Entire Field

End of Para. Court Status Up to Judge

Decision was reserved by Federal Judge Alfred C. Coxe in the U. S. District Court here yesterday on the application of Charles D. Hilles and former trustees in reorganization of Paramount for approval of their final accounting of their activities. The motion was unopposed and Judge Coxe indicated that he would approve the petition. Arthur A. Ballantine, attorney for the trustees, declared that approval of the petition would end five years of Paramount bankruptcy litigation. Paramount Pictures, Inc., took over the debtor's assets under a reorganization plan on July 1, 1935.

Decision was reserved also on the application by Root, Clark, Buckner & Ballantine, attorneys, for additional fees of $7,500 and expenses of $747 and

(Continued on page 3)

"Jungle Love" Given Big Miami Premiere

MIAMI, March 18. — Paramount wound up the 1937-'38 winter season here with a premiere of "Her Jungle Love" at the Sheridan Theatre with the usual Hollywood staging—floodlights, radio, street crowds and fanfare. The Technicolor film was well received a large and enthusiastic audience.

Among those who attended were Stanton Griffis, Chris Dunphy, Major Albert Warner, E. J. Sparks, S. A.

(Continued on page 3)

Monogram Directors Ratify Appointments

The board of directors of Monogram yesterday formally approved the appointment this week of Edward A. Golden as vice-president of the company and George W. Weeks as general sales manager.

Golden's appointment places him in charge of the home office during the absence of W. Ray Johnston, president. Weeks' appointment will become effective on Monday. No other action was taken by the board, it was said.

Kent's Sixth Year

Sidney R. Kent, president of 20th Century-Fox, today will complete his sixth year with the company. Just six years ago he became vice-president of the old Fox Film Corp., which he immediately proceeded to reorganize. One month after he joined the organization, he became its president.

20th-Fox Also to Lop off "B" Films

Twentieth Century-Fox will have no "B" product next season, John D. Clark, general manager of distribution, will announce at the Kansas City sales conference April 1. This will be the second company to announce such a decision, M-G-M stating this week that its 1938-'39 output will not include "B" films.

Production plans for the new season have already been shaped up in studio conferences between the east and west coast executives and budgets have been set, according to word from the coast. Production of the new program got under way at Movietone City this week.

Final touches to the program are under discussion in conferences on the coast between S. R. Kent, Joseph M. Schenck, Darryl Zanuck and Bill Goetz. John D. Clark is also on the coast, compiling data to present at the Kansas City meeting. Charles E. McCarthy, advertising and publicity director, is conferring with Harry Brand, studio publicity head, on exploitation and publicity plans for the new season.

Harry Scott Dies in His N. Y. Residence

Harry Scott, formerly a well known sales executive, died last night in his apartment at the Hotel Belvedere.

Scott entered the film business with George Kleine, for whom he managed branch offices in Columbus, Dallas, Boston and Philadelphia. Later he was associated with General Film Co. When the First National exhibitor circuit was organized Scott became manager of the Detroit exchange in

(Continued on page 3)

FCC Adopts a 13-Point Basis After 3 Days Of Discussion

WASHINGTON, March 18.—Radio will undergo a widespread probe instead of one charging monopoly only, as a result of the adoption of a 13-point program forced upon the Federal Communications Commission by Chairman Frank R. McNinch here today.

McNinch's 13-point program was devised as a substitute for the recent demand for a probe charging radio with monopoly by F.C.C. Commissioner T. A. M. Craven.

Among the 13-points outlined in the McNinch resolution for study are included:

Contractual rights and obligations of chain stations arising out of their network agreements.

Extent of program, advertising contract and other control by chain stations.

Duplication of network programs by stations in the same area.

"Exclusive" affiliation contracts.

Extent to which single chains or networks have exclusive coverage in any area.

Program policies, with respect to character, diversification and accommodation of programs to requirements of areas to be served.

Rights and obligations of chain stations with respect to advertisers having network contracts.

The competitive practices of chain

(Continued on page 4)

Additional developments in radio yesterday on page 4.

Columbia 6-Month Net Is $451,061

Columbia Pictures Corp. reports a net after all charges including provision for Federal income and other taxes for the six months ending Dec. 25, 1937, of $451,061.20, equal to $1 per share on the outstanding common. For the six months ending Dec. 25, 1937, the net was $629,771.93, or $1.51 per share on the common.

For the three months ending Dec. 24, 1937, the net, after all charges, was $303,749.94. This was equivalent to 73 cents per share on the common.

"These figures have been deter-

(Continued on page 3)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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MELBOURNE: Regent Theatre Buildings, [illegible] Collins St.; Cliff Holt, Representative.
MEXICO CITY: Apartado 269; James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2, Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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"U" Makes Wittman Philly Branch Head

Sig Wittman, eastern district manager for Universal, has been transferred to Philadelphia as branch manager. He replaces Joseph Engel, who will transfer to the Cleveland office.

Dave Miller, branch manager in Cleveland, will be given a new position. Miller yesterday conferred with William Scully, general sales manager.

Friedmans Fly West

Joseph Friedman, Columbia's European manager, left by TWA plane yesterday for the coast for conferences with Harry Cohn, president, and studio officials. He expects to return to England in about two weeks. Flying west with him were his son, Seymour, and daughter-in-law, who were married recently in London. Seymour is a member of Columbia's production staff.

John Joseph Heads East

HOLLYWOOD, March 18.—John Joseph, advertising and publicity director for Universal, will leave on the Chief today after five weeks at the company's studios.

◂ Purely Personal ▸

WALTER BRANSON has returned from a tour of the RKO branches in the interest of the Ned E. Depinet Drive. He was accompanied by HARRY MICHAELSON, short subject sales manager.

•

THEODORE A. SHAW, assistant division manager of 20th Century-Fox, will leave Monday for a trip to the company's Toronto and Montreal exchanges.

•

BOBBY BREEN will be a guest star at the benefit to be conducted by the Israel Orphan Asylum at Madison Square Garden tonight.

•

MILTON and MRS. SILVER plan a cocktail party Sunday afternoon for CHARLES CURTIS MUNZ, author of "Land Without Moses."

•

J. J. SULLIVAN, Fox West Coast film buyer, is here on his annual film buying expedition and expects to make it an extended stay.

•

DR. SAUL C. COLIN has left for the coast where he will confer on the summer tryouts of his fall productions.

•

HARRY ARTHUR, general manager of Fanchon & Marco Theatres, boarded a TWA plane yesterday for St. Louis.

•

LEW SEILER, Hollywood director, and MRS. SEILER will sail for the Pacific Coast today on the *California*.

•

ED PESKAY, Grand National sales head, arrived yesterday from the coast and reorganization conferences.

•

WILLIAM GLUCK has resigned from Joe Hornstein, Inc., to join Reflex Service Corp. as contact man.

•

JOE FELDER, Monogram's New York branch manager, will arrive in a few days from the coast.

•

LEROY PRINZ, Paramount dance director, will leave for the coast March 28.

•

SPYROS SKOURAS plans to fly to the NED E. DEPINET dinner in Dallas March 26.

•

MRS. NILS T. GRANLUND arrived on the coast yesterday by TWA.

Report "Chicago" Mark

Reports to the local offices of 20th Century-Fox tell of a record-breaking opening day for "In Old Chicago," featured on a single bill at the Paramount, San Francisco. The opening day gross of $4,249.20 is said to exceed by several hundred dollars the best previous take for an initial day.

RKO Signs "Snow" Deals

RKO has closed deals for the playing of 'Snow White and the Seven Dwarfs" with the Lucas & Jenkins circuit in Georgia and with the Interstate Circuit of Texas. Cresson E. Smith represented the company in the transactions.

Guest List Growing For Depinet Dinner

DALLAS, March 18.—Acceptances continue to be received for the dinner which Karl Hoblitzelle is sponsoring at the Hotel Baker here on March 26 to mark the 30th anniversary of the entrance of Ned E. Depinet into the film industry. Among those who have expressed their intention to attend are Gradwell L. Sears and Carl Leserman of Warners, Neil F. Agnew of Paramount, Herman Robbins, Herbert J. Yates, John Wood, Sam Dembow, Bill Saal, George and Charles Skouras, Willard McKay, Al Barlow, John E. Hennegan, Jack Pegler, Mike Rosenberg, Billy Wilkerson, Arthur Ungar and Nate J. Blumberg, president of Universal, and Will Hays.

Those from RKO who will join in doing honor to the company's vice-president and distribution head will include Leo Spitz, president; Jules Levy, J. R. McDonough, S. Barret McCormick, Harry Cohen, Lee Marcus, Robert Sisk, Cliff Reid, Lou Lusty, Howard Benedict, Phil Reisman, Fred Ullman, Cresson E. Smith, Ed McEvoy, Ralph Rolan, William Mallard, Ben Cammack, Ricardo Cortez and Milton Berle.

March 26, day of the dinner, has been declared Ned Depinet Day by Mayor George Sprague. The dinner will be broadcast over a coast-to-coast radio hookup and will be shot by Pathe News.

"Follies" Gross for Five Weeks $95,500

"The Goldwyn Follies" grossed $95,500 in its five-week run at the Rivoli, which ended last night. The fourth week take was $11,500 and the others, consecutively, were: $38,000, $27,000, $19,000.

The Strand finished with $17,000 for the third week of "A Slight Case of Murder," compared with $34,000 for the first stanza and $19,400 for the second.

The anticipated St. Patrick's Day business increase failed to materialize at the Roxy, which took $54,500 in the first week of "Mad About Music." "Dangerous to Know" at the Criterion garnered $9,500.

No Major-1A Agreement

An all-day meeting at the Warner home office yesterday failed to result in an agreement between representatives of the major distributors and the I.A.T.S.E., who conferred on terms of a basic agreement covering exchange unions in 31 distribution centers. Another meeting is scheduled for Monday when the agreement is expected to be ratified. All major companies were represented.

I.A.T.S.E. spokesmen were Lou Krouse, assistant president, and John Gatelee, New England organizer. Representatives were also present from a number of out-of-town locals.

O'Toole to New Haven

BOSTON, March 18. — Timothy O'Toole, for many years Columbia branch manager here, has been shifted to New Haven. The change will take effect Monday. O'Toole has been in ill health for some time and it is felt that the easier assignment at New Haven will act as a tonic.

Harry Rogovin has transferred from New Haven to take over O'Toole's post here.

To Honor Dr. Silver Of Palestine Appea

Dr. Abba Hillel Silver of Cleveland, national chairman of the Unite Palestine Appeal, next Wednesda will be guest of honor at a luncheon t be tendered by the amusement divisio of the drive. The affair, which wil be held at the Hotel Astor, will b under the chairmanship of Leo Sp[illegible] Dr. Silver and Louis Nizer wil[illegible]liver addresses.

The amusement division committe named by Spitz includes Jack Alicoat Barney Balaban, Ben Bernie, Davi Bernstein, Nate J. Blumberg, Be Boyar, Harry Brandt, J. E. Brulatou Gene Buck, Irving Caesar, Eddie Cantor, Jack Cohn, Joseph H. Cooper, S Fabian, Donald Flamm, Mauric Goodman, Max Gordon, Harry Hershfield, Arthur Hopkins, Lawrenc Langner, Jules Levy, Al Lichtma Arthur Mayer, William C. Miche Jack Mills, William Morris, Pau Moss, Arthur Murray, Louis Phillips, Martin Quigley, Walter Read Herman Robbins, W. F. Rodgers Saul E. Rogers, Billy Rose, Louis K Sidney, Sidney Silverman, George J Schaefer, Lee Shubert, Spyros F Skouras, Alexander Smallens, Fran V. Storrs, James Stroock, Elia Sugarman, Sophie Tucker, W. G. Va Schmus, Albert Warner, Joseph N Weber, Orson Welles, Ed Wynn an Adolph Zukor.

M-G-M Frisco Meet To Get Start Toda

SAN FRANCISCO, March 18.—Th first of M-G-M's regional sales conferences will get under way here tomorrow for two days with William F Rodgers, general manager of distribution; Al Lichtman and E. M. Saunders, division manager, attending.

The following will also attend George Hickey, western distric manager, and branch managers I Furman, San Francisco; L. Amacher Portland; M. Saffle, Salt Lake City and L. Wingham, Seattle.

Rodgers will go from here to Chicago for another regional meeting o Thursday and Friday.

Frank Congratulated

William Frank, assistant manage at Loew's Oriental, Brooklyn, ha been congratulated by Loew's official on his presence of mind in averting fire at the theatre the other night With the lobby crowded, Fran noticed the artificial flowers in a vas had caught fire from a pipe emptie by a patron. Frank rushed the vas to the manager's office, closed the doo an extinguished the blaze. There wa no damage except to his eyebrows.

Luise Rainer Re-Signed

HOLLYWOOD, March 18. — Luis Rainer has been signed by M-G-M t a new long term contract. The actres is now at work on "The Toy Wife,' formerly known as "Mlle. Frou Frou.' In support are Robert Young, Melvy Douglas and H. B. Warner.

Sets Educational Drive

April 25 to May 28 has been designated by John D. Clark, 20th Century-Fox sales head, as Educational Anniversary Month. Educational is offering $1,000 in prizes to bookers in the United States branches during the drive.

MOTION PICTURE
DAILY

End of Para. Court Status Up to Judge

(*Continued from page* 1)

Price, Waterhouse & Co., account-[illegible] for an additional fee of $8,870 or drawing the account.

The order submitted for signature rovides that the court must retain urisdiction over all suits which may e brought against the debtor for acts rior to the approval of the reorgani-ation. Ballantine told Judge Coxe hat the only such suit pending was ne by A. B. Momand, who received ermission last week to bring an anti-rust suit in the U. S. District Court or the western district of Oklahoma.

His claim, filed in 1934, for $4,960,12, is expected to be liquidated in the klahoma action, but Judge Coxe reerved final action for himself.. Monand's original suit was started sevral years ago and was dismissed by he U. S. Tenth Circuit Court of Apeals. He has until April 8 to revive is suit, which must be "prosecuted ith reasonable diligence."

File 2 New Actions In the Momand Suit

Boston, March 18.—Two new acions in the A. B. Momand $5,000,000 nti-trust suit were filed this afteroon in the U. S. District Court for he western district of Oklahoma by Geo. S. Ryan, Boston Lawyer, who is eading the prosecution. The new egal move was made possible by a ecision of Judge Alfred Coxe this month. Coxe denied the request of Paramount trustees to expunge the Momand claim against Paramount Publix Corp. and opened the way for ontinuation of the Oklahoma theatre wners suit.

The two new actions were for $5,000,000 and $2,000,000, respectively. They will be prosecuted by Ryan in onjunction with a recently filed case n Massachusetts which involves the ulk of the defendants.

The new $5,000,000 suit was brought gainst Paramount and other defendnts that could not be served here.

The new $2,000,000 suit involves the ituation of Oklahoma City, Okmulgee, Maud, Seminole and Guthrie and could not be taken up in the local U. S. District Court because of the statute of imitations. The seeming ambiguity of he figures is due to the fact that each lefendant is being sued for the total laim of $5,000,000.

Sues on "Tic Toc" Patent

Albert H. Wolsfield, a band leader known professionally as Al Fields, iled suit in the U. S. District Court here yesterday against Warners, Stanley-Mack-Strand Corp. and Ted King, orchestra leader at the Brooklyn Strand. The complaint charged infringement on a patented combined lock face and metronome used in what he calls "tic toc music." It is alleged hat King has just completed a short for Warners using a similar device.

Prague Bans Hitler Reel

Prague, March 18.—The Czechoslovakia censor today placed a ban on newsreels picturing the entry of Adolf Hitler into Vienna.

Brandt Starts Letter Attack On Neely Bill

(*Continued from page* 1)

whom this bill is supposedly so solicitous will be crushed!"

The letter calls the community selection and moral argument advanced by proponents of the legislation "camouflage picked up to conceal the hidden motives in back of this measure." "Our audiences select the pictures they want to see," Brandt said. "The theatre owner cannot force the public to go to his theatre. The public picks and chooses and shops around. The public is the last word in what they are willing to pay to see. That, together with the regulation of the various censorship boards and the common decency of the theatre owners themselves, prohibits the showing of any pictures to which there can be any moral objection. . . .

"You have but to look over a list of current releases against which this moral question is being raised to realize that someone is blatantly raising an issue that does not exist. The type of censorship that would be forced in by this bill . . . is nothing short of confiscatory."

The letter declared that the bill would eliminate three "primary conditions which are necessary for the successful operation of our business." These were named as: Assurance of a regular supply of pictures; reasonable film rentals; ability of the exhibitor to contract for his film supply sufficiently in advance. "The legislation would put many theatres out of business" and "the public will suffer because they will have to pay higher admission prices," the letter said.

Harry Scott Dies in His N. Y. Residence

(*Continued from page* 1)

partnership with John Kunsky and George Prendle. He also was a partner in the Michigan Educational franchise.

Scott joined Pathe in October, 1923 and became general sales manager in August, 1925. Subseqently, he was sales manager of the Van Beuren Corp. and manager for Universal in Detroit and Washington, also manager for United Artists in St. Louis. His last position was that of branch manager in St. Louis for Monogram, which company he joined in 1937.

Scott is survived by a widow and a son, George.

Faron's Father Dies

Samuel E. Faron, father of Winfield Faron of Ross Federal Service died at his home in Hempstead, L. I., yesterday.

Expect Big O'Shea Party

A large number of exhibitors are expected to turn out for the welcome luncheon to E. K. (Ted) O'Shea, recently appointed eastern district manager for M-G-M to be held Tuesday at the Astor. The luncheon is sponsored by exhibitors in the metropolitan area. Harry Brandt is chairman. Assisting him are John Manheimer and Leo Brecher.

Child Admission Bill Is Through Assembly

(*Continued from page* 1)

ciety of Buffalo and supported generally by exhibitors, the measure is through the Assembly and will be moved to pass by Senator George Rogers.

In a surprise vote, Senator John H. Dunnigan secured passage of his constitutional amendment to legalize parimutuels in New York State in the Senate today.

The Ostertag employment agency bill, which passed the Assembly yesterday and seemed on its way into law, is seemingly buried in Senate committee, together with the two Howard bills and the one of Senator Feld, New York City. Opposition to the exemptions enjoyed under the Ostertag bill by major networks and circuit booking agencies still persists strongly.

For the first time since its introduction, Assemblyman Crews' I.A.T.S.E.-backed projectionists bill seems beaten. The Brooklyn legislator has tried in vain to pry it from the Rules Committee, where opposition stiffened overnight. The sole chance left is a discharge from the rules motion, scheduled some time before the adjournment tomorrow morning.

Other anti-exhibitor and distributor bills seem definitely out.

Ticket Tax Change Is Sought by Wood

Washington, March 18.—A 10-cent increase in the present 40-cent admission tax exemption will be asked of the Senate Finance Committee tomorrow by P. J. Wood of Columbus, on behalf of the Independent Theatre Owners of Ohio.

Wood will repeat before the Finance Committee the arguments advanced in January during hearings on the tax revision bill before the House Ways and Means Committee.

It is not generally expected that the Senate group will make any changes of importance in the minor taxes but that its efforts will be devoted to the development of increased relief over the House bill with respect to the corporation levies.

Pa. Kills 44-Hour Law

Harrisburg, March 18.—The Pennsylvania 44-hour week law, which would have affected theatre employes if put in force, today was declared unconstitutional by the Dauphin County Court presided over by Judge W. C. Sheely, who entered a decree permanently enjoining the state from enforcing the statute.

Reserve "Baby" Decision

The Board of Regents met here yesterday to review the decision of Commissioner of Education Frank P. Graves in banning from exhibition "The Birth of a Baby." The board's decision in the case will be handed down in about 30 days.

Frank Miller Acquitted

Augusta, Ga., March 18.—Frank J. Miller, Sr., vice-president of Augusta Amusements, Inc., Friday had been acquitted on a lottery charge growing out of the operation of a Bank Night in several theatres here. The case was heard by a City Court jury.

Columbia 6-Month Net Is $451,061

(*Continued from page* 1)

mined," the company states, "after allowing for deductions equal to the dividend requirements of present outstanding preferred stock. No provision has been made at this time for the tax on undistributed profits."

The balance sheet shows current assets of $12,550,122.84 and current liabilities amounted to $2,124,439.44. Working capital is approximately $10,400,000.

Gross income from rentals and sales of film and accessories was $10,250,157.49. Earned surplus Dec. 25, 1937, was $4,674,061.33. Cash dividends on the $2.75 preferred convertible stock totaled $103,130.77. On the common the total was $174,734.

"Jungle Love" Given Big Miami Premiere

(*Continued from page* 1)

Lynch, Sailing Baruch, Damon Runyon, Ella Logan, M. L. Annenberg and Harry Richman.

Fred Snite, Jr., the young man who made the trip from Shanghai in an iron lung, was given a private showing of the film yesterday and he talked with Dorothy Lamour over the phone.

Stromberg Leaves Today

Hunt Stromberg, M-G-M producer, is due to leave today for the coast with a script outline for "Idiot's Delight," on which he worked here this week with Robert Sherwood, who wrote the play. Clarence Brown, who will direct the film, is in Switzerland making background shots for the picture, which will feature Clark Gable and Norma Shearer. Stromberg is also scheduled to make "Marie Antoinette" and "The Women," both with Miss Shearer, and "How to Win Friends." Work has started on "Marie Antoinette."

Wall Street

Recessions General on Board

	Open	High	Low	Close	Net Change
Col.	11¾	11¾	10½	10⅞	—1⅜
Cons.	1⅜	1⅜	1¼	1⅜	.....
Cons. pfd...	5½	5¾	5½	5¾	.....
E. K.	149⅞	149⅞	145	145	—5
G. T. E. ..	10	10	9⅞	10	— ⅞
Loew	44¼	44¼	42	42⅞	—1⅝
Para.	8½	8½	7⅛	7⅜	— ⅞
Para. 2 ...	8¾	8¾	7½	7½	—1½
Pathe	5¼	5¼	4⅝	4⅝	— ⅝
R. K. O. ..	3	3	2¾	2¾	— ¼
20th Fox ..	21⅛	21⅛	20	21⅛	—1⅛
20th pfd. ..	27½	27½	27¼	27¼	— ¾
Univ. pfd..	36⅛	36⅛	36⅛	36⅛	—3¾
W. B.	5	5	4½	4⅝	— ⅜
W. B. pfd..	34½	34½	34½	34½	.....

Sonotone Only Curb Gain

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	.....
Sentry	¼	¼	¼	¼	—1/16
Sonotone ..	1⅝	1⅝	1⅝	1⅝	+ ¼
Tech.	17⅞	18	17½	17¾	— ¾
Trans-Lux	2⅝	2⅝	2½	2½	.....
Univ. Corp..	2½	2½	2½	2½	.....
Univ. Pict..	4	4	3¾	3¾	—4¼

Little Trading in Bonds

	High	Low	Close	Net Change
Loew 3½s '46.....	98	98	98	— ¼
Para. Pict. '47....	68½	68½	68½	.....
R. K. O. 6s '41...	62¼	62¼	62¼	.....
W. B. 6s '39......	68	67¼	67¼	— ½

(Quotations at close of March 18)

Federal Radio Probe to Take Entire Field

(*Continued from page* 1)

stations as compared with practices in the industry generally.

Effect of chain broadcasting upon independent stations.

Practices or agreements in restraint of trade or furtherance of monopoly in connection with chain broadcasting.

Extent and effects of concentration of control of stations by means of chain or network contracts or agreements, management contracts or agreements, common ownership or other means or devices, particularly insofar as the same tends toward or results in restraint of trade or monopoly.

Hearings to Be Scheduled

Following the compilation of available information by the legal and engineering divisions, hearings will be called at which representatives of the chains and stations will be ordered to appear. Indications are that some hearings may be held outside of Washington for the purpose of going into local situations.

Adoption of the McNinch order culminated two days of argument between the commissioners as to how far they should go, McNinch and Sykes strongly resisting Craven's demand for an exhaustive probe of the entire situation.

The McNinch order finally was given the approval of all of the commissioners except George Henry Payne, who explained that "while I am heartily in favor of investigation of the monopolistic trends in broadcasting, I voted against the substitution of the McNinch resolution for the Craven resolution because of my objection to the methods by which that substitution was being made. Commander Craven had spent a great deal of time on his resolution, and I felt it was not only better drawn, but more comprehensive and calculated to be more effective."

Craven Asks Amendment

While finally accepting the chairman's resolution, Craven insisted upon inclusion therein of an explanation that the commission has not now sufficient information upon which to base regulations regarding contractual relationships between chain companies and network stations, multiple ownership of stations, competitive practices and other methods "by which competition may be restrained or by which restricted use of facilities may result."

N. Y. Control Bill Dying

Albany, March 18.—The bill of Senator John T. McCall which would put radio stations under control of the rules and regulations of the Public Service Commission, today seemed definitely sidetracked. The legislators are scheduled to adjourn tomorrow morning.

Maxwell to Return to Air

Richard Maxwell, CBS tenor-philosopher, will return to the network March 28 from 10:30 to 10:45 A. M. His schedule is to be Mondays, Wednesdays and Fridays at this time.

Busman's Holiday

Boston, March 18.—Bill Cunningham is taking a Florida vacation which isn't a vacation. Cunningham, a sports columnist and sports commentator, is being heard from the Sarasota Hotel in Sarasota for his regular evening programs over the Yankee Network.

One-Year Gruen Pact Is Closed by WMCA

The weekly report on new business at WMCA includes a 52-week contract with the Gruen Watch Co. for the Warner "Encore Theatre of the Air" series beginning April 8. The account was placed through Transamerican for McCann-Erickson.

Other new business includes a four-week contract for Moskin's Stores, Inc.; River Bank Canning Co., for 13 weeks through Klinger Advertising Corp., featuring the Zeke Manners Hillbillies; "Peggy Williams Says," a new five-minute series for 13 weeks, placed through Klinger. Spot announcement contracts, include Clarke Shoe Co. for 52 weeks through the Friend agency; Alka-Dent Products Co. for half-minute announcements three times weekly placed through Ruthrauff & Ryan.

Appeal Is Refused

The Appellate Division of the N. Y. Supreme Court yesterday refused Barney Clothes, Inc., permission to appeal to the Court of Appeals from a denial of a request to examine before trial the "log" and other records of WBO Broadcasting Corp., operators of WNEW. Barney is suing for the return of $105,910 allegedly paid for time on the station, on the grounds that the programs were shortened, and that an insufficient number of spot announcements were made. An examination before trial of Milton Biow, president of WBO, has been set for March 26 in the N. Y. Supreme Court.

Vicki Chase Has Program

Cincinnati, March 18. — Vicki Chase, soprano, featured in various WLW programs for the past two years, now has her own program, "Vicki Chase's Memory Bouquet," over that station for a regular 7:15 P. M. Wednesday feature. Orchestral accompaniment is furnished by Gordon Maine and his orchestra, with Stephen Merrill, tenor.

Rupert Transferred

Cincinnati, March 18.—Richard Rupert has been transferred from the WKRC traffic department to the newly-organized sales department of that station.

Start Fair "Flashes"

Beginning today, WOV will inaugurate a series of "Daily News Flashes about the World's Fair," which will be heard between programs five and six times daily.

Renews WHN Contract

P. J. LeRoy has renewed his contract over WHN for 13 more weeks. His schedule is for 12 15-minute broadcasts per week. The account is placed direct.

▶ Radio Personals ◀

TED KASNA, WOR engineer, accompanied Stan Lomax south yesterday for a tour of the baseball training camps. Kasna will record their visits to the camps and then send the recordings to New York where they will be heard on Lomax's regular sports program on WOR. . . "The Magazine of the Air," which was to have gone off CBS for the summer on March 27, will continue until April 10. . . Morton Downey, Jean Sablon, Ben Bernie and the Pickens Sisters will be among the guests at Orrin Tucker's Hotel Roosevelt opening March 23. Tucker will have a Mutual wire. . . Col. Stoopnagle will be a Vallee guest next Thursday.

Order FCC Hearings On New Station Bids

Washington, March 18.—The Federal Communications Commission has ordered set for hearings the applications of Inland Empire Broadcasting Co. for a new 1,310-kilocycle, 100-watt station at Pasco, Wash.; Greenville Broadcasting Co. for a 1,500-kilocycle, 250-watt daytime station at Greenville, N. C.; Nathan Frank for a 1,500-kilocycle, 100-watt station at New Bern, N. C., and KFJM, Grand Forks, N. D., and WSFA, Montgomery, Ala., for increase of night power to 1,000 watts.

The commission has received examiners' reports recommending the granting of the applications of KVOL, Lafayette, La., for an increase in day power from 100 to 250 watts; KLO, Ogden, Utah, for increase of power from 500 watts night, 1,000 watts day, to 5,000 watts, and KWOS, Jefferson City, Mo., for increase of day power from 100 to 250 watts and increase of time from day to unlimited.

A report submitted by Examiner Melvin H. Dalberg recommended denial of the application of the Madison Broadcasting Co. for a new 1,450-kilocycle, 250-watt station at Madison, Wis.

Start Program on WORL

Boston, March 18.—W. Cort Treat, general manager of WORL here, has established a new program, called "How About Music?" which will be a daily feature on the station. The new program will have no set time, but will appear at different hours during the day, thus getting a concensus of opinion from the listening public.

McCarthy on New Show

A new sports commentary series featuring Clem McCarthy will begin on WJZ Monday from 8 to 8:15 P. M., sponsored by the Krueger Beer Co. The contract is for 13 weeks and the schedule is for Mondays, Wednesdays and Fridays. Young & Rubicam is the agency.

Film Program to Start

San Francisco, March 18.—A new Hollywood chatter program, "Food Secrets of the Stars," will start over KGO March 24, under the sponsorship of the American Stove Co. Handling the transcribed show will be Delight Evans, editor of *Screenland Magazine*.

Des Moines Strike Hampers Deliverie

Des Moines, March 18.—Operato of theatres within a radius of 1 miles of Des Moines are driving to t local exchanges to get their films sin the film delivery truck drivers' stri here prevented the daily deliver Others farther away are receivir shipments by express. In all a [illegible] 300 theatres are supplied from [illegible] exchanges.

The strike was called last Mond after negotiations for a labor contra with local 90 of the A. F. of L. tean sters and truck drivers union h failed.

The Iowa Film Delivery Co., t Film Transportation Co. and the I land Film Express are the three firn whose 17 trucks have been halted b the walkout. Their territory cove practically the entire state except t extreme western part that is cover by exchanges in Omaha. The drive are asking a closed shop, wage stip lations and minimum hours with tin and a half for overtime.

Officials of the 2 film exchang here knew nothing of the strike un after it was called and exchange ma agers, bookers and shipping room en ployes worked through the night ma ing arrangements to ship films by e press, making long distance telephor calls to theatre operators and checkir film booking orders to assure delive of film to theatres changing program

Australia Gaining, Asserts Stevenso

Film production in Australia gradually emerging from a state reorganization, Murray Stevenso chief sound engineer at Nation Studios, Ltd., Sidney, stated yesterda Stevenson who is also head engine at station 2UE, Sydney, a subsidia of Dennison Estates, arrived here th week by way of Hollywood.

One of the purposes of his tri Stevenson said, was to look over t sound apparatus field with a view t ward improving Australian film pr duction and broadcasting. He will here two weeks before he departs a tour of Philadelphia, a number other eastern cities and Chicago route home.

Set Guild Ball Date

Hollywood, March 18.—April has been set as the date for the Tr Guild Ball, to be held in the Amba sador's Coconut Grove, by the Scre Actors Guild, the Screen Write Guild and the Screen Directors Guil Already scheduled to appear on t entertainment program are Edgar Be gen and Charlie McCarthy, Alec Ten pleton, blind pianist, and Herbie K and his orchestra.

Shirley to Visit Gotham

Hollywood, March 18.—Shirl Temple will visit New York durin June, following completion of "Litt Miss Broadway." It will be her fir visit east. She will be accompani by her parents.

RKO in Story Buys

Hollywood, March 18.—RKO h purchased "Ground Crew," a story Lionel Houser as a vehicle for Ric ard Dix and "Border G-Men," an o iginal by Bernard McConville, f George O'Brien.

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

[illegible]. 43. NO. 65 NEW YORK, MONDAY, MARCH 21, 1938 TEN CENTS

Jersey Censor Bill Opposed By Newspapers

Not Necessary Is Stand Taken by Editors

Vigorous opposition to the censorship bill pending in the Ways and Means Committee of the New Jersey House at Trenton has been voiced by a number of New Jersey newspapers. The latest is the *Trenton State-Gazette*, which says: "Through his introduction of a bill creating a board of motion picture censors, Assemblyman John M. Kerner of Union County reflects his lack of familiarity with the standards now governing the production of films as well as an inadequate realization of the dangerous potentialities of the whole idea of public censorships.

"There is less justification for an official censorship of films now than there has been in many years."

The newspaper declares that "Hollywood has been its most merciless

(*Continued on page* 4)

Matron Bill Passed And Sent to Lehman

ALBANY, March 20.—The Ehrlich bill, which would permit the admission of children between the ages of eight and 16 to theatres where matrons are employed, passed both houses of the state legislature and was sent to Governor Lehman for signature. The Senate passed the measure on Saturday morning, after the Assembly had pushed the bill through in the final "clock-stopped" hours of legislative scramble.

The Crews bill was killed on Saturday as the Rules Committee met for

(*Continued on page* 4)

Wood Files Plea for Increased Exemption

WASHINGTON, March 20.—A request for a 10-cent increase in the 40-cent admission tax exemption yesterday was filed with the State Finance Committee by P. J. Wood of Columbus, on behalf of the Independent Theatre Owners of Ohio.

The increased exemption was described as a means of affording needed relief to exhibitors throughout the country. The exhibitors' brief recited how the present 40-cent exemption acts as an "artificial ceiling" on admission scales and contended that an increase to 50 cents, instead of depriving

(*Continued on page* 6)

Regional at Chicago Ends M-G-M Talks

Company Officials Head East from Frisco

A regional meeting in Chicago on Thursday and Friday and a final session in New York next Sunday and Monday will wind up the series of conferences M-G-M is holding in advance of launching the new season's selling.

Following his attendance at the San Francisco meeting, which ended last night, William F. Rodgers, general sales manager, will leave today for Chicago with E. M. Saunders, western division manager, for a meeting of midwest branch managers. Attending will be J. E. Flynn, newly appointed Chicago district manager, and Sam A. Shirley, retiring district chief; Harris P. Wolfberg, Kansas City district manager, and the following branch managers: Frank C. Hensler, Kansas

(*Continued on page* 4)

Para. Removed from Court Jurisdiction

Federal Judge Alfred C. Coxe wrote finish to the reorganization proceedings of Paramount-Publix Corp. on Saturday when he signed an order approving and ratifying the acts of Charles D. Hilles, Eugene W. Leake, Charles E. Richardson and Louis Horowitz as trustees, and Hilles and Adolph Zukor as receivers of the debtor.

The order approved the final accounting and discharged the trustees and receivers.

An injunction restraining suit

(*Continued on page* 6)

Half Denver Sees It

Denver, March 20. — Not only did "Snow White" break all the house records in the three weeks it played at the RKO Orpheum, but it also set up something of a unique mark in its fourth week at the Fox Aladdin and its fifth week at the Fox Rialto.

During the five weeks the total number of seats available for use was nearly 500,000, almost a seat each for half the population of Colorado. The film ran for eight and nine performances daily at the Orpheum, where more than 150,000 saw the film, or half Denver's population.

Warners' Managers To Aid Broadcasts

HOLLYWOOD, March 20.—Twenty Warner branch managers will cooperate with exhibitors in tieup campaigns for the new air show, "Warners Academy of Acting," under plans announced here today. The local sales heads will work with theatremen and broadcasting stations using the program sponsored by Gruen Watch Co. to exploit the current releases mentioned on the air.

Additional developments in radio yesterdoy on page 7.

The branch managers already appointed are: Norman Ayers, Albany, to work with WHAM, Rochester; Nat Furst, Boston, WBZ; R. S. Smith, Buffalo, WHAM, Rochester; Charles Rich, New York metropolitan manager, WMCA; Harry Deck, Brooklyn, WNEW; Harry Hummell, New Jersey, WNEW; A. Shmitken, Cincinnati, WLW, Cincinnati; H. J. Ochs, Cleveland, WEAR; F. E.

(*Continued on page* 7)

Footage on Austrian Coup Here on Queen Mary Today

Footage on the newsreel coverage of the Hitler Nazi coup in Austria is due to arrive in New York on the *Queen Mary* this morning. Newsreel editors here are geared to start work on the material the moment it leaves the boat, and they are hoping for the best.

As a matter of fact, the editors haven't the slightest idea what they really have in the way of coverage, but they are all set to "go to town" on the material—if it is good enough. Not one of them is even hinting that a special will be made of the Austrian stuff, or even that the entire footage of tomorrow's regular release will be devoted to the one subject. That, too, all depends on what is in those cans.

Although no one editor appears too certain, it is believed all the reels were covered on the Nazi invasion of Austria. Probably there was little material obtained in the neighborhood of Linz, near the Austro-German border, and in similar towns. Most of the footage undoubtedly will be devoted to shots in Vienna—and then, as one slightly cynical reel man put

(*Continued on page* 4)

Unions' Pact Is About Set On Exchanges

To Affect 4,500-5,000 in "Back Rooms"

A master agreement covering wages and working conditions for between 4,500 and 5,000 "back room" workers in exchanges in 31 distribution centers is expected to be agreed upon today. A subcommittee of the I. A. T. S. E. representatives which conferred with major company representatives on Friday will resume negotiations this morning with the distributors. The sessions will be held at the Warner home office.

Only one point remained to be settled when the 10-hour meeting on Friday came to a close. This was the period the master agreement will run, it is understood. The distributors held out for a two-year agreement while the union delegates demanded a one-year pact. Union spokesmen over the weekend said they expected a compromise would be reached.

The master agreement will set up machinery governing the local agreements made with the distributors last year. Employes included are shippers,

(*Continued on page* 4)

Further RKO Delay To Be Asked Today

A short postponement of the hearing scheduled for today on the RKO reorganization plan is expected to be sought by Atlas Corp., proponent of the plan. Efforts to complete proposed amendments continued over the weekend, but indications yesterday were that essential details would remain to be resolved before the modified plan could be submitted to Federal Judge William Bondy. As a result, it is expected that an adjournment of about one week will be requested.

The proposed amendments, which

(*Continued on page* 4)

New Plan for G. N. Is Up to Creditors

A plan of reorganization is being formulated for Grand National which may take the company out of 77-B proceedings, it was said over the weekend by Ann Rosenthal, company attorney. The plan hinges on a financing deal in which Phil Goldstone is the prime mover.

A hearing is scheduled to be held in

(*Continued on page* 4)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

Vol. 43 March 21, 1938 No. 65

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TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Legion Approves 9 Of 10 New Pictures

Nine out of the 10 new pictures reviewed and classified by the National Legion of Decency for the current week have been approved, four for general patronage and five for adults, One was classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Girl of the Golden West," "Der Lachdoktor" (German), "People of Bergslagen" (Swedish), "Rose of the Rio Grande." Class A-2, Unobjectionable for Adults: "Gasparone," "Jezebel," "Tipoff Girls," "Sailing Along," "Wajan." Class B, Objectionable in Part: "The Divorce of Lady X."

Clemmer in New Post

Seattle, March 20.—James Q. Clemmer, veteran showman, has been appointed manager of Hamrick-Evergreen's Fifth Avenue. He succeeds Andrew W. Saso, who will leave for California to enter a new farming venture.

Clemmer's position as manager of the Music Box will be filled by Ron Kelly, assistant manager of the Orpheum.

Hollywood Previews

"Judge Hardy's Children"

(*M-G-M*)

Hollywood, March 20.—Here is a picture tailored to the measure of the small town house and neighborhood theatre. It is rich in comedy, highlighted by darts of drama and warm in human interest. The action offers youthful romance in a natural fashion. Public demand may make its inclusion as a companion piece in de luxe houses distinctly a profitable booking.

Actually "Judge Hardy's Children" is a vehicle for Mickey Rooney. Good contributions to the results are made by Lewis Stone, Cecilia Parker, Fay Holden, Robert Whitney, Ann Rutherford, Jacqueline Laurent, Janet Beecher, Jonathan Hale, Ruth Hussey and Leonard Penn, but Rooney is the star. Every time he walked on to indulge in glib lines and bits of juvenile cavorting he had the preview audience in stitches. He has only one serious sequence wherein Stone explains the democratic ideals of this country's founders.

The story has Stone appointed to a Government position. He takes his family with him to Washington. While he is pursuing a monopoly investigation, Miss Parker, his daughter is swept into the capital's social whirl and Rooney loses his heart to Miss Laurent. Of Rooney's many boyish tricks his transforming of a cotillion waltz into stomping Big Apple is a comedy highlight with the pleasure of owning a tuxedo coming second. Political sharpshooters threaten Stone with ruin and disgrace. Rooney gives him a tip on how to beat their game by beating them to the punch. Back again in their home town the family resumes its happy life. Miss Parker and Rooney unite with their regular sweethearts.

Kay Van Riper, using Aurania Rouverol's characters, has turned out a screenplay full of those qualities which quickly appeal to general audiences. The manner in which George Seitz directed the film, particularly the way the preview audience approved his handling of Rooney, endows "Judge Hardy's Children" with showmanship almost certain to be appreciated by exhibitors and the public.

Running time, 75 minutes. "G."

"Her Jungle Love"

(*Paramount*)

Hollywood, March 20.—This somewhat perplexing production project may or may not represent a determination to do something really handsome for the youngsters of all ages who read Sunday comic strips and listen to box-top radio serials. The persistent prevalence of these unprecise art forms argues the existence of addicts in numerical strength warranting such extraordinary attention.

In any case Paramount has seen fit to photograph it in full color and with much magnificence with Dorothy Lamour, Ray Milland, Lynne Overman, J. Carrol Naish, the late Jiggs, a lion cub and assorted alligators in the principal roles. Save for the color, it is just about the picture most cinema audiencces reading the billing will expect. George M. Arthur is the producer and George Archainbaud director of the story which was pieced together by five writers.

Milland and Overman are aviators searching for a comrade lost in island jungles. They also crack up, but are befriended by a native girl who turns out to be the hypnotic subject of an educated native chief who is fond of feeding white flyers to his sacred crocodiles. One of these feedings is realistically conducted and an earthquake or volcanic eruption occurs in the conventional nick of time, before it is established that the native girl is white and free to marry the hero.

Miss Lamour sings one song by Frederick Hollander and Ralph Freed. Milland and a gramophone handling another. Overman elevates the intellectual tone repeatedly with slangy wisecracks. Naish makes a fantastic villain. Jiggs, whose passing is still a fresh Hollywood bereavement, is seen in the best performance of his or any monkey's lifetime.

Running time, 78 minutes. "G."

Deal on "Women" Near

A deal by which M-G-M will acquire the screen rights to "The Women" is expected to be closed within a day or two, Harry Goetz of Max Gordon Plays and Pictures, owner of the stage play, said on Saturday.

Goetz, asked to comment on the report that the purchase price agreed upon was $200,000 said, "That's nobody's business." Goetz said he would remain in New York indefinitely to complete production plans for several new plays.

Scott Services Yesterday

The body of Harry Scott, who died Friday night, was cremated at Fernwood Cemetery, Westchester, yesterday. The services were private. Scott's death was due to bronchial pneumonia.

Mrs. Harold Torrey Dead

Beverly Hills, March 20.—Mrs. Harold Torrey, 64, grandmother of Eleanor Powell, is dead here following a heart attack.

Purely Personal

Joseph Fliesler, editor of the *Ascap Journal*, and Ferde Grofe have composed a symphony called "Tin Pan Alley—Melodic Decades," which will be played for the first time at a concert in Carnegie Hall [illegible] Friday night. Grofe will direct [illegible] concert.

•

Vivian Moses of RKO, who was struck by an automobile early last week, is recovering from his injuries, but will be confined to the Polyclinic Hospital for several weeks but is definitely on the mend.

•

Tommy Riggs, radio star on Rudy Vallee's program who was recently signed by Universal, will arrive today from the coast. He has just completed "Goodbye Broadway."

•

Rene Huisman, president of Best Film Co., will arrive today with his family on the *Queen Mary*. He has been in Europe for the past six months

•

Alan Mowbray is the author of a collection of three one-act plays, illustrated by Montague Love, which is being published by Scholastic Press.

•

Nelson Eddy started a concert tour Saturday night, making his first appearance at the Westchester County Center.

•

Errol Flynn is en route from the coast to Miami to join his wife, Lil Damita, to begin a cruise on his new yacht.

•

Y. Frank Freeman, Paramoun theatre head, left for Miami yesterday on a one-week business trip.

•

T. P. Loach, treasurer of Path Film Corp., is due to return toda from a Florida vacation.

•

Martin Finkelstein of Globe Productions lost two molars to a dentis over the weekend.

•

Paul Muni and Mrs. Muni ar aboard the *President Roosevelt* boun for New York.

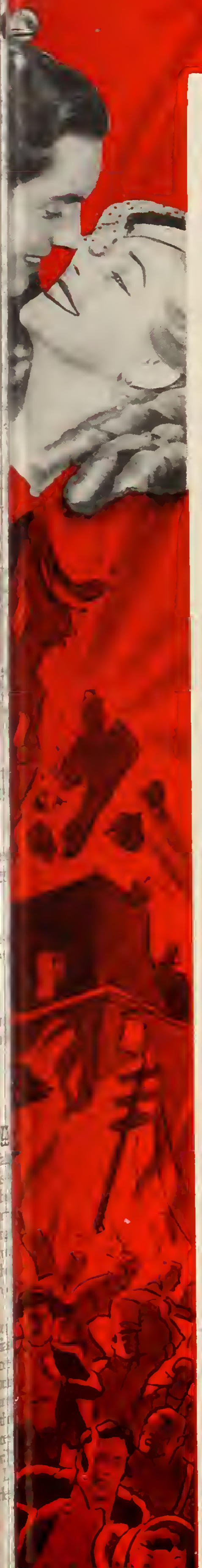
Warner Executives To Studio Shortl

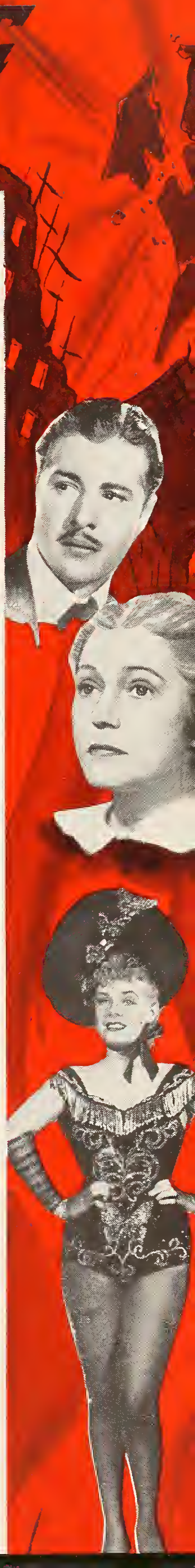
Gradwell L. Sears, Warner gener sales manager; Carl Leserman, assistant to Sears; Sam Schneider, th company's financial expert, and Mor Blumenstock, director of advertisin and publicity in the east, will leav Wednesday or Thursday for th Warner studio for conferences on pr duction.

Sears and Leserman plan to sto off in Dallas to attend the testimoni dinner there to Ned E. Depinet, vic president in charge of RKO distribu tion, on Saturday. Schneider an Blumenstock will continued on to t coast. Engaged in the conferenc with the executives from the east wi be Harry M. Warner, Jack I Warner, Hal B. Wallis and S. Charl Einfeld.

IN OLD CHICAGO

BOXOFFICE FLASHES





"IN OLD CHICAGO" BREAKS ALL RECORDS IN FIRST POPULAR-PRICE SHOWING

SAN FRANCISCO, MARCH 18. - ALL OPENING DAY RECORDS, INCLUDING HOLIDAYS, TOPPED BY SEVERAL HUNDRED DOLLARS AT THE PARAMOUNT IN FIRST POPULAR-PRICE ENGAGEMENT OF "IN OLD CHICAGO." PICTURE RAN AS SINGLE BILL, THOUGH REGULAR HOUSE POLICY IS DOUBLE BILL, MAKING RECORD EVEN MORE SENSATIONAL.

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Regional at Chicago Ends M-G-M Talks

(Continued from page 1)

City; D. C. Kennedy, Des Moines; H. J. Shumow, Omaha; H. A. Friedel, Denver; W. E. Banford, St. Louis; W. W. Willman, Indianapolis; S. Schuman, Milwaukee; W. H. Workman, Minneapolis.

The New York conference, to be held at the Hotel Astor, will be the company's largest sales meeting this year. Seventeen branch managers from the east and south will attend, in addition to Rodgers; Tom Connors, division manager, and other home office officials. Also attending will be District Managers C. E. Kessnich, Atlanta; E. K. O'Shea, New York; Maurice N. Wolf, Boston; J. J. Maloney, new Pittsburgh district head, and Flynn.

W. F. Hayner of Regal Films, Toronto, M-G-M's Canadian distributor, will also attend the New York sessions.

Branch managers in attendance will be: Jack Bowen, New York, with D. A. Levy, sales manager for New Jersey; J. P. Byrne, Boston; R. Berger, Washington; Benn Rosenwald, Charlotte; F. J. Downey, Detroit; R. Pielow, Albany; R. W. Maw, Buffalo; Burtus Bishop, Jr., Pittsburgh; E. M. Booth, Cincinnati; Frank D. Drew, Cleveland; Roy Avey, Atlanta; L. Bickel, Dallas; J. F. Willingham, Memphis; C. J. Briant, New Orleans; W. B. Zoellner, Oklahoma City; Robert Lynch, Philadelphia; Tom Donaldson, New Haven.

Further RKO Delay To Be Asked Today

(Continued from page 1)

are designed to hasten the reorganization, are virtually in their final form, but reportedly lacked the approval of several important RKO creditors.

Federal Judge Bondy has set Monday at the same time for a hearing on a petition for interim allowances made by Irving Trust Co., the trustee, William J. Donovan, its attorney, Price, Waterhouse & Co., accountants for trustees, Special Master Richard B. Scandrett, Jr., who has heard hearings on claims filed against RKO, and Edward L. Ward, an attorney, who represented RKO in a suit brought against it in Baltimore.

Issue Book of Stills

Warners have prepared a new album of stills on the LeRoy production, "Fools for Scandal," starring Carole Lombard and Fernand Gravet. The second of its kind, the book is in an orange-yellow with a spiral binding and offers a wide and attractive selection of stills from the film.

To Fete Miss Riesenfeld

Janet Riesenfeld, prominent dancer and daughter of Dr. Hugo Riesenfeld, will be guest of honor at a cocktail party given next Thursday in the Rainbow Room by the Funk & Wagnalls Co., publishers of her first book, "Dancer in Madrid."

Jersey Censor Bill Opposed By Newspapers

(Continued from page 1)

censor" and that "the only important purpose that could be served by Mr. Kerner's proposed board is that of establishing another worthless bureau and at the same time imposing a new burden of expense upon the taxpayers."

The *Collingswood News* recalls the effectiveness of the Legion of Decency in "forcing producers to change their style of pictures and present pictures with an increased entertainment value and a decreased 'smut' value."

"The police of our various municipalities provide enough protection against filth," this paper continues. "Their censorship usually reflects local opinion. Censorship on a state-wide basis would be intolerable."

Denounces "Soul Kisses"

Boston, March 20.—"Soul kisses" and Mae West were characterized as "obnoxious" in arguments at the State House here on two bills which aim to establish a film censorship commission. The speaker was Senator Thomas M. Burke of Dorchester, talking in behalf of his own censorship bill.

Chrisman Leads Contest

H. A. Chrisman, Memphis booker, placed first in Columbia's short subject "first period" unit shipment contest which started with the launching of the Montague Good Will Campaign on Jan. 15. Other bookers who will receive prizes in the short subject competition, in the order in which they finished are: Zack Beiser and E. Snitz, Kansas City; Miss C. Randolph, New Orleans; W. Gross and G. S. Vajae, Cleveland; A. Baker and L. L. Shubnell, Indianapolis.

The Montague drive will continue to May 15.

For U. S. Approval

Hollywood, March 20.—A print of M-G-M's "Test Pilot" has been flown to Washington for Army officials' approval. It is said to be the last film for some time in which Government fighting equipment may be pictured.

Matron Bill Passed And Sent to Lehman

(Continued from page 1)

the last time to report on legislation. Nathaniel M. Minkoff, American labor leader, told Motion Picture Daily he had striven vainly to remove the objections of upstate Assemblymen to the measure.

The bill of Assemblyman Robert Wagner, Jr., son of the U. S. Senator, calling for one day of rest in seven for engine room employes, janitors and custodians, was passed by both houses and went to the Governor for signature. The bill was not opposed by film interests, apparently on the basis of the belief that the bill does not apply to theatres.

The measure legalizing pari-mutuel betting in the state was passed by the Senate by a vote of 90 to 33.

In the closing hours, the New York City emergency sales tax was continued for another year.

New Plan for G. N. Is Up to Creditors

(Continued from page 1)

the Federal District Court in Los Angeles today. A decision is expected from the court on whether the present co-trustees, Edward L. Alperson, president of the company, and Loyd Wright, coast attorney, are to be continued.

While the anticipated reorganization plan will make court proceedings unnecessary, it was said, its adoption will depend also on the creditors, and the extent to which they will agree to dismissal of the court action remains to be determined.

Footage on Austrian Coup Here on Queen Mary Today

(Continued from page 1)

it, "It probably will be all acclaim, anyway." What he meant was that Hitler's henchmen unquestionably saw to it that photographic records were made only of such occurrences in connection with the coup as would be approved by the Nazi propaganda machine.

Two cameramen were arrested by Nazis during the first hectic hours of attempted newsreel coverage on the events which happened so quickly. They were Julius Jonak of Universal's staff and Edouard Thule of the RKO Pathe Paris office, who was rushed to Vienna when word of the coup was received.

Universal asked the help of the American Embassy in Vienna, and Jonak was released within 36 hours of his "detention." It is believed Thule also was released. The others arrested were "still" cameramen. Universal is hopeful of fairly good material, in view of the fact that their cameraman cleared some footage from Vienna before he was jailed. The home office was out of touch with Jonak for four days during the height of the disturbances. In all Universal expects about 1,500 feet on the *Queen Mary*.

Paramount had three men in Austria, where it has its own bureau, subsidiary to the Paris office. Two of the three were in Vienna and the other somewhere outside the city. News of the Day apparently obtained adequate coverage, rushed their film by plane to Berlin, thence to Cherbourg and caught the *Queen Mary* a few hours before sailing time. Movietone News was non-committal, but obviously expects as good material as anyone else will have, while RKO Pathe has material coming from three sources—their own Paris man, the reel's Austrian bureau and through the reel's Ufa connection.

Unions' Pact Is About Set On Exchange

(Continued from page 1)

winders and others working in t "back rooms." I. A. T. S. E. of are representing the Film Exc Employes' Union in the negotiation since the union as yet has no nation setup.

The agreement will go into effe when signed by George E. Brow president of the I. A. T. S. E., a presidents of the film companies.

A subcommittee including L Krouse, general secretary-treasurer the I. A. T. S. E.; John Gatelee, Ne England organizer, and James Burke, head of the Boston operator local, will conclude the negotiatio with the distributors. Twenty lo exchange unions were represented delegates at Friday's meeting, amo them Boston, New York, New Have Pittsburgh, Philadelphia, Albany, Bu falo, Washington, Atlanta, Clevela and Detroit. With the exception the subcommittee, the others from o of town left New York over t weekend.

Warner Scripts Are Ready for 50 Film

Hollywood, March 20.—Warne to date have completed work on t scripts of more than 50 pictures whi will be considered for inclusion in t 1938-'39 season. In addition, write are working on more than 35 scree plays, a new high for activity on t lot.

The program for the new seas will be laid out within a few wee following conferences between Ja L. Warner, Hal B. Wallis and Gra well L. Sears.

Production of a number of col features is contemplated. One de nitely set is "Valley of the Giant from the Peter B. Kyne nov George Brent and Olivia de Havilla may be in the leads.

GB Circuit Unit to Pay Dividend of 22

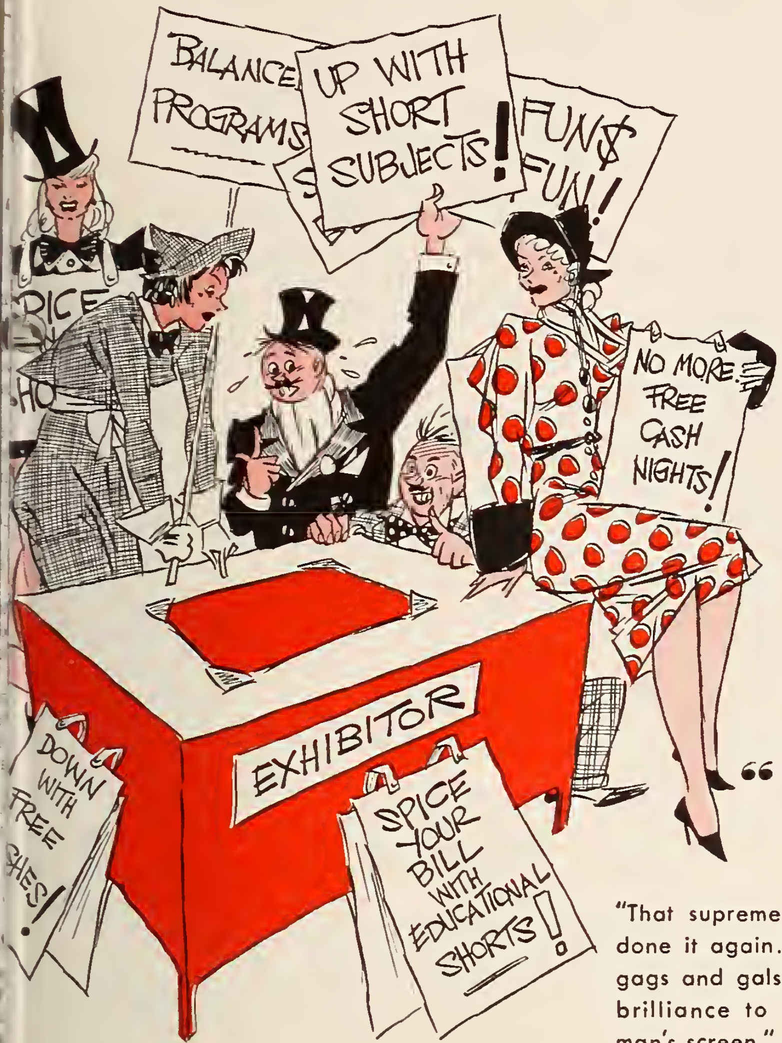
London, March 20.—A dividend 22½ per cent will be paid shar holders by Provincial Cinematogra Theatres, leading circuit associat with Gaumont British. For 10 yea without a break, the company has pa a regular dividend of 15 per ce This year, for the first time in t company's history, the ordinary shar holders are also to get an extra di dend of 7½per cent under their pa ticipating interest.

Preferred ordinary shareholders w get 9⅜ per cent as against 7½ p cent last year. Profits in 19 amounted to £506,701 ($2,533,505).

Make Filmack Change

In a realignment of department supervision, Joe Estes heads the F mack advertising and copy depa ment, Morris Epstein becomes ma ager of the commercial divisi "Hen" Stowell, art director; Fra Bauers, chief cameraman; Hu Kuersten, laboratory foreman, a Oscar Furstenberg, production ma ager.

WANNA BE A MODEL EXHIBITOR?


BALANCE PROGRAMS
UP WITH SHORT SUBJECTS!
FUN$ FUN!
SPICE
NO MORE FREE CASH NIGHTS!
EXHIBITOR
DOWN WITH FREE DISHES!
SPICE YOUR BILL WITH EDUCATIONAL SHORTS!

Jeffie Weffie Machamer's models offer a few tips. And what his Gags and Gals are saying is simply this: Showmanship — not duals and giveaways, but Showmanship — on the screen — all through the show — makes the model exhibitor. And these model shorts help him turn the trick . . . .

Model for smart modern short musical entertainment . . .

JEFFERSON MACHAMER

and his "Gags and Gals"

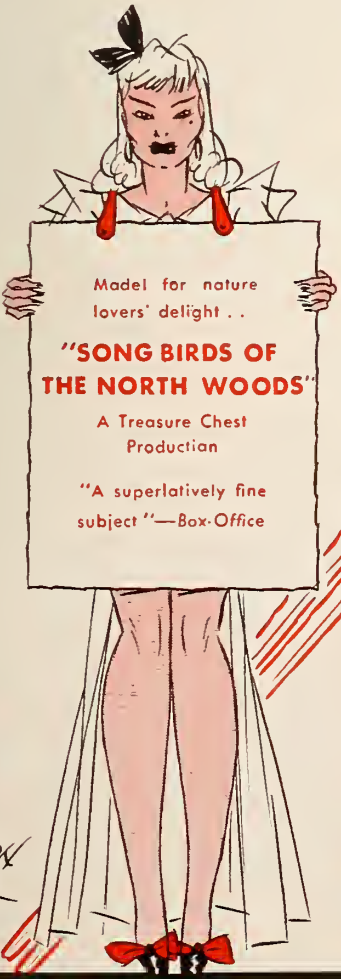
in

"Wanna Be A Model?"

Produced by Al Christie

"That supreme artist has done it again...gorgeous gags and gals...will add brilliance to any showman's screen."
— *FILM DAILY*

Presented by
E. W. HAMMONS

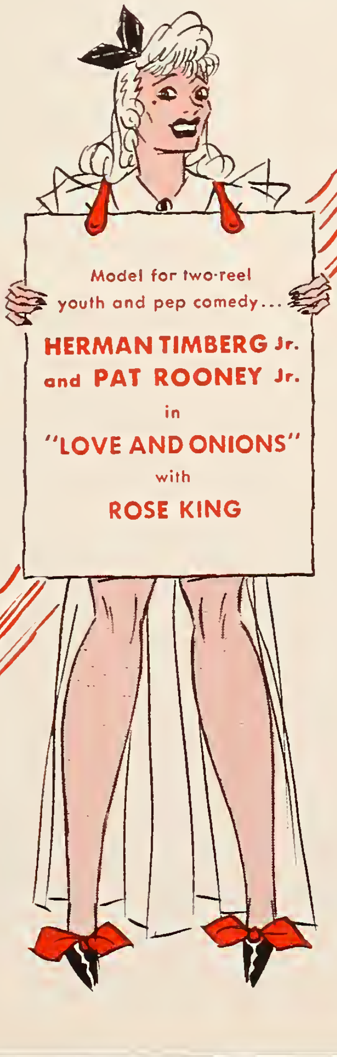


Model for nature lovers' delight . .

"SONG BIRDS OF THE NORTH WOODS"

A Treasure Chest Production

"A superlatively fine subject"—Box-Office



Model for two-reel youth and pep comedy . . .

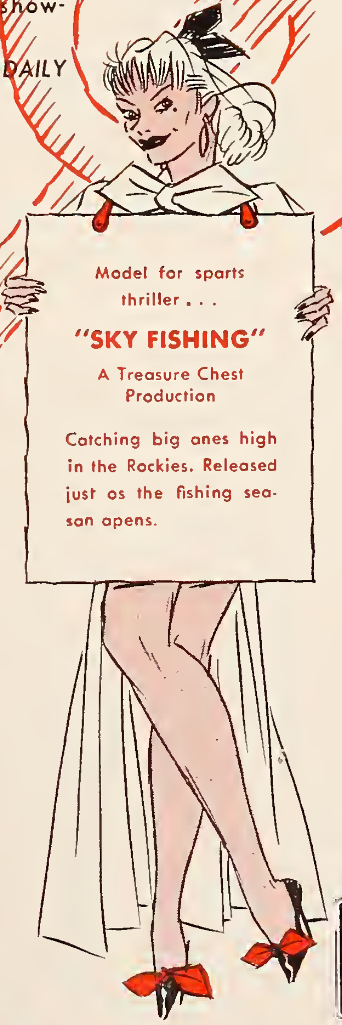
HERMAN TIMBERG Jr. and PAT ROONEY Jr.

in

"LOVE AND ONIONS"

with

ROSE KING

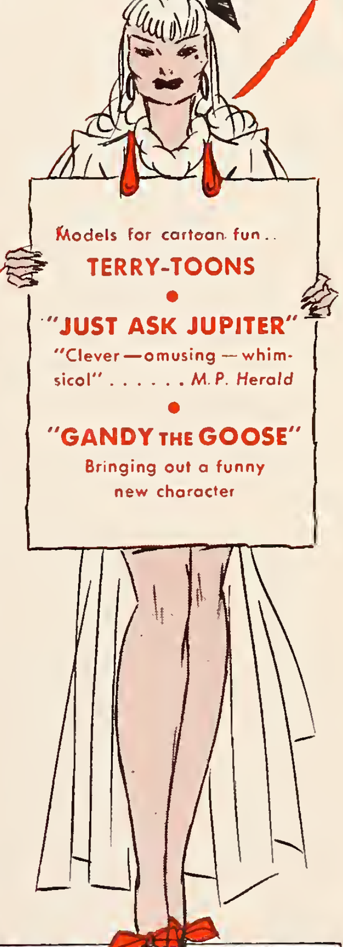


Model for sports thriller . . .

"SKY FISHING"

A Treasure Chest Production

Catching big ones high in the Rockies. Released just as the fishing season opens.



Models for cartoon fun . .

TERRY-TOONS

●

"JUST ASK JUPITER"

"Clever—amusing—whimsical" . . . . . . M. P. Herald

●

"GANDY THE GOOSE"

Bringing out a funny new character

Educational Pictures
"THE SPICE OF THE PROGRAM"
REG. U.S. PAT. OFF.

DISTRIBUTED IN U.S.A. BY
20TH CENTURY-FOX FILM CORPORATION

"Snow White" San Francisco 2nd Week Hit

SAN FRANCISCO, March 20.—"Snow White and the Seven Dwarfs" continued to set the pace, drawing $26,500 in its second week at the Golden Gate. Matinee and children's prices continued slightly up, with 9 o'clock openings Saturday and Sunday.

"Goldwyn Follies," with "Breathless Moments" at both the United Artists and Embassy, drew $12,000 at the former and $7,500 at the latter, again proving this city is not easily stirred bv musicals. "Mad About Music," with "Midnight Intruder," pulled $9,500 in the second week at the Orpheum.

Total first run business was $93,400. Average is $87,800.

Estimated takings:

Week Ending March 15:

"SNOW WHITE" (RKO)
GOLDEN GATE—(2,850), 25c-40c-55c, 7 days, 2nd week. Stage: vaudeville. **Gross:** $26,500. (Average, $16,000)

Week Ending March 16:

"GOLDWYN FOLLIES" (U.A.)
"BREATHLESS MOMENTS" (Univ.)
EMBASSY — (1,400), 15c-35c-40c-55c, 7 days. **Gross:** $7,500. (Average, $5,000)

"SLIGHT CASE OF MURDER" (W.B.)
"LOVE, HONOR AND BEHAVE" (W.B.)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $16,000. (Average, $17,000)

"MAD ABOUT MUSIC" (Univ.)
"MIDNIGHT INTRUDER" (Univ.)
ORPHEUM—(2,440), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $9,500. (Average, $8,500)

"ROMANCE IN THE DARK" (Para.)
"ARSENE LUPIN RETURNS" (M-G-M)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 9 days. **Gross:** $9,000. (Average, $13,000)

"GOLD IS WHERE YOU FIND IT" (W.B.)
"LOVE ON A BUDGET" (20th-Fox)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 3rd week (moved over from Fox). **Gross:** $4,500. (Average, $7,000)

"GOLDWYN FOLLIES" (U.A.)
"BREATHLESS MOMENTS" (Univ.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days. **Gross:** $12,000. (Average, $7,000)

Week Ending March 17:

"SALLY, IRENE AND MARY" (20th-Fox)
"CHECKERS" (20th-Fox)
WARFIELD — (2,680), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $7,500. (Average, $13,000)

Week Ending March 17:

"AVE MARIA" (Itala)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $900. (Average, $1,300)

Cut Prices in Spokane

SPOKANE, March 20.—More price cuts have been put into effect here. The Post Street Theatre has eliminated vaudeville after a six-month try and hereafter will show only double features. Prices were dropped 10 cents to 15 and 25 cents. The Empress reduced prices two weeks ago. Evergreen's second run, the Liberty, has started a policy of 15 cents to 2 P. M. The Granada lowered its prices a month ago.

To Retire Denver Bonds

DENVER, March 20.—The remainder of a $600,000 six per cent bond issue, issued in 1926 when the Denver Theatre was started, has been called in by the Sixteenth Realty Co., owners of the building. The $321,000 worth is being retired at 102 and interest.

Out Hollywood Way

HOLLYWOOD, March 20.—FRED MACMURRAY will share top honors with BING CROSBY in Paramount's "Sing, You Sinners," to be produced and directed by WESLEY RUGGLES.

DEANNA DURBIN's next for Universal, to be directed by EDWARD LUDWIG, will be "That Certain Age," from the song of that name by JIMMY MCHUGH and HAROLD ADAMSON. . . HENRY FONDA has been signed for the romantic lead of "My Letter of Introduction," Universal, in which CHARLEY MCCARTHY, EDGAR BERGEN, ANDREA LEEDS and ADOLPH MENJOU will have top roles. . . RKO has extended the contracts of EDGAR KENNEDY and LEON ERROL for six short subjects each.

+

Casting—BETTY GRABLE in "Artists and Models," Paramount. . . LLOYD NOLAN, MARY CARLISLE, JOHN HOWARD and J. CARROL NAISH to "Prison Farm," Paramount. . . HUGH HERBERT to "Four's a Crowd," Warners. . . GAIL PATRICK to "My Letter of Introduction," Universal. . . ROSALIND RUSSELL and JAMES STEWART will head the cast of "Shopworn Angel," M-G-M. . . ROBERT YOUNG to "The Toy Wife," M-G-M. . . LOLA LANE and PENNY SINGLETON to "Mr. Chump," Warners. . . PAUL KELLY, WILLIAM GARGAN, ROBERT WILCOX, NAN GREY, FRANK JENKS to "Riot Patrol," formerly called "Hell's Kitchen Has a Pantry," Universal. . . OLYMPE BRADNA and AKIM TAKIROFF to "Escape from Leavenworth," formerly titled "Federal Pen," Paramount. . . RITA OEHMAN, screen newcomer, draws the lead opposite GEORGE O'BRIEN in "Gun Law," RKO.

+

Directors—WILLIAM KEIGHLEY will direct "Brother Rat," Warners. . . BUSBY BERKELEY draws the musical, "Garden of the Moon," Warners. . . RAY MCCARY will guide "Riot Patrol," Universal. . . ARTHUR LUBIN will direct "Walls of San Quentin," Universal. . . Paramount's "Artists and Models of 1938" will be steered by Mitchell Leisen.

"Snow White" Boston Lead For 4th Week

BOSTON, March 20.—"Snow White and the Seven Dwarfs," in its fourth week at the RKO Memorial, furnished the only bright spot of the week among first runs. It held up to $28,000, over par by $6,000.

"The Big Broadcast of 1938" and "Scandal Street" went $500 over the line on a take of $8,500 at the Paramount and took a par $4,500 at the Fenway.

Total first run business was $80,000. Average is $89,500.

Estimated takings for the week ending March 12:

"BIG BROADCAST OF 1938" (Para.)
(2nd un)
"SCANDAL STREET" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $4,500. (Average, $4,500)

"GOLDWYN FOLLIES" (U. A.)
LOEW'S ORPHEUM—(2,970), 25c-35c-40c-55c, 7 days, 2nd week. **Gross:** $9,000. (Average, $12,000)

"GOLDWYN FOLLIES" (U. A.)
LOEW'S STATE—(3,537), 25c-30c-40c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $11,000)

"SALLY, IRENE, AND MARY" (Para.)
"BLONDES AT WORK" (W. B.)
METROPOLITAN—(4,332), 25c-35c-55c, 7 days. **Gross:** $17,000. (Average, $22,000)

"BIG BROADCAST of 1938" (Para.)
"SCANDAL STREET" (Para.)
PARAMOUNT—(1,793), 30c-40c-55c, 7 days. **Gross:** $8,500. (Average, $8,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
RKO MEMORIAL—(2,907), 35c-50c-65c, 7 days, 4th week. Stage: **Gross:** $28,000. (Average, $22,000)

"CITY GIRL" (20th-Fox)
"MAID'S NIGHT OFF" (RKO)
RKO BOSTON—(3,246), 35c-40c-55c, 7 days. **Gross:** $6,000. (Average, $10,000)

M-G-M Buys Two Plays

HOLLYWOOD, March 20.—Two former Broadway successes, "The Rosary," by Edward E. Rose, and "The House of Glass," by Max Marcin, have been purchased for film production by M-G-M.

"Sally" High As Slump Hits Detroit Takes

DETROIT, March 20. — Grosses slumped badly here, only two theatres reaching par. The Fox. with "Sally, Irene and Mary," and a stage show featuring Leah Ray, took average $20,000, while the double bill at the State, "Big Broadcast of 1938" and "I Met My Love Agin," took a par $5,000.

"Radio City Revels" at the Michigan took $16,300 against the house par of $20,000.

Total first run business was $59,300. Average is $70,000.

Estimated takings for the week ending March 10:

"THE BARONESS AND THE BUTLER" (20th-Fox)
"THE JURY'S SECRET" (U.)
ADAMS—(1,770), 15c-50c, 7 days. **Gross:** $4,500. (Average, $5,000)

"SALLY, IRENE AND MARY" (20th-Fox)
FOX—(5,100), 25c-65c. 7 days. Stage, Leah Ray, Novak & Fay, Santoro & Lorraine. **Gross:** $20,000. (Average, $20,000)

"RADIO CITY REVELS" (RKO)
MICHIGAN—(4,100), 25c-65c, 7 days. Stage, Benny Davis revue. **Gross:** $16,300. (Average, $20,000)

"BIG BROADCAST OF 1938" (Para.)
"I MET MY LOVE AGAIN" (U. A.)
ı E—(3,000), 15c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"A YANK AT OXFORD" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 2nd week. **Gross:** $7,500. (Average, $10,000)

"A SLIGHT CASE OF MURDER" (W. B.)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $6,000. (Average, $10,000)

Film Editors File Plea

LOS ANGELES, March 20.—Already holding a working agreement with major studios, the Society of M. P. Film Editors has filed before the Regional Labor Relations Board a petition seeking to be declared sole bargaining agency for film editors and assistants at the Charles Mintz Studios and Victory Pictures.

Para. Removed from Court Jurisdictio

(*Continued from page 1*)

against the debtor was continued in definitely in order to have the cour retain jurisdiction over any action which may be brought. Judge Cox granted final allowances of $8,870 t Price, Waterhouse & Co., accountant and $8,247 to Root, Clark, Buckner Ballantine, attorneys for the tru

Sues Film Foundation

A $6,000 breach of contract suit wa filed in the N. Y. Supreme Court o Saturday by Mabel Jacques Eiche against the Motion Picture Founda tion of the United States of Americ Inc., a non-profit organization devote to stimulating the use of films fo teaching and visual education. A mo tion for a bill of particulars will b heard today.

Wood Files Plea for Increased Exemptio

(*Continued from page 1*)

the Treasury of revenue, would, i fact, result in increased tax collec tions by reason of the ability of ex hibitors to show an operating profi

Study Two Picture Bills in Nebrask

LINCOLN, March 20.—Although th Nebraska unicameral legislature wi not reconvene until January, 1939, tw proposed film bills are already bein studied. One proposes to limit pic ture programs to 150 minutes, de signed to curb the use of doubl features.

The other, pushed by several inde pendent exhibitors, is to devise a la that will necessitate filing of all fil contracts with the Secretary of Stat as a means of checking on the ex changes as to the status of contract in given situations.

"Baby" Not Passed in Pa

PHILADELPHIA, March 20.—Th Pennsylvania censor board has de clared that "Birth of a Baby" has no been passed and may not be show publicly without a censor seal. How ever, it may be shown for education purposes where admission is no charged.

Wall Street

Light Gains Sprinkle Board

	Open	High	Low	Close	Net Chang
Cons.	1⅛	1⅛	1⅛	1⅛	— [illegible]
Cons., pfd..	5¾	5¾	5¾	5¾	....
E. K........	147	148½	147	148½	+3[illegible]
G. T. E....	10⅛	10⅛	10⅛	10⅛	+ [illegible]
Loew	44	44	43⅛	43⅛	+ [illegible]
Loew, pfd...	105	105	105	105	....
Para.	7⅞	8¼	7⅞	7⅞	+ [illegible]
Para. 2.....	7⅞	8¼	7⅞	8⅛	+ [illegible]
Pathe	4¾	4¾	4¾	4¾	+ [illegible]
R. K. O....	2⅞	3	2⅞	2⅞	+ [illegible]
20th Fox....	20	20⅜	20	20⅜	+ [illegible]
W. B.......	4⅝	4⅞	4⅝	4⅞	+ [illegible]
W. B., pfd.	33	33	33	33	—1[illegible]

Technicolor Curb Rise

	Open	High	Low	Close	Net Chang
G. N........	7/16	7/16	7/16	7/16	....
Technicolor.	18½	18½	18¼	18¼	+ [illegible]

Paramount Bonds Up 2 Points

	High	Low	Close	Net Chang
Paramount Pictures 6s '55.....	90	90	90	+2
W. B. 6s '39......	67⅝	67	67⅝	+ [illegible]

(Quotations at close of March 19.)

Banner LINES

George Washington Hill won't be ticularly pleased when he hears the v Philip Morris show "What's My me?" when it debuts on Mutual rch 25. It's a far less costly carbon e Kay Kyser "Musical College," ucky Strike successor to Wars' "Your Hollywood Parade."

▼

Sammy Geison has resigned from Chicago staff of the Tom Fizdale blicity outfit, and Sammy effercently writes that in resigning he "not becoming vice-president of other company, organizer of a new blicity bureau in radio, or joining board of directors of a phantom vie company."

▼

News Department: Billy Card, istant sustaining program manager NBC, has given the network his ice. Billy will leave in a few weeks tie up with a non-radio organizan.

▼

Nellie Revell, the grand old lady of dio, is on the Consolidated Edison ew York on Parade" tonight as a ecial guest, and it's about time she t a break on a commercial even as one-shot. We'd like to see her on s or some other commercial series a steady basis.

▼

Really, Warners and Transamerin should get together. Initial pubity from them misled editors into nking that the new Warner-Gruen atch series was to be a "live" series ross the country, whereas it is "live" ly on a regional network on the ast. Subsequently, Warners issued release telling that WNEW would the New York City outlet for the nscribed version of the series. Acally, WMCA will be the only local tion to carry the show.

▼

Note to film company publicity orkers who will be within listening stance of WQXR tonight at 9:45 M.—Howard Dietz will "spoof" n publicity on Sid Kaufman's inema Comment" program, so lend ear. However, it will probably be most gentle ride, rest assured.

—JACK BANNER

tandard Brands to Drop Hookup on CBC

Standard Brands, Inc., will not rew the Canadian Broadcasting Co. okup for "One Man's Family" bend its present expiration date in ly.

It is believed that several other andard Brands network shows now ard in Canada will also be dropped the expiration of present contracts.

It is not known whether the decision drop the CBC stations is a tempory one for the summer months, or due to the objections raised in some rcles in Canada against the placing American commercials on the air in at country.

Warners' Managers To Aid Program

(*Continued from page 1*)

North, Detroit, WXYZ; W. G. Mansell, Philadelphia, WCAU; Harry Seed, Pittsburgh, WJAS; F. W. Beiersdorf, Washington, WCAO, Baltimore; T. R. Gilliam, Chicago, WMAQ; A. W. Anderson, Des Moines, KRNT; Hal Walsh, St. Louis, KWK.

Exhibitors will be urged to buy spot announcements before and after the half hour program.

Safety Plaque to NBC

NBC has been awarded a bronze plaque for "the most important radio contribution to the nationwide traffic safety movement" by the Commercial Investment Trust Safety Foundation for its "Safety Drivers" program. The presentation of the award was made to Arthur Fields and Fred Hall, directors of the program, during yesterday's broadcast.

Childs Signs Gambling

John R. Gambling has been signed by Childs Restaurants, Inc. The contract will commence next Monday and Gambling will be heard at his regular time, 7:15 to 8 A. M., on WOR. Childs will sponsor three days weekly.

Joins Deane Sponsors

General Foods Corp., for Diamond Crystal Salt, has contracted for participation in the Martha Deane program over WOR, starting immediately.

"Gang Busters" Off Air

"Gang Busters," CBS program sponsored by Colgate-Palmolive-Peet, will go off the air for eight weeks following the broadcast of June 28. Benton & Bowles is the agency.

Two Join World System

Two more stations have become affiliated with World Broadcasting System. They are KARK, Little Rock, Ark., and WTAD, Quincy, Ill.

Start Show March 27

"Spy At Large," a new script series, will be heard over the NBC-Blue from 8 to 8:30 P. M. beginning March 27. The script is by George Ludlam.

▸ Radio Personals ◂

THE Three Marshals, vocal trio, have been signed to a five-year pact by the CBS artists bureau. The trio is now playing vaudeville and will soon go on the air for CBS. . . Marjorie Hood, news commentator for WMBC, sailed on the *California* over the weekend for the coast. . . Ken and Mrs. Delmar will sail on the *Empress of Australia* tomorrow on a 12-day cruise to Bermuda and Nassau.

+

Charles Butterworth has been booked by Herman Bernie on the Chesterfield program April 22. . . Con Conrad's waltz, "Colorado Sunset," published by L. Wolfe Gilbert, will help pay Conrad's sanitorium bill. . . Ted Pearson, announcer on the "Good News of 1938" program, is en route to New York from Hollywood to work in commercial films here for several weeks.

+

Willie Morris has been signed by Mutual and will be presented on Alfred Wallenstein's "Invitation to Waltz" programs. . . Tom Velota will probably be the successor to Billy Card at NBC. . . Bob Sarnoff, son of the RCA president, will be in the cast of the Harvard Hasty Pudding show, which will be broadcast over NBC Wednesday. . . Bob Carter is broadcasting descriptions of the Golden Gloves bouts on WMCA.

WKBW Amends Its Plea

WASHINGTON, March 20.—Amendment of the application of WKBW, Buffalo, for an increase of power from 5,000 to 50,000 watts, in lieu of the increase to 10,000 watts originally asked, was received yesterday at the Federal Communications Commission.

The commission also received an amended application from KTBS, Shreveport, La., which had requested change of frequency from 1,450 to 620 kilocycles, asking also for increase of day power from 1,000 to 5,000 watts.

Harry Rice to Coast Soon

Harry Rice will leave for Hollywood in three weeks to open a west coast branch office for the National Radio Register.

New Shows on the Air

"Warner Academy Theatre"

HOLLYWOOD, March 20.—Judging from the first two performances, the new Warner-Gruen Watch "Warner Academy Theatre" program cannot be called "good radio." Primarily the show seems to be predicated upon a desire to sell Warner talent, which gets most of the "breaks," although Gruen receives four commercials during each half-hour presentation.

Presented as a "live" show here on the California Radio System and as a transcription on 14 other stations throughout the country, the half-hour programs consist of enactments by young Warner contract players of adaptations of Warner pictures released some time ago, and guest appearances of name talent in connection with new Warner films, whose release will be almost simultaneous with the air program on which they appear. The first show starred Ronald Reagan and Gloria Dickson in "One Way Passage," and a guest appearance of Dick Foran in connection with his latest film "Over the Wall." The second show presented newcomers Bruce Lester and Susan Hayward in the "King and the Chorus Girl." The guest player was Ralph Bellamy, who got in a few words for his recent picture, "Fools for Scandal." Also heard were talks by Jack L. Warner and Max Arnow, studio casting director.

The program contains a direct tiein with exhibitors playing the studio's product and gives showmen an added outlet for exploitation.

KING

Varied Topics Are Listed on FCC Schedule

WASHINGTON, March 20. — The Federal Communications Commission has set its calendar of broadcasting hearings for the current week, as follows:

March 21, before an examiner: Applications of WKEU, Griffin, Ga., to move to Macon, Ga., change frequency from 1,500 to 1,310 kilocycles, increase time from day to unlimited, and increase day power from 100 to 250 watts; and WRBL, Columbus, Ga., to change frequency from 1,200 to 1,330 kilocycles and increase power from 100 watts night, 250 watts day to 1,000 watts.

March 22, before an examiner: Applications of Vancouver Radio Corp. for an 880-kilocycle, 250-watt daytime station at Vancouver, Wash., and Great Western Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Omaha.

March 23, before an examiner: Applications of WMBG, Richmond, for an increase of power from 500 to 1,000 watts night, 5,000 watts day; WBNX, New York, for increase of day power from 1,000 to 5,000 watts; WHBL, Sheboygan, Wis., for increase of day power from 250 to 1,000 watts; WTAQ, Green Bay, Wis., for increase of day power from 1,000 to 5,000 watts, and WEMP, Milwaukee, for increase of time from day to unlimited.

To Hear Johnson City Plea

March 24, before the commission: Contesting applications of Johnson City Broadcasting Co., Johnson City, Tenn.; Knoxville Journal Broadcasting Co., Knoxville, and Richard M. Casto, Johnson, City, Tenn., for a new 1,200-kilocycle station with 100 watts power night, 250 watts day; contesting applications of Havens & Martin, Inc.; Petersburg Newspaper Corp., and John Stewart Bryan for a 1,210-kilocycle station at Petersburg, Va., with 100 watts power night, 250 watts day; contesting applications of City Broadcasting Co., WELI, New Haven, for modification of license to operate on 930 kilocycles with 250 watts power night, 500 watts day, and Lawrence K. Miller for a new 930-kilocycle, 250-watt daytime station at Pittsfield, and application of The Tribune Co. for a 940-kilocycle station at Tampa, with 1,000 watts power night, 5,000 watts day.

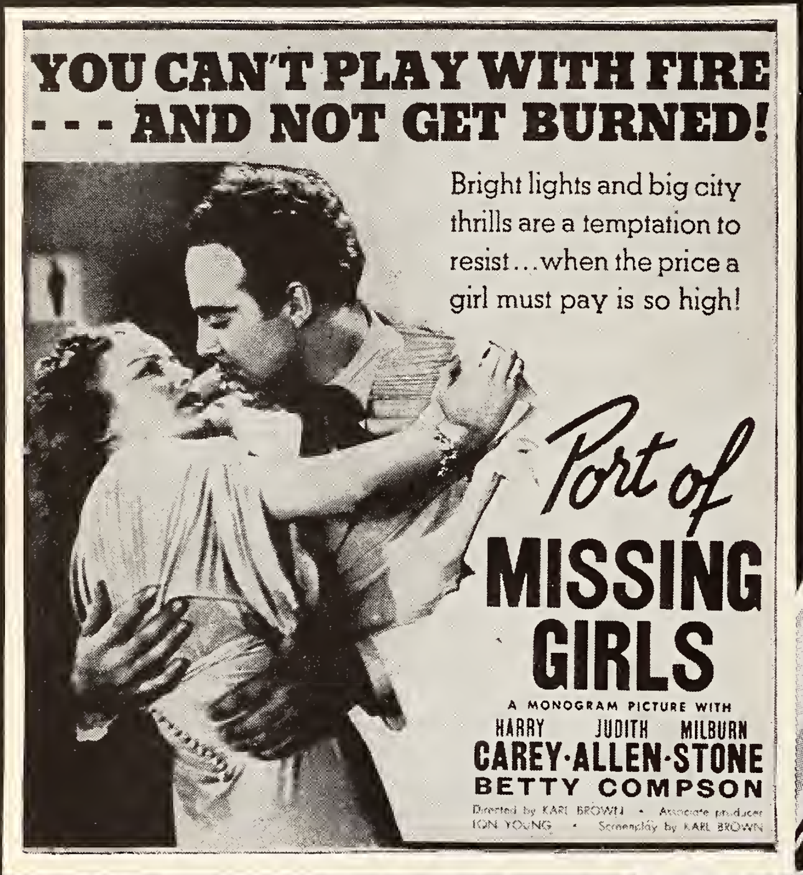
March 25, before an examiner: Applications of WTAW, College Station, Tex., for increase of time from specified hours to day, requesting facilities of KTBC, Austin, Tex., and P. W. Spencer for a 1,500-kilocycle, 100-watt daytime station at Rock Hill, S. C.

Shift Short Wave Time

The late Saturday and Sunday short wave broadcasts directed toward Latin America American countries from W2XE, the CBS international station, will be heard from 11:30 P. M. to 12:30 A. M., starting March 26, instead of from 11 P. M. to 12 midnight as heretofore. All other W2XE broadcasts remain the same.

SENSATIONAL

Ads for a *Sensational* Campaign



YOU CAN'T PLAY WITH FIRE - - - AND NOT GET BURNED!

Bright lights and big city thrills are a temptation to resist... when the price a girl must pay is so high!

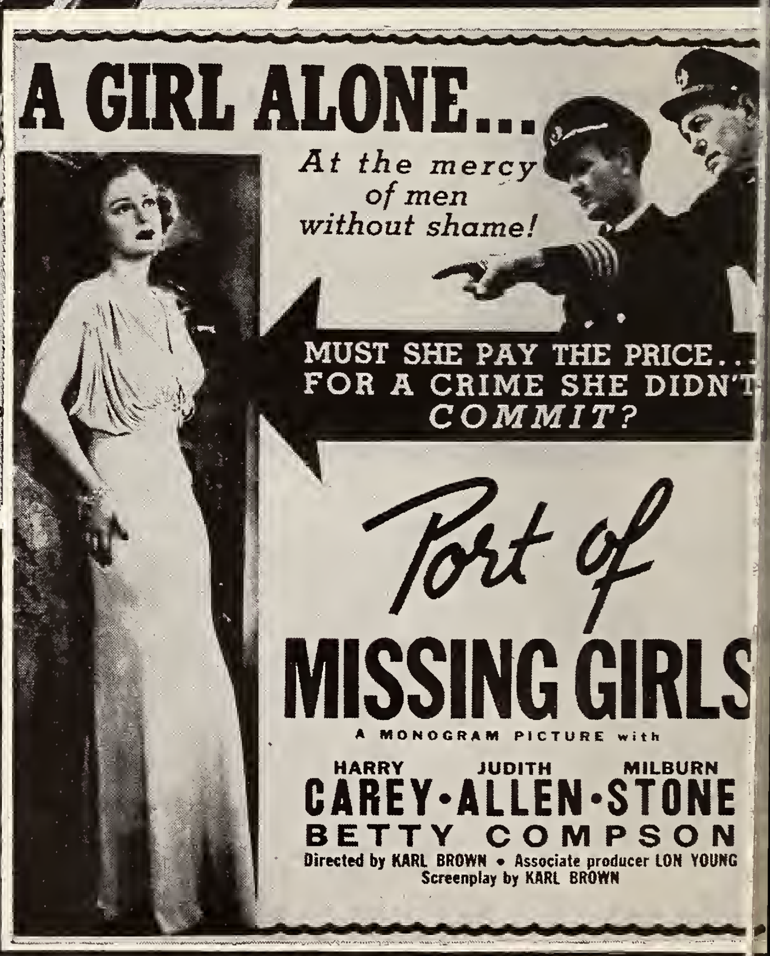
Port of
MISSING GIRLS

A MONOGRAM PICTURE WITH
HARRY JUDITH MILBURN
CAREY·ALLEN·STONE
BETTY COMPSON
Directed by KARL BROWN • Associate producer LON YOUNG • Screenplay by KARL BROWN

WHAT HAPPENS TO *Girls* WHO LEAVE HOME

Where do they go?
What can they do?
Here is the startling answer ... in a dramatic expose that will wake up the town!

PORT OF MISSING GIRLS
A MONOGRAM PICTURE with
HARRY JUDITH MILBURN
CAREY·ALLEN·STONE
BETTY COMPSON



A GIRL ALONE...

At the mercy of men without shame!

MUST SHE PAY THE PRICE... FOR A CRIME SHE DIDN'T *COMMIT?*

Port of
MISSING GIRLS
A MONOGRAM PICTURE with
HARRY JUDITH MILBURN
CAREY·ALLEN·STONE
BETTY COMPSON
Directed by KARL BROWN • Associate producer LON YOUNG
Screenplay by KARL BROWN

BOOK IT
Now

MONOGRAM
MPC
PICTURES

ILE COPY
NOT REMOV

lert.
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ndispensable
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icture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 66 NEW YORK, TUESDAY, MARCH 22, 1938 TEN CENTS

ir Officials ot Disturbed By FCC Probe

lieve Quiz Will Bring No Radical Changes

etwork officials here say they are erturbed by the action of the Fed- Communications Commission in ering a sweeping investigation of in broadcasting.

he general opinion expressed in network circles is that chain adcasting will emerge safely from probe and that no radical revi- s in policy or setup will be forced n it after the investigation has been pleted. The belief is held that the stigation will be conducted strictly g fact-finding lines and that no rges against the present method of in operations will be possible once of the facts are known to the C. C.

s one high official summed it up: e are confident that once the facts known by the F. C. C., the re- rent demands for an investigation

(Continued on page 13)

cFarlane Predicts Television Control

VASHINGTON, March 21.—Fears t the same interests that dominate sound equipment business will trol television were voiced today Rep. William D. McFarlane em.) of Texas before a House

Additional developments in radio yesterday on page 13.

ents sub-committee at the open- of hearings on patent revision islation.

efore the sub-committee for con- ration were three measures, one which (sponsored by McFarlane) uld provide for the compulsory li- sing of patents after a period of

(Continued on page 13)

lperson and Wright Permanent Trustees

OS ANGELES, March 21.—Over test of only one creditor represen- ive, Federal Judge William P. nes today appointed Loyd Wright Edward Alperson permanent stees for Grand National Films, ., of New York, and Grand Na- nal Studios, Inc., of California, er being told the move would facili-

(Continued on page 11)

Recessions Cannot Retard Industry, States Schenck

Progress of the film industry cannot be stifled by temporary discouragements such as the current recession, was the optimistic message delivered to a nationwide air audience last night by Joseph M. Schenck, chairman of the board of the 20th Century-Fox and president of the Motion Picture Producers' Association. Schenck spoke as the industry's representative in a symposium on "The Spring Outlook on Business" over the NBC-Red network.

"Optimism has always been the guiding force of the motion picture business," declared Schenck. "Through the relapses which have beset the world's economic condition, Hollywood has gone forward with undimmed confidence, increasing its production budget year after year, giving employment to growing thousands and bring hope and cheer to the millions who look to it for entertainment."

The keynote of his address was couched in one phrase delivered early in his talk.

"We believe in the future—and we are doing our utmost to further the prosperity we know must come."

The total cost of production in Hollywood mounted from $135,000,000 in 1935 to $165,000,000 in 1937, Schenck revealed. This increase in expenditures involved more elaborate

(Continued on page 13)

Master Pact Agreed Upon In Exchanges

Agreement on a master contract for "back room" exchange employes was completed yesterday in a meeting between committees representing the major distributors and the I.A.T.S.E., the latter acting for the Film Exchange Employes' Union.

All major questions were agreed upon and the master contract was completed in substance, it was said. The next step is to reduce the terms to writing. The written form is expected to be submitted to the respective committees for approval in a few days.

The contract will serve as a basic agreement under which the local agreements in the 31 exchange centers will operate. Between 4,500 and 5,000 employes will be subject to the terms, including inspectors, inspec-

(Continued on page 11)

Keith Net in 1937 Totals $1,042,628

B. F. Keith Corp. and subsidiary companies yesterday reported net profit for 1937 of $1,042,628.37 after all charges, including a provision of $7,400 for surtax on undistributed profits. Keith-Albee-Orpheum Corp. and subsidiaries at the same time reported net profit for 1937 of $1,300,887.71 after all charges, including provision of $11,875 for surtax on undistributed profits. The K-A-O net is

(Continued on page 11)

Most Theatre Bills Lost in Albany's Rush

ALBANY, March 21.—Theatre bills and the controversial Ascap measure reported to have radio and theatre backing were lost in the shuffle at adjournment time after the Legislature had been in session continuously for 32 hours.

The Ascap bill was kept in the Rules Committee of the Assembly after strong pressure had been brought to bear.

After the passage of the Ehrlich bill providing for attendance of children where matrons are on duty and the Wagner bill providing a day of rest for janitors, custodians and firemen nothing happened. A series of bills failed of enactment.

The Crews' bill calling for a "full crew" in projection booths was fought to a standstill in the Assembly Rules

(Continued on page 12)

Increase in Quota For Shorts Voted

By AUBREY FLANAGAN

LONDON, March 21.—The House of Lords today, during the report stage on the Films Bill, agreed to the suggestion of Lord Moyne that the distributor and exhibitor quotas on short subjects be raised to a starting figure of 15 and 12½ per cent, respectively, rising gradually to 25 and 22½ per cent.

Moyne made the point that short

(Continued on page 12)

Goldwyn Will Discuss U.A. Schedule Here

Korda's Share Is to Be Taken Up in London

Initial efforts to map a production schedule for United Artists for next season will be made by Samuel Goldwyn in conferences here today with Mary Pickford, and with Alexander Korda in London, later, it was learned yesterday with the arrival of Goldwyn and Douglas Fairbanks from the coast.

Goldwyn and Fairbanks will discuss tentative plans with Miss Pickford involving all three and will also discuss the addition of new producers to the United Artists roster for the new season, it was said. Korda's own production plans for the new season will be ascertained on the arrival of Goldwyn and Fairbanks in London.

Goldwyn, however, described his European jaunt merely as a "brief vacation." With no production activity scheduled for the immediate future, he indicated that he seized upon the opportunity to get some further rest. Goldwyn returned only recently from a month's vacation in Hawaii.

Although obviously in good humor when he stepped from the Twentieth Century at Grand Central Station yesterday, Goldwyn was uncommunicative and flatly declined to discuss the possibilities of a deal for the purchase

(Continued on page 12)

Blumberg Staying West to Set List

Nate J. Blumberg, Universal president, plans to remain at the studio until the company's new season production plans have been completed, John Joseph, advertising and publicity director, reported on his arrival in New York from the studio yesterday.

The company's production plans for

(Continued on page 12)

Hearing on RKO Delayed 2 Weeks

A promise that "a concrete proposal for amendments to the proposed plan of reorganization for RKO will be ready within two weeks or shortly thereafter" won an adjournment of the scheduled hearing to April 4 in the U. S. District Court here yesterday. Hamilton C. Rickaby, attorney for the

(Continued on page 12)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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MARTIN QUIGLEY
Editor-in-Chief and Publisher
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"Rawhide" Opening Set

The 20th Century-Fox home office reports elaborate preparations in St. Petersburg, Fla., for the opening there tomorrow night of "Rawhide," most recent Sol Lesser production in which Lou Gehrig of the Yankees has a featured role. The ball players are expected to greet Lou's initial screen appearance with something akin to enthusiasm.

Liquidate Schach Co.

London, March 21.—Max Schach Productions has voluntarily liquidated.

MITCHELL MAY, Jr.
CO., INC.

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INSURANCE
Specializing
in requirements of the
Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Purely Personal

S. Barret McCormick, RKO advertising and publicity director, arrived at the studio yesterday to join in the conferences on the company's new season schedule, which are under way there. Leo Spitz, president; Ned E. Depinet and Jules Levy are there from the home office.

•

Barrett C. Kiesling of the M-G-M coast publicity staff will speak at Hunter College here tonight on "Motion Picture Technique," before starting on a nationwide tour during which he will visit important newspapers.

•

Walter W. Vincent is recuperating from a siege of bronchial pneumonia which he contracted shortly after arriving in Florida last month. He is expected to return from the south about April 1.

•

Whitford Drake, president of Erpi, will sail on the *Queen Mary* tomorrow for London to take over the duties of William A. Bach, managing director of Western Electric Co., Ltd., who is ill.

•

Charles Mayer, 20th Century-Fox manager in the Dutch East Indies, is due to arrive in San Francisco tomorrow. After a visit to the studio he will come to New York.

•

Stanton Griffis, chairman of the Paramount executive committee, is prolonging a Florida vacation and is not expected back in New York for another week.

•

Leon J. Bamberger, RKO sales promotion manager, will address the Advertising Club of Worcester on April 27, on "My Business Is Different."

•

John Joseph, advertising and publicity director of Universal, returned to New York yesterday after a five-week visit at the studio.

•

Ed Peskay, Grand National vice-president in charge of distribution, is out of town on business and expected back late in the week.

•

William Scully, Universal general sales manager, is due back Thursday from a visit to Charlotte and Atlanta exchanges.

•

Joseph Bernhard, general manager of Warner theatres, is expected to return tomorrow or Thursday from a vacation.

•

David Rose, vice-president of Samuel Goldwyn, Inc., is in New York from Hollywood.

•

Tommy Riggs arrived in New York yesterday from the Universal studio.

•

Lionel Toll of the I.T.O.A. yesterday observed another birthday.

Lord for "Brother Rat"

Hollywood, March 21.—Robert Lord has been assigned by Hal B. Wallis to produce "Brother Rat," Warners' film version of the Broadway stage play.

Mexico Distributors Are Unable to Remit

Mexico City, March 21.—American distributors here are unable to remit to their home offices because of the suspension in foreign exchange operations following the action of the Federal Government in ordering the expropriation of the petroleum companies. The purchase or sale of dollars is impossible, creating a situation which makes any evaluation of the dollar difficult.

While distributors feel that exchange operations will be resumed shortly the quotation on the dollar is a matter of conjecture but it is felt that the rate will be two pesos to the dollar whereas the rate prior to the suspension of operations was 3.60 to the dollar.

Exhibitor business here is about 25 per cent lighter than at this time a year ago. Both the monetary situation and the existence of Lent are contributing factors.

Film Interests Not Hit by Hearst Move

Hollywood, March 21.—The motion picture interests of William Randolph Hearst will not be affected by the decision of the publisher to appoint Clarence J. Shearn to reorganize his vast publishing and business holdings, it was learned today from E. B. Hatrick, in general charge of the publisher's film interests.

Hatrick declared neither Cosmopolitan Productions nor News of the Day will be altered as a result of the appointment of the Hearst trustee. The corporate structure of both companies will continue under the same officers as at present, Hatrick said.

"Chicago" $7,133 in 10th Week at Astor

"In Old Chicago" grossed $7,133 in its 10th full week at the Astor, ending Sunday night. It will complete its roadshow engagement next Sunday night, after a run of 11 and a half weeks.

Broadway houses are lining up strong shows for Easter Week. The Paramount has set "Her Jungle Love" with Ben Blue headlining the stage bill for the holiday period. Tommy Dorsey will share honors with Blue.

Pittsburgh Branch Wins

The Columbia Pittsburgh branch headed by Art Levy led the first 10 winners of the special award contest of the "Montague Good Will Campaign." The drive opened Jan. 15 and will continue until May 15. The Denver office under W. C. Ball was second and Charlotte, headed by R. J. Ingram, was third. The remainder finished in the following order: Salt Lake City, R. C. Hill; Cleveland, Lester Zucker; San Francisco, L. E. Tillman; Oklahoma City, C. A. Gibbs; Washington, Sam A. Galanty; Des Moines, M. H. Evidon; Albany, Phil Fox.

Metro to Honor Belasco

M-G-M tomorrow will entertain members of the original stage organization of the David Belasco company responsible for "The Girl of the Golden West," stage production, in 1905. The party will be a tribute to the late stage producer.

Momand Actions As $6,636,632 Damage

Oklahoma City, March 21.—Th two new anti-trust actions filed in th U. S. District Court here by A. Momand, exhibitor of Shawnee, Okla seek total damages of $6,636, 632, an charge 20 companies with violation the Federal anti-trust laws.

Several years ago the complainan operated 18 houses in 10 cities, now he operates only the Odeo Shawnee. One of the two actions against 20th Century-Fox and sev other corporations, and the oth names as defendants the Griffi Amusement Co. and 11 other com panies. In the first suit, seven caus of action are cited, with damag sought of $1,676,119, while in the se ond, 14 causes of action are liste with damages set at $4,461,012.

The cases first were filed here April, 1931, and after lengthy litigatio were dismissed in July, 1936. An ap peal to the U. S. Circuit Court of Ap peals at Denver resulted in the r versal of the District Court decisio the higher tribunal ordering a di missal without prejudice, which pe mitted a renewal of legal action aft technical changes in the original pet tion.

A restraining order of June, 193 which prevented Momand from inst tuting court action pending a final d cree in the Paramount reorganizatio was modified last week by the U. District Court in New York, permi ting Momand to file the anti-trust a tions on or before April 8 again Paramount, which is one of the d fendants.

Coast Exhibitors an Para. to File Brie

Los Angeles, March 21.—Aft hearing oral arguments on the Par mount demurrer to the newly-amend suit charging fraud over non-delive of eight pictures on the 1936-37 sche ule brought by 20 Southern Califor exhibitors against the distributor, Fe eral Judge Leon R. Yankwich tod ordered both sides to present writt briefs supporting their claims.

In a lengthy court appearance, A torney Dean Warner, for the exhil tors, charged that Paramount co mitted acts of fraud in making o agreements to deliver the pictures.

Walter K. Tuller, for Paramou contended that the oral agreements, any, carried no weight in view of t written pacts. He scored a point f Paramount by citing that exhibiti contracts provided a substituti clause.

A previous suit was dismissed Judge Yankwich on the grounds th no cause of action was shown a that the Cartwright Act, state an trust law on which a portion of t early complaint was based, was unc stitutional.

McGill an Ampa Speak

Earle McGill, head of the casti department at CBS, and director some of the network's programs, w speak on "Radio and Motion Pictur at the Ampa luncheon meeting at t International Casino on Thursd McGill formerly was a director Jed Harris, stage producer, and w connected with Fox Film. Signo Volta, Italian singer, also is on t program.

RADIO CITY
"JEZEBEL"

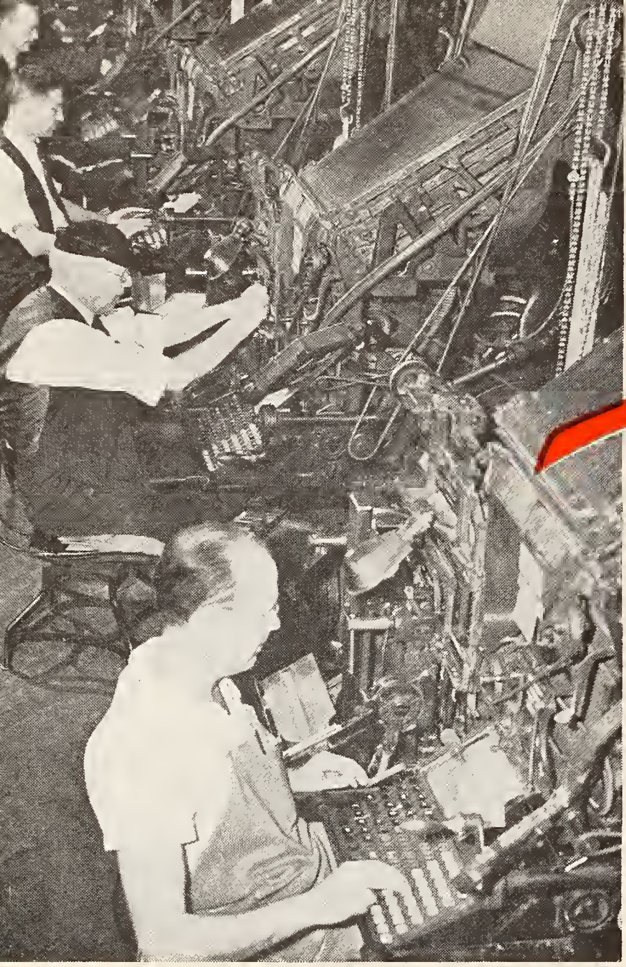
"Our Lines Tell the Story

Naturally it's a pleasure to have had the premiere engagement of a great picture– and we're happy indeed to announce that our crowds have compelled a well-deserved

2nd Week for "Jezebel" at Radio City Music Hall!"

W. G. Van Schmus
Managing Director

66 more box-office lines over yonder — but *definitely!*



They're Pouring Out the *Praise*. and They're Pouring it Fast!

It's true what they say about Dixie—every single word of it! Read it!

Motion Picture Daily

"**'JEZEBEL'** is a picture for any man's theatre and any customer's money! It is long since a picture to match this one for sheer power has come from any man's camera. If "Jezebel" doesn't hang up box-office records from Caribou to San Diego it will be because the 'recession' has been misspelled from the beginning.

It may be said that Warners had to turn out a crackerjack picture after all that talk about jumping the gun on "Gone With the Wind." Anything less than a knockout would have been branded a flop in the echo of that publicity. But "Jezebel" is no mere crackerjack or knockout. It is a tremendous and tremendously earnest motion picture containing a maximum of sound artistic and commercial ingredients and is completely free of hokum. Bette Davis' playing puts her at the top of the 1938 list of Academy nominations!"

Motion Picture Herald

"Showmen who have been wondering wha to do about shouting down the rumor about 'Recession' have here a practica solution to their problem.

Unless everybody who is anybody in Hollywood was mistaken when they saw it o Monday evening, "Jezebel" is just abou the liveliest set of marquee letters in the library at this writing. This title will pu the population on notice that a most extraordinary picture is to be seen within afte the usual wicket formalities.

It is big enough and strong enough to sen a Hollywood preview audience out talking to itself.

The press has been diligent in spreading the news about "Jezebel" and will be more so, now that the Coast correspondents have had a look. Previewed at the Warner Hollywood theatre, the audience found itself repeatedly applauding."

Hollywood Reporter

In 'Jezebel' Warners has its greatest film achievement and the industry an exceptional attraction of smash proportions! It is a compelling, emotional drama—an exceptional story with an excellent cast. It is in all respects a notable job!"

Film Daily

Impressive romance-drama of the old South with Bette Davis scoring brilliantly! Should click at the box-office! Excellent!"

Showmen's Trade Review

"Bette Davis gives a great performance in a film that will make box-office history!"

Variety Daily

"Best in Miss Davis' fine repertoire of screen impersonations and on a par with the screen's most memorable exhibits, it will win high acclaim! Business undoubtedly will be considerably spurred by the inevitable speculation which will be made between this Warner production and the forthcoming David O. Selznick's 'Gone With the Wind' as to treatment and casting and the b.o. benefit should be reciprocal!"

The Exhibitor

"Definitely a big-money entry! Will prove a word-of-mouth builder, especially with women. Gives the exhibitor much to offer!"

How the mighty have fallen for

BETTE DAVIS

in

JEZEBEL

with

HENRY FONDA · GEORGE BRENT

and

MARGARET LINDSAY
DONALD CRISP
FAY BAINTER
Richard Cromwell • Henry O'Neill
Spring Byington • John Litel
A WILLIAM WYLER PRODUCTION
Screen play by Clements Ripley,
Abem Finkel and John Huston
From the Play by Owen Davis, Sr.
Music by Max Steiner

Get on the job, man!

It's the big show you're waiting for so don't let another minute pass before you call

Warner Bros.

for your print of 'Jezebel', the *two* trailers, and your quick cash-in on our current *$100,000 National Ad Campaign!*

Dallas Mayor Sets "Ned Depinet Day"

DALLAS, March 21.—The mayor of Dallas has proclaimed next Saturday as "Ned Depinet Day," in honor of the vice-president in charge of RKO distribution, who will be the guest of honor at a testimonial banquet marking his 30th anniversary in the business.

Gov. James V. Allred of Texas will attend the dinner, which will be sponsored by Karl Hoblitzelle and Robert J. O'Donnell. Allred will present Depinet with a scroll making him a commissioner of Texas for the New York World's Fair. Additional reservations include: Charles L. Casanave, Eph. Charninsky, Louis Charninsky, R. F. Cornes, Ted DeBoer, Myron Everts, John Franconi, L. C. Griffith, J. S. Groves, S. Koenigsberg, Clarence E. Linz, J. E. Luckett, Louis Novy, Oscar Oldknow, George P. O'Rourke, Hugh Owen, Eli Sanger, W. A. Scully, Rae E. Skillern, R. G. Soper, John Stiles, Ralph Talbot, Jack Underwood, I. Rappaport, Y. Frank Freeman, George Dembow. Additions to the RKO home office list are Major L. E. Thompson, A. H. McCausland, Harry Michalson and Walter Branson.

Expect Big O'Shea Party

Arrangements have been made for between 400 and 500 who are expected to attend the testimonial luncheon to E. K. (Ted) O'Shea, M-G-M district manager, at the Hotel Astor today. The affair is to honor O'Shea on his recent appointment to the post and is sponsored by exhibitors in the metropolitan area. The I. T. O. A. will be represented by about 100 members and Allied of New Jersey by 25. Leo Brecher, independent circuit operator, will be toastmaster.

Hays, Ad Men Confer

Advertising directors of Hays office member companies yesterday met at the Hays office with Will H. Hays for a discussion of interpretations of the advertising code. The meeting was described as "routine." Lester Thompson, director of the code administration, presided.

Wall Street

Small Gains on Board

	Open	High	Low	Close	Net Change
Col.	11⅝	11⅝	11	11	+ ⅛
Cons.	1¼	1⅜	1¼	1⅜	+ ¼
Loew	44½	44¾	43⅝	43⅝	+ ½
Loew, pfd.	106	106	106	106	+1
Para.	8¼	8¼	7⅞	8	+ ⅛
Para. 2.....	8⅜	8⅜	8¼	8¼	+ ⅛
Pathe	4¾	4¾	4¾	4¾	.....
RKO	3	3	2⅞	3	+ ⅛
20th Fox...	20½	20¾	20⅛	20¼	— ⅛
W. B.	5	5	4¾	4⅞	.....

Curb Moves in Upswing

	Open	High	Low	Close	Net Change
G. N.	½	½	½	½	+1/16
Monogram	1⅞	1⅞	1⅞	1⅞	— ⅛
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	19¼	19¼	18¾	18¾	+ ¼
Trans-Lux	2½	2¾	2½	2¾	+ ¼

Bonds in Decline

	High	Low	Close	Net Change
Loew 3½s '46.....	98	97	97	.....
Para. Pict. 6s '55	90	90	90	.....
Para. Pict. '47...	68	68	68	— ½
RKO 6s '41.......	61½	61½	61½	— ¾
W. B. 6s '39......	67⅜	67	67¼	— ½

(Quotations at close of March 21)

In Good Hands

Lincoln, March 21.—The theatre may be dead or dying, and if that is the case, the Community Theatre movement, started here a month ago, is in good hands. When the executive board voted for a director of production, Don Helmsdoerfer was named.

He's a mortician!

March of Time Gets Vienna Putsch Film

Footage showing the entrance of Adolf Hitler into Vienna was received yesterday at the New York headquarters of March of Time, Louis de Rochemont, producer of the reel, stated last night. The pictures were shot by Cameramen Marcel Rebiere and Gilbert Comte, of the March of Time Paris bureau, who were assigned to make a comprehensive story of the activities in Austria for a future issue of March of Time.

The films were flown to Southampton in time to make a last minute connection with the *Queen Mary.*

To those American newsreel producers who were unsuccessful in shipping any films out of Austria during last week's crisis the March of Time is making available a portion of its Vienna footage.

Proffitt, Universal Man, Believed Dead

WILLIAMSPORT, Pa., March 21.—Thomas Proffitt, veteran Universal Newsreel cameraman, who is believed to be the victim of the fatal log raft journey on the Susquehanna River near here, Sunday, was still listed among the missing at a late hour yesterday.

Proffitt, who has been Universal Newsreel's representative in Philadelphia for the past eight years, was on the log raft to obtain newsreel shots of the six-day journey to Harrisburg in commemoration of Central Pennsylvania's lumber activity of 50 years ago.

Proffitt and Wife Lose Warners Suit

PITTSBURGH, March 21.—Thomas Proffitt and his wife, Ella Proffitt, of Chester, Pa., through their attorneys, today lost their suit here in the State Supreme Court to gain additional remuneration for property acquired by Warner Brothers. They sought to have the court set off an amount equal to the difference between the purchase price of the property fixed in an option clause in the lease and the actual price paid by Warners when the property was purchased at a sheriff's sale. The amount the Proffitts asked was to satisfy two promissory notes held by the circuit, which sued to collect.

After the Delaware County Common Pleas Court turned down the plea for a counter claim, the Proffitts appealed.

Bruce Nicoll Married

LINCOLN, March 21.—Bruce Nicoll, radio editor of the *Sunday Journal* and *Star* here, on Saturday was married to Lois Patterson. Nicoll has been handling radio for three years.

Condor Plan Ordered Into Court April 25

LOS ANGELES, March 21.—Federal Judge George Cosgrave today ordered that plans for reorganization of Condor Pictures, Inc., under Section 77B of the Bankruptcy Act be brought into court by April 25 after Trustee Clinton E. Miller had said he believed a proposed plan would place the company on a profitable basis.

A petition of Consolidated Film Industries seeking reversal of the court's ruling holding that Automatic Productions Co. of Chicago was entitled to secured creditor status with a claim of $115,000 was presented.

Judge Cosgrave referred to Special Master Samuel W. McNabb a petition of Miller requesting an accounting from Glen Stephens, former president of Condor, and Lester Cowan, former manager of Hollywood Pictures, on $52,000 of Condor funds. Hollywood Pictures was formed to take over Condor assets and the money was turned over by Stephens to Gowan, the court was told.

20th-Fox to Have 18 New Exchanges Soon

Twentieth Century-Fox expects to have 18 new exchange buildings completed or under way by the end of the year. New structures have been completed in Minneapolis and Buffalo and ground has been broken for a building in New Orleans.

Jack Sichelman, assistant to John D. Clark, general sales manager, returned yesterday from Chicago, where he conferred on plans for a new exchange building. All of the new structures will be air conditioned.

Sichelman also was in Kansas City on his present trip to make arrangements for the company's sales conference to be held at the Muehlebach Hotel April 1 and 28. The New York delegation will leave for the conference city on March 29.

Grainger Is Due Soon

James R. Grainger, who is to be elected president of Republic Pictures, is due to arrive in New York late this month for conferences with H. J. Yates. The date of the board meeting at which Grainger is to be named president and a director is still indefinite, but it is expected to be held some time in April. Grainger will not start officially with the company until June 1, but will attend the annual sales convention in Hollywood May 2 to 5 to be introduced to the sales staffs.

To Remove Billboards

BOSTON, March 21.—The removal of 106 billboards in this state has been ordered by Commissioner William F. Callahan of the public works department. The action was taken upon the recommendation of the division of outdoor advertising. The signs are used by John Donnelly & Sons Co., which handles a large part of the outdoor film advertising in the state.

"Suez" to Be Special

HOLLYWOOD, March 21.—"Suez," planned as one of 20th Century-Fox's most important specials, will go into work during the summer, according to Darryl F. Zanuck, after nearly two years of research work. Gene Markey will be associate producer. Cast assignments have not been made as yet.

Wood Repeats Block Selling Not Banned

COLUMBIA, March 21.—P. J. Wood, secretary of the Ohio I.T.O., has issued another bulletin saying the Neely bill contains "no provision which would result in selling of finished pictures one at a time."

"Nor would distributors who acted in good faith in preparing their synopses risk prosecution for changes d[illegible]ing the shooting of the pictures designed to improve their quality."

N. H. Opposes Booking Bill

NEW HAVEN, March 21.—The advisory board of the New Haven Council of Theatre Patrons has sent telegrams to Connecticut Congressmen expressing the opinion that the Neely bill is unnecessary and contrary to the best interests of theatregoers.

Deny Flynn to Join Hays Organization

Sources close to the Hayes office yesterday denied newspaper reports that Edward J. Flynn, New York Secretary of State and Democratic leader of Bronx County, will resign soon to join the Hays office.

Flynn is an important New Deal figure in the state and close to Postmaster General James A. Farley who at various times has been rumored as slated for a post with the Hays office. Will H. Hays yesterday withheld comment.

Austin Parker Passes

LOS ANGELES, March 21.—Austin Parker, well known scenario writer, died yesterday at Good Samaritan Hospital from a brain hemorrhage. He was stricken at his Beverly Hills home. He had been scripting "The Road to Reno" for Universal.

Parker was a former New York newspaper man, war aviator, member of the Paramount publicity department, and magazine writer.

In 1931 he was married to Miriam Hopkins at Newark. They were divorced in 1936.

Open Argentine Office

RKO has opened a new branch office in Santa Fe, Argentina, with F. Barranco as manager. This is the third Argentine office opened. Victor Astraldi has been named branch manager in Rosario, Argentina, succeeding Antonio Pascazzi, resigned.

Named "U" Manager

OMAHA, March 21. — Roy Palmquist, Universal salesman, has been promoted to manager of the exchange here, replacing LeRoy Miller, who will be transferred. Al Hill, booker, has taken Palmquist's place as salesman.

Mickey in Grimm Story

HOLLYWOOD, March 21.—Walt Disney will produce another cartoon based on a Grimm fairy tale. The title is "The Brave Little Tailor." Mickey Mouse will be featured, assisted by Minnie.

Edward Saef Gaining

BOSTON, March 21.—Edward Saef is reported to be convalescing. He was stricken with lobar pneumonia. He is a son of John Saef, of M. & P.

pulses LEAP!
♥s
B-E-A-T
FAST!

ACTION!

The
GIRL
OF THE
GOLDEN
WEST

Jeanette MacDonald
Nelson Eddy

Action at the box-office!
Action on the screen!
The big news of this
entire year is M-G-M's
glorious red-blooded
entertainment!

JEANETTE MacDONALD, NELSON EDDY in "THE GIRL of the GOLDEN WEST" with Walter Pidgeon, Leo Carrillo, Buddy Ebsen. A ROBERT Z. LEONARD Production. Screen play by Isabel Dawn and Boyce DeGaw. Based on the Play by David Belasco. Directed by Robert Z. Leonard. Produced by William Anthony McGuire.

Seattle Mark Shattered by "Snow White"

SEATTLE, March 21.—"Snow White and the Seven Dwarfs" broke all attendance records and came close to the gross record established at higher admissions. The take at the Fifth Avenue was $13,500. Par is $7,000. Extra shows were necessary all week.

"Mad About Music" and "Walking Down Broadway" turned in a neat $8,750 at the Paramount and the bill was held.

Total first run business was $44,750. Average is $36,500.

Estimated takings for the week ending March 15:

"BIG BROADCAST OF 1938" (Para.)
"SERGEANT MURPHY" (W.B.)
BLUE MOUSE — (950), 30c-40c-55c, 7 days, 2nd week, extended run from Paramount. **Gross:** $4,200. (Average, $4,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $13,500. (Average, $7,000)

"NOTHING SACRED" (U.A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 3rd week. **Gross:** $4,950. (Average, $5,000)

"BRINGING UP BABY" (RKO)
"LOVE ON A BUDGET" (20th-Fox)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,800. (Average, $4,000)

"RADIO CITY REVELS" (RKO)
"MIDNIGHT INTRUDER" (Univ.)
ORPHEUM — (2,450), 30c-40c, 7 days. **Gross:** $5.600. (Average, $6,000)

"HOLLYWOOD STADIUM MYSTERY" (Republic)
"BOOTS AND SADDLES" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: "Bubbling Over" Revue. **Gross:** $3,950. (Average, $4,500)

"MAD ABOUT MUSIC" (Univ.)
"WALKING DOWN BROADWAY" (20th-Fox)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $8,750. (Average, $6,000)

"Hallet" and Band High in Milwaukee

MILWAUKEE, March 21.—Winner in a sick week was "The Crime of Dr. Hallet" on the screen and Borrah Minnevitch's Harmonica Rascals on the stage of the Riverside. They collected $5,800, just $800 above par.

All other business was below par. Chief competition was the annual home show in the Auditorium which set new attendance records.

With the exception of the Riverside, first runs opened their new shows on Thursday instead of Friday in the hope of catching some of the St. Patrick's Day celebrants.

Total first run business was $24,800. Average is $26,500.

Estimated takings:

Week Ending March 16:

"START CHEERING" (Col.)
"SQUADRON OF HONOR" (Col.)
PALACE—(2,400), 35c-50c, 6 days. **Gross:** $4,000. (Average, $5,000)

"A YANK AT OXFORD" (M-G-M)
"LOVE ON A BUDGET" (20th-Fox)
STRAND—(1,400), 35c-50c, 6 days. **Gross:** $3,500. (Average, $4,500)

"RADIO CITY REVELS" (RKO)
"HAWAII CALLS" (RKO)
WARNER—(2,400), 35c-50c, 6 days. **Gross:** $5,000. (Average, $5,000)

"SALLY, IRENE AND MARY" (20th-Fox)
"TARZAN'S REVENGE" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 6 days. **Gross:** $6,500. (Average, $8,000)

Week Ending March 17:

"THE CRIME OF DR. HALLET" (Univ.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: Minnevitch's Harmonica Rascals. **Gross:** $5,800. (Average, $5,000)

"Sally" Cincinnati Lead with $12,000

CINCINNATI, March 21. — "Sally, Irene and Mary" was $2,000 over the $10,000 RKO Palace average last week, and was moved to the RKO Capitol for another stanza.

"Snow White and the Seven Dwarfs" continued to demonstrate its drawing power, garnering $3,800, or $1,050 over par, on its fifth downtown week at the RKO Grand. "A Slight Case of Murder" got an even break at $12,000 at the RKO Albee, and was shifted to the RKO Lyric. "The First Hundred Years," plus Bell's Hawaiians on the stage, also balanced the $12,000 RKO Shubert figure.

Total first run business was $54,700. Average is $58,700.

Estimated takings for the week ending March 17:

"A SLIGHT CASE OF MURDER" (F.N.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $12,000. (Average, $12,000) (Moved to RKO Lyric.

"SALLY, IRENE AND MARY" (20th-Fox)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $12,000. (Average, $10,000) (Moved to RKO Capitol.

"THE FIRST HUNDRED YEARS" (M-G-M)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: Bell's Hawaiians. **Gross:** $12,000. (Average, $12,000)

"A YANK AT OXFORD" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,800. (Average, $6,500)

"THE BIG BROADCAST" (Para.)
RKO LYRIC—(1,400), 35c-42c, 7 days, 2nd downtown week. **Gross:** $2,700. (Average, $6,500)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
RKO GRAND—(1,200), 25c-40c, 7 days, 5th downtown week. **Gross:** $3,800. (Average, $2,750)

"WOMEN IN PRISON" (Col.) (2 days)
"SERGEANT MURPHY" (W.B.) (2 days)
"CITY GIRL" (20th-Fox) (3 days)
RKO FAMILY—(1,500), 15c-25c. **Gross:** $2,400. (Average, $2,450)

"BOY OF THE STREETS" (Monogram)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $6,000. (Average, $6,500)

"Budget" and Band Indianapolis Hits

INDIANAPOLIS, March 21. — Buddy Rogers' band on the stage and "Love on a Budget" on the screen tallied a tidy $6,500 for the Circle, $2,000 over the line. The only other first run above par was "Snow White and the Seven Dwarfs" in its fourth and final week at the Apollo, where $500 upstairs was taken with a gross of $3,500.

Competition was particularly heavy, with the Murat Shrine sponsoring a circus inside the Butler University field house and the National Sportsmen's Show extending all week.

Total first run business was $28,500, exactly average.

Estimated takings for the week ending March 11:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
APOLLO—(1,100), 25c-40c, 7 days, 4th week. **Gross:** $3,500. (Average, $3,000)

"LOVE ON A BUDGET" (20th-Fox)
CIRCLE—(2,800), 25c-40c, 7 days. Stage: Buddy Rogers' band. **Gross:** $6,500. (Average, $4,500)

"SALLY, IRENE AND MARY" (20th-Fox)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $5,500. (Average, $6,000)

"EVERYBODY SING" (M-G-M)
"PENITENTIARY" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $5,500. (Average, $7,000)

"A SLIGHT CASE OF MURDER" (F.N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $7,500. (Average, $8,000)

"Snow" Heads Loop Grosses For 2d Week

CHICAGO, March 21.—"Snow White and the Seven Dwarfs" continued to be the top Loop attraction with a $34,200 gross for the second week, which was $13,000 above average.

The Chicago, with "Romance In the Dark" and Judy Garland in person, was slightly over average, as were "Rebecca of Sunnybrook Farm" at the Roosevelt and "A Slight Case of Murder" at the Oriental. The former had a take of $32,500 while the Shirley Temple film grossed $12,800.

Total first run business was $130,200. Average is $120,000.

Estimated takings:

Week Ending March 17:

"A YANK AT OXFORD" (M-G-M)
APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $6,000. (Average, $6,500)

"ROMANCE IN THE DARK" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Judy Garland and Revue. **Gross:** $32,500. (Average, $32,000)

"BARONESS AND THE BUTLER" (20th-Fox)
GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $6,200. (Average, $6,500)

"A SLIGHT CASE OF MURDER" (W. B.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Major Bowes College Unit. **Gross:** $19,200. (Average, $18,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days, 2nd week. Stage: Vaudeville Revue. **Gross:** $34,200. (Average, $19,000)

"MISSING WITNESS" (F. N.)
STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue.

Week Ending March 18:

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
ROOSEVELT—(1,300), 35c-55c-75c, 7 days. **Gross:** $12,800. (Average, $11,000)

"MERRILY WE LIVE" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $13,000. (Average, $15,000)

"Every Day" Best Grosser at Omaha

OMAHA, March 21.—"Every Day's a Holiday" and a stage show at the Orpheum pulled $11,200 for seven days to top weekly par by $4,000. On the stage was Benny Meroff and orchestra and the Congress Casino Revue.

"Snow White and the Seven Dwarfs" held up well for a second week at the Brandeis, grossing $8,200 for a gain of $4,200 over seven-day average. The picture was held for a third week.

"Stella Dallas" and "Sergeant Murphy" surprised at the Omaha with $9,100 in seven days.

Total first run business was $28,500. Average is $16,700.

Estimated takings:

Week Ending March 16:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
BRANDEIS—(1,200), 25c-40c, 7 days, 2nd week. **Gross:** $8,200. (Average, $4,000)

"STELLA DALLAS" (U.A.)
"SERGEANT MURPHY" (W.B.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $9,100. (Average, $5,500)

Week Ending March 17:

"EVERY DAY'S A HOLIDAY" (Para.)
ORPHEUM — (3,000) 35c-55c, 7 days. Stage: Congress Casino Revue, Benny Meroff and his orchestra. **Gross:** $11,200. (Average, $7,200)

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Short Subjects

"Waiting Around"

(*Vitaphone*)

Perhaps the most interesting bit in this two-reel musical is the act of the Stanley Twins. They do an acrobatic dance that is a distinct novelty. Otherwise the film offers a lot of strained comedy by Frank Libuse and Shea and Raymond, an eccentric dance team. The last named three invade a night spot in an effort to interest a producer with their talents. Much noisy and supposedly humorous action follows and by the time the conclusion rolls around they get what they went after. It is routine. Running time, 20 mins. "G."

"Wee Wee Monsieur"

(*Columbia*)

The Three Stooges return to their reliable form of comedy. Here the audience will see them first as struggling artists in a Paris garret and then as Foreign Legionaires. They run through their familiar yet hilarious bag of slapstick and gags and emerge with laugh honors. The trio's followers will find it highly amusing. Running time, 18 mins. "G."

"Going Places No. 45"

(*Universal*)

A brief but interesting visit to the island of Nias off the coast of Sumatra and a glimpse into the workings of a doll factory provide the material in this issue. As usual it is well done and intelligently commented upon by Lowell Thomas. It will fill in nicely anywhere. Running time, 9 mins. "G."

"The Ship That Died"

(*M-G-M*)

The weird circumstances surrounding the discovery of the *Mary Celeste*, abandoned at sea, are dramatized in this "Historical Mystery." The narrative, photography and handling of the subject are all that could be desired. The audience is left guessing. They'll like it. Running time, 10 mins. "G."

"The House-Builder Upper"

(*Fleischer-Paramount*)

Popeye tries his hand at rebuilding Olive Oyl's house. He and Wimpy engage in various stunts. Eventually the house collapses. Spinach to the rescue. Reliably entertaining. Running time, 7 mins. "G."

"The Foolish Bunny"

(*Mintz-Columbia*)

Youngsters will be delighted with this colored cartoon. It tells the story of a young rabbit that raised merry hell in school and as a result still attends when he is an old man. Clever animated touches. Running time, 8 mins. "G."

"Jungle Glimpses"

(*Paramount*)

Exceptional by virtue of diversity of material, condensation and effective color. A tabloid survey of South America that covers flora, fauna, reptiles, geographical and racial characteristics. In Cinecolor. Running time, 10 mins. "G."

Hollywood Previews

"Joy of Living"

(*RKO*)

Hollywood, March 21.—It takes a little while before "Joy of Living" hits its stride, but after the preliminary shadow boxing is completed the film becomes a bubbling champagne cocktail of mirth, music and romance. The sparkling work of Irene Dunne, plus the efforts of the supporting company, give the film amusement ingredients and exploitation qualities entitling it to rank with any madcap comedy romance of the moment. Miss Dunne gives a performance in keeping with her recent farcical successes.

In the story Miss Dunne is a glamorous actress who supports the Leech family—Alice Brady, Guy Kibbee, Lucille Ball, Frank Milan and her twin nieces. She is happy in her ignorance of the fact that she is a sap. When Douglas Fairbanks, Jr., thrusts himself upon her vaporing a new economic creed interspersed with his ardent love pleas, things begin to pick up and hit a zippy speed. There ensues a hilarious courtroom scene which results in Fairbanks being placed on probation to Miss Dunne, hectically wild moments in a roller skating rink, a beer drinking episode that firmly establishes Miss Dunne as one of the screen's ace comediennes and a family scandal sequence that culminates in marriage. All is not serene as temperaments clash, but Miss Dunne comes to in time to tell the half-baked family off and depart on a South Sea honeymoon with Fairbanks.

The original story by Dorothy and Herbert Fields is rife in material which gives Miss Dunne scope to again display her fun-making talents. Gene Towne, Graham Baker and Allan Scott fashioned the screenplay. There are two songs by Jerome Kern and Dorothy Fields which Miss Dunne brings to musical life.

Tay Garnett produced and directed to let Miss Dunne carry the show with all her known and latent abilities. He also permitted the featured support, Eric Blore, Warren Hymer, Billy Gilbert, Jean Dixon, Franklin Pangborn, James Burke, John Qualen and Spencer Charters, to have their innings in the spotlight.

The picture should be a highly popular attraction in any kind of house and produce box-office returns commensurate with its entertainment worth.

Running time, 80 minutes. "G."

"Tip-Off Girls"

(*Paramount*)

Hollywood, March 21.—This compactly constructed melodrama produced without benefit of great names generates speed, tension and impact equivalent to the net entertainment value of many and many a million dollar product. It hugs the so-known groove from takeoff to windup and tells a thrilling story of highjackers and G-men that is easy to believe and well worth the hour the telling takes. The picture can be depended on to satisfy everybody within sight and hearing of the screen.

Players who enact the several important roles with rare conviction are Lloyd Nolan, on the right side of the law this time; J. Carrol Naish, still the gangster; Roscoe Karns, as deputy hero; Larry Crabbe, as deputy villain; Evelyn Brent, as the girl crook referred to plurally and remotely by the misfit title; Mary Carlisle, as the heroine who has little to do with what goes on, and Gertrude Short as a 'phone girl who has less. The feminine contingent figures ever so sligthly in the proceedings.

The story, an original screenplay by Maxwell Shane, Robert Yost and Stuart Anthony, concerns the highjacking of cross-country trucks and felonious wholesaling of loot derived therefrom. Nolan is a G-man who joins the gang by way of obtaining evidence but has quite a sequence of highly credible adventures before he manages to bring about capture of the mob. These are stirring, logical and exciting, things to be seen and not synopsized.

Director Louis King and Associate Producer Edward T. Lowe wasted nary an inch of film nor minute of running time and kept the action tight, swift and lucid throughout. It's powerful, broad-gauge melodrama.

Running time, 60 minutes. "G."

Plan Hayman Dinner

Buffalo, March 21.—A testimonial dinner will be tendered A. C. Hayman on the occasion of his 30th anniversary in the film business on May 2 at the Statler Hotel. The dinner will coincide with the opening of Hayman's new theatre, the Cataract, at Niagara Falls. Nate Sauber of the Universal exchange and Joe Miller of Columbia are in charge of plans.

Start at Silver Spring

Washington, March 21.—Ground was broken here recently at suburban Silver Spring, Md., for the Silver Theater, key building of a $300,000 shopping center development. The house, designed by John Eberson, will seat approximately 1,000. Alexander Realty Co. is listed as owner with W. E. S. Wilcox, who controls the Seco there, as operator.

Variety Club

Baltimore

Baltimore, March 21.—The first luncheon of the Variety Club's newly formed Tent No. 9 will be held at the Hotel Belvedere Wednesday. Several announcements are to be made and there will be a show furnished by I. M. Rappaport.

Buffalo

Buffalo, March 21. — Buffalo barkers rated their first charity show a smashing success and planned to make the affair an annual one.

Citizens turned out enthusiastically to watch the talent lined up by Chairman Vincent McFaul and his co-workers perform. Hospital shutins will receive the benefit proceeds in the form of screen showings throughout the year.

Meanwhile, showmen have set April 2 aside as the date for their club's annual spring dance. Sid Lehman, as chairman of the house committee, is in charge.

Max Levine and Marion Atlas are slated as kings-for-a-day at the club's next luncheon March 28. They will share the diadem with Jules J. Jasper.

Cincinnati

Cincinnati, March 21.—New barkers enrolled in membership in Tent No. 3 include E. B. Radcliffe, theatre editor, *Cincinnati Enquirer;* Robert Harris, *Times-Star;* Carl Groat, *Cincinnati Post;* Jules Sein, operator of local school, and Warren Giles, general manager Cincinnati Reds, baseball team.

Allan S. Moritz, convention chairman of the national convention of Variety Clubs, to be held here April 23 and 24, has established official headquarters in Tent No. 3, where a secretary is busy with heavy volumes of mail.

Paul Cohen, manager of the Cincinnati branch of Decca Distributing Co., has donated 20 records for the tent's electric phonograph.

Detroit

Detroit, March 21.—The local tent has set March 26 as the tentative date for a testimonial banquet to M. M. Gottlieb, Universal branch manager here, who has been promoted to Chicago.

The board of directors has decided to campaign for the 1939 national Variety Club convention. The last luncheon was Associated Theatres Day, attended by the executives, William A. London, Alex Schreiber and Harold H. Smilay.

Pittsburgh

Pittsburgh, March 21. — Jerry Mayhall's band will furnish the music at the first annual dinner dance March 28.

Ben Brown and Harry Feinstein are going away on their second West Indies cruise together.

Dave Selznick is back from Baltimore where he underwent a throat operation at the Johns Hopkins Hospital.

Tent No. 1 is without a chief barker for a month while John McGreevey is vacationing at Sarasota, Fla.

Harp Vaughan will be a candidate for the Pennsylvania Legislature at the coming election.

"About Music" Detroit Smash With $28,500

DETROIT, March 21.—"Mad About Music" proved a sensation at the Fox, with the help of Shep Fields' orchestra and a vaudeville bill. The $28,500 take passed normal by $8,500.

"Snow White and the Seven Dwarfs" crashed into the big money division at the United Artists and the Madison, the former house grossing $16,000, up by $6,000, and the latter $11,500, over the line by $1,500.

Total first run business was $80,400. Average is $70,000.

Estimated takings for the week ending March 17:

"SALLY, IRENE & MARY" (20th-Fox)
"CITY GIRL" (20th-Fox)
ADAMS—(1,770), 15c-50c, 7 days. **Gross:** $5,400. (Average, $5,000)
"MAD ABOUT MUSIC" (Univ.)
FOX—(5,100), 25c-65c, 7 days. Stage: Shep Fields orchestra, Bobby Goday, 3 Nonchalants, Bob Dupont, Ruth & Billy Ambrose, Edith Holden. **Gross:** $28,500. (Average, $20,000)
"BRINGING UP BABY" (RKO)
MICHIGAN—(4,100), 25c-65c, 7 days. Stage: Ramon Novarro, Carmen, Henneford Family, Mirth & Mack, Irene Vermillion & Co., Jack Lavier. **Gross:** $13,500. (Average, $20,000)
"A SLIGHT CASE OF MURDER" (W. B.)
"LIFE OF THE PARTY" (RKO)
STATE—(3,000), 15c-50c, 7 days. **Gross:** $5,500. (Average, $5,000)
"SNOW WHITE AND SEVEN DWARFS" (RKO)
UNITED ARTISTS—(2,070), 25c-65c, 7 days. **Gross:** $16,000. (Average, $10,000)
"SNOW WHITE AND SEVEN DWARFS" (RKO)
MADISON—(2,000), 25c-65c, 7 days. **Gross:** $11,500. (Average, $10,000)

"Snow White" Hits Buffalo High Spots

BUFFALO, March 21.—"Snow White and the Seven Dwarfs" monopolized the first run trade here. Playing the Great Lakes, it pulled $24,000 to beat average three times over and approach all-time high figures at the house.

Other houses slumped off in the face of such stiff competition. Only the Century's dual, "Bordertown" and "Crashing Hollywood," managed to make normal, drawing $7,700. Average is $6,300.

Total first run business was approximately $55,000. Average is $42,300.

Estimated takings for the week ending March 13:

"BIG BROADCAST OF 1938" (Para.)
BUFFALO—(3,000), 35c-60c, 7 days. **Gross:** $12,000. (Average, $14,000)
"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
GREAT LAKES—(3,000), 30c-50c, 7 days. **Gross** $24,000. (Average, $8,000)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $6,600. (Average, $7,500)
"BORDERTOWN" (W. B.)
"CRASHING HOLLYWOOD" (RKO)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $7,700. (Average, $6,300)
"PRESCRIPTION FOR ROMANCE" (Univ.)
"ADVENTURES END" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $4,700. (Average, $6,500)

Opening to Aid Charity

Proceeds of the opening performance of "The Call," March 28 at the Astor, will be donated to Daughters of Mary, Health of the Sick, a charitable organization.

Agreement Reached On Exchange Pact

(*Continued from page* 1)

tresses, shipping department workers and poster clerks.

Consummation of the master contract climaxes months of negotiation, starting last fall when the last of the local agreements were completed.

L. E. Thompson of RKO, C. C. Moskowitz of Loew's and Frank Phelps of Warners constitute the committee acting for the major distributors. They attended yesterday's meeting with Lou Krouse, general secretary-treasurer of the I.A.T.S.E., and John Gatelee of Boston, New England organizer.

Labor Fracas Halts Fleischer Building

MIAMI, March 21.—Construction work on the studio being built here by Max Fleischer, cartoon producer, was halted today when more than 700 men representing the Miami Building Trades and Mechanics paraded and picketed in protest against "employment of out-of-town, non-union workers."

C. H. Bailey, agent and spokesman for the union carpenters in this area, said, "The demonstration is a protest against cheap labor." Union cars lined the roads for blocks around the studio under construction and the paraders carried local union banners demanding that local labor be employed.

J. H. Ware of the Delaware Housing Corp., the builders, after a consultation with workers, ordered the $375,000 project closed down and work stopped. No further plans have been formulated at the present time, he said.

May Discipline Damrosch

Local 806 of the American Federation of Musicians has threatened to take "disciplinary" action against Dr. Walter Damrosch because of remarks made against the union by Damrosch. Dr. Damrosch said in an address some weeks ago that the attempts of the musicians' union to maintain high wage scales during the depression had caused unemployment among musicians.

Approve Sunday Films

TULLAHOMA, Tenn., March 21.—An ordinance authorizing local theatre to operate on Sunday has been passed by the Board of Aldermen here. The ordinance provides that the shows must not interfere with services at the churches. Theatres may be open on Sunday afternoons and must close Sunday nights until after church services.

Plan Tribute to Engel

PHILADELPHIA, March 21.—Joe Engel, local Universal manager who has been transferred to Cleveland, will be tendered a testimonial banquet at the Hotel Warwick March 28. It is expected that about 400 will attend, including Universal home office officials.

Haight Signed by RKO

George Haight has been signed to a long term producer contract by RKO.

Keith Net in 1937 Totals $1,042,628

(*Continued from page* 1)

equal to $20.23 per share on the 64,304 shares of seven per cent cumulative preferred stock now outstanding.

The B. F. Keith 1937 net compares with a net profit for 1936 of $1,056,257.20 after all charges and a provision for surtax on undistributed profits of $31,125. K-A-O for 1936 reported a net profit of $1,237,141.34 after all charges, including provision for surtax on undistributed profits of $63,600. The 1936 net was equal to $19.23 per share on the preferred stock. The consolidated statement of operating deficit of K-A-O shows a deficit of $1,479,164.39 on Jan. 1, 1937, and a deficit on Dec. 31, 1937 of $168,343.93.

Buys Site at Tulsa

OKLAHOMA CITY, March 21.—Dan Myers, distributor for Hollywood Amusement Co. in Oklahoma, Virginia, Maryland, Delaware and the District of Columbia, and his associates have purchased a location in Tulsa, and will erect a 1,250-seat theatre for negroes.

Obtain Game Judgment

HOPKINSVILLE, Ky., March 21.—An order has been entered in Christian Circuit Court awarding the Commonwealth of Kentucky a judgment of $750 and costs against the Crescent Amusement Co., Nashville, in connection with Bank Night held at the company's two local theatres.

Alperson and Wright Permanent Trustees

(*Continued from page* 1)

tate the obtaining of playdates for company product.

Samuel A. Miller, representing a number of creditors, opposed the move until after an audit of the company's assets but failed after representatives of B. F. Zeidman, Raymond Friedgen and Douglas MacLean approved the permanent appointments.

In the hearing on the reorganization of the companies under Section 77B of the bankruptcy act, the judge was told that distributing expenses were cut to $14,000 weekly as against the old figure of $28,000 to $36,000 weekly and that $18,000 has accumulated from accounts. The court ordered an audit of G. N. assets to be ready in 30 days and asked speed in forming the reorganization plans.

Buys Theatre in Iowa

DES MOINES, March 21.—Joe Lepovitz, owner of the Iowa here, has bought the Strand in Melcher, Ia., from Carl Parsons and will take possession April 1. He also owns the Iowa in Madrid, Ia. Carl Parsons will leave Melcher to take over the Avon at Keota.

Milwaukee Dates Set

MILWAUKEE, March 21.—Directors of the I.T.P.A. of Wisconsin have set April 5 and 6 as the tentative dates for the organization's annual convention. These dates are subject to approval by members.

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Goldwyn Will Discuss U.A. Schedule Here

(*Continued from page* 1)

of the Pickford, Fairbanks and Charles Chaplin interests in United Artists with the participation of either Selznick International or Alexander Korda. He also warded off all questions concerning the renewal of David O. Selznick's United Artists' releasing deal and the future status in the company of Korda.

"Is there any possibility of a deal for the purchase of the Pickford, Fairbanks and Chaplin interests in United Artists being consumated?" the producer was asked.

"I cannot discuss that subject," Goldwyn replied.

"Is the deal 'dead', or could it be revived?" the reporter persisted.

"I have nothing to say."

"Will Selznick continue to release through United Artists next season?"

"You'll have to ask Selznick that question," he replied.

"I thought an understanding might have been reached before you left Hollywood," the reporter remarked.

"I can't say."

Silent on Korda Release

"Will Korda continue producing for United Artists exclusively?" was the next question.

"You'll have to ask Korda," Goldwyn said.

"How about your own plans? How many pictures will you make next season?"

"I haven't decided," Goldwyn replied. "I never make very many."

Goldwyn and Fairbanks, accompanied by their wives, will sail on the *Queen Mary* tomorrow. Goldwyn said he expected to be away only two or three weeks. Fairbanks said he would be back about the first of June.

Indications in official quarters here are that no change in the status of the negotiations pertaining to the purchase of the United Artists stock holdings of Pickford, Fairbanks and Chaplin is likely to occur as a result of the Goldwyn and Fairbanks conferences with Miss Pickford and Korda. No deal is believed to be imminent and Goldwyn, it is felt, is primarily concerned at this time with ascertaining the amount and type of product which may be expected for United Artists next season.

Sigrid Gurie, Goldwyn contract player, was a member of the arriving party. They were met at the station by Arthur Kelly, Harry Buckley, Monroe Greenthal and other United Artists home office officials.

Spring Is Here

The first day of spring, yesterday, brought a recrudescence of picketing along Broadway. It seems that the company that owns the candy concessions at the Central, Globe and a few houses along 42nd St. is in the midst of a dispute with the stand attendants. Pickets with C.I.O. banners paraded in front of the theatres.

Increase in Quota For Shorts Voted

(*Continued from page* 1)

subjects are an important medium of training and employment and that hitherto they have suffered from cut-throat competition. He referred to the American system of "giving away" shorts under the present booking system. The approval of the amendment marked the third Government defeat on the Films Bill in the upper house of Parliament.

The Government successfully opposed another Moyne amendment, which sought to give the Board of Trade power to vary quotas where distributors or exhibitors are unable to meet their obligations. A proposal that the producer representatives on the Films Council be limited to British firms only was accepted.

SPECIAL...RELEASES
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History-recording films awaited by audiences throughout the nation! Reels rushed for distribution by AIR EXPRESS—to nearest cities in minutes—to farthest, just overnight. Public was thrilled, exhibitors pleased. Now, most producers use Air Express regularly for features, comics, news—anything—at low cost too! Day and night, nation-wide; also to Canada, Latin America, Honolulu, and Far East. For service, phone any RAILWAY EXPRESS office—AIR EXPRESS Division.
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Hearing on RKO Delayed 2 Weeks

(*Continued from page* 1)

Atlas Corp., proponent of the plan, told Federal Judge William Bondy that a draft of the amendments has been prepared but that further negotiations on some details were still required. The expected amendments are the result of a long series of conferences among RKO creditors.

Opposition to the delay was voiced by Nathan Rosenberg, attorney for H. Cassell & Co., holders of $150,000 in debentures, and Albert Reiss, holder of five bonds, who appeared in person Judge Bondy told Rickaby that all further adjournments would be limited to one week or a shorter period unless the amendments were presented to the court. Rickaby refused to reveal the present status of negotiation and said that any statement would be "premature and confusing." Abraham K. Weber, stockholders' attorney, dedemanded information about the situation of stockholders under the amendment, but Judge Bondy did not compel any disclosures.

Rosenberg Application Adjourned

Rosenberg presented a petition to permit his intervention in the reorganization proceedings, but his application was also adjourned to April 4. Judge Bondy indicated a reluctance to admit new parties to the litigation after the expiration of five years. Rosenberg contended that the uncertainty about the amendments was depressing the market for RKO debentures. He urged the court to permit debenture holders to liquidate the assets under a $60,000,000 blanket mortgage and said he was studying the trustees' report for the purpose of preparing a brief favoring immediate liquidation.

Blumberg Staying West to Set List

(*Continued from page* 1)

the balance of the season were completed recently and the conferences now in progress are concentrated on the 1938-'39 lineup. Shooting was started at the studio yesterday on "Rage of Paris," the Danielle Darrieux and Douglas Fairbanks, Jr., picture, and "Letter of Introduction," with Edgar Bergen and Charlie McCarthy, will go into work in a few days, Joseph said. In all, seven pictures will be in work at the studio in about 10 days, Universal's greatest production activity in some time.

Johnston Increases Monogram Holdings

WASHINGTON, March 21.—Acquisition in January of 2,200 options for Monogram Pictures common stock by W. Ray Johnston was reported tonight by the Securities and Exchange Commission. At the close of the month, it was shown, Johnston held 62,383 options and 14,580 shares of common stock of the company.

The SEC reported also that Charles G. Dawes, Chicago, and Gano Dunn, New York, held, respectively, 300 and 100 shares of RCA common stock when elected directors in that company in January.

Most Theatre Bills Lost in Albany's Rush

(*Continued from page* 1)

Committee and lost by a bare majority.

Assemblyman Harold Ostertag's employment agency bill which would have exempted circuits of over 20 houses and major networks from supervision by Industrial Commissioner E. F. Andrews and N. Y. License Commissioner Paul Moss was lost in the Senate after passage by the Assembly. Other employment bills killed included those of Assemblymen John Devany, Salvatore DeMatteo, Charles H. Breitbart and Senate bills sponsored by Senators Elmer Quinn, A. Spencer Feld and John J. Howard.

Matron, Seating Bills Die

Both matron and seating bills of Nicholas A. Rossi of New York were killed, together with a more severe measure by Assemblyman Daniel Flynn and Senator Feld, which would have held theatre owners liable to civil suit for $50 if safety rules were violated by overcrowding aisles, etc. Two race discrimination bills by Assemblyman W. T. Andrews and R. W. Justice, Harlem Democrats, also failed to pass. Senator Howard's bill conferring enforcement of safety and sanitary laws in certain outlying community theatres passed the Senate, but failed in the Assembly as did a similar measure handled by Assemblyman Armstrong.

The Fischel bill applying to stationary engineers, and provisions including boilers, refrigerating and airing plants under which many theatres fall, did not come out of its Senate committee.

Dog Racing Prospects Stir Up Speculation

ALBANY, March 21.—What effect the passage of the Quinn dog racing bill will have on exhibitors is a subject of speculation here. One track can be built in Erie, Nassau, Monroe and Weschester Counties after promotors get the permission of both local village boards and county supervisors.

Erie County had a track at Cheektowaga, Buffalo suburb, for 14 weeks during 1935 and exhibitors found their houses suffered. Seven of the eight Erie County Assemblymen opposed the bill.

Approximately $350,000 in license fees is expected. The measure was sponsored by the Greyhound Racing Association of New York.

Pari-mutuel betting is still a year or more away. Senator John J. Dunnigan's resolution was in the form of a constitutional amendment which must be repassed in 1939 if it is to go on the ballots a year from next November. It is expected to figure in the deliberations of the Constitutional Convention.

President Is Sold

The President Theatre at 247-249 West 44th St. was sold at foreclosure yesterday to the City Bank Farmers Trust Co., successor trustee, as plaintiff on a bid of $122,500. The defendants were Xeonoel Realty Corp. and others and the mortgage judgment totaled $172,711.75.

Air Officials Not Disturbed By FCC Probe

(*Continued from page* 1)

f radio will be far less frequent an they have been of late."

The Mutual Broadcasting System, in a telegram sent to the F. C. C. late Sunday night, pledged its "wholehearted" cooperation to the commission. The telegram stated: "Have learned of the action taken by the F. C. C. in voting for an inquiry covering 13 points on chain broadcasting and please be advised that we offer fullest cooperation. We place our personnel and records at the disposal of the commission and await notification as to how best we may cooperate."

The telegram was signed by Alfred J. McCosker and W. E. Macfarlane, chairman of the board and president, respectively, of the Mutual Broadcasting System.

CBS made known its intention to cooperate with the F. C. C. more than a week ago when adoption of Commissioner T. A. M. Craven's resolution was expected. The Craven program ultimately was tabled for Chairman McNinch's program, the one adopted. NBC has made no public expression on the subject, but a spokesman at that network yesterday said that NBC also could be counted on to cooperate to its fullest extent.

The officials preferred not to talk along the specific lines of the 13 points of the McNinch program, explaining that much of the data is of a highly confidential nature. They said they would discuss these matters only at the hearings in Washington.

CBC Talks Coverage, Exchanges with U. S.

Ottawa, March 21.—Questions of radio policy, plans for additional coverage and the formulation of the much discussed exchange programs with the United States are subjects prominent on the agenda for the quarterly meeting of the governors of the Canadian Broadcasting Corp. which began here today.

An attempt will be made to provide for more high powered stations in the Maritime Provinces as well as in the prairie sections. The entire situation will be surveyed during the week. A Parliamentary committee will meet to examine the Dominion's radio policy and will call, among others, L. W. Brockington, chairman of the board of C.B.C.

Harmon Transradio Head in Washington

Frederick M. Harmon, one of the executive editors in Transradio's New York office, has been appointed bureau manager of the Transradio office in Washington. Harmon also will take over the responsibilities of southern news manager and supervise operations in Virginia, West Virginia, North Carolina, Georgia and Florida.

Transradio also has increased its personnel in Washington with the appointment of two additional staff members.

Radio Probe Details Not Lined Up Yet by Communications Board

Washington, March 21.—No plans have yet been made by the Federal Communications Commission for its investigation of chain stations, it was learned today.

Members of the commission have yet to get together on the procedure to be followed, among the points to be settled, according to the commissioners, being whether the study shall be conducted by the full commission or a committee, where and when hearings will be held, and whether the hearings shall be wide open or executive on the ground that information to be gathered might disclose data desired to be kept secret by the individual stations.

Some days will probably be required to iron out all the questions which must be settled before the probe can get under way, it was said.

McFarlane Predicts Television Control

(*Continued from page* 1)

three years, and another (introduced by Rep. Lawrence K. Connery (Dem. of Mass.), requiring the granting of licenses under patents brought within a single control by competitors to dominate an industry.

Explaining that his measure was designed to carry out the recommendation made by President Roosevelt in his message at the opening of the session that certain practices should be ended, including the "use of patents laws to enable larger corporations to maintain high prices and withhold from the public the advantages of the progress of science," McFarlane said the bill was based on disclosures during an investigation of patent pooling some time ago.

That investigation, he told the subcommittee, developed that the American Telephone & Telegraph Co. "through the patents they held almost dominated the sound motion picture equipment industry and now that television is coming on we find that the same group has apparently been able to control that field and we are wondering just where the stifling of our progress is going."

In order that the views of the Administration regarding the legislation may be ascertained, the sub-committee voted to send the measures to the Department of Justice for consideration by the Attorney General.

February Billings Total $6,435,320

Total combined billing figures for the three coast-to-coast networks, CBS, NBC and Mutual, for the month of February, amounted to $6,435,320.

The NBC February billings for Red and Blue networks amounted to $3,498,053, which compares to the February, 1937 total of $3,295,072.

CBS in February grossed $2,681,735, an excellent total for the month. For the corresponding month last year CBC billings amounted to $2,264,317.

Mutual's billings for the month amounted to $255,532, compared to the February, 1937 total of $232,287.

Two Join Central States

Lincoln, March 21.—Ray Schwartz has been named head of the service department at the Central States Broadcasting Co. here, and Paul Dodd has been appointed office manager. Both will function under the supervision of Edward Cunniff, newly appointed manager of the company.

Hearst Radio Unaffected

Joseph Connolly, president of King Features and president of Hearst Radio, Inc., said here yesterday that the appointment by Hearst of Clarence J. Shearn to reorganize the Hearst holdings would not affect the present setup of Hearst Radio, Inc.

Recessions Cannot Retard Industry, States Schenck

(*Continued from page* 1)

productions than during the previous year and resulted also in wage and salary increases in practically every phase of motion pictures, he said.

"Despite the mounting costs in the face of business recession generally, the industry feels that it must continue to progress, that it must continue to shoulder its responsibility," he continued.

Affording the public an insight into the part that the industry plays in the economic life of the nation, Schenck said that some 281,500 men and women in the United States are employed in motion pictures through distribution and theatre operation, and an additional 50,000 in Hollywood are engaged in production. The industry, he said, pays more than $100,000,000 annually in taxes. The 1937 payroll total for Hollywood alone was $91,000,000. The investment of the industry in the United States is $2,000,000,000; with the studio investment in Hollywood totaling $108,000,000.

Schenck pledged that in addition to contributing its share toward the national prosperity, the motion picture industry will continue to maintain the highest possible standard of entertainment.

"The industry must go forward, this year and in the years to come, to new achievement. It must continue to provide that very important element in national and international life—good motion pictures."

Rites Are Held Here For Arthur Samuels

Funeral services were held yesterday at 2 P.M. at Campbell's Funeral Church for Arthur H. Samuels, executive producer of WOR, who died Sunday morning at Doctors' Hospital after a short illness. He was 49 years old.

Samuels joined WOR in October of last year, following positions as editor of *Harper's Bazaar* and *House Beautiful* and managing editor of the *New Yorker.* He also wrote the music for the musical comedy, "Poppy."

Samuels was a member of the Dutch Treat, Coffee House and Cottage Clubs. He is survived by his widow, Vivian M. Samuels, and a sister, Mrs. Ruth Atkins.

Meeting of N.A.B. Board Is Postponed

Washington, March 21. — The meeting of the board of directors of the National Association of Broadcasters, which had been scheduled for today, was postponed indefinitely by Mark Ethredge, temporary chairman of the N. A. B. It had been expected that the conference would result in the naming of a salaried president for the broadcasters' organization.

The date of the next meeting will be determined by the executive committee. The board members have been asked to hold themselves in readiness "to a telegraphic call" from the committee.

Renew Jessel Show On Mutual Network

The George Jessel program, "30 Minutes in Hollywood," which is heard Sundays over the Mutual network, has been renewed for an additional 13 weeks, effective April 10. The program is carried coast-to-coast on a participation basis, with different sponsors in each city. The Redfield Johnstone agency handles the series.

WOR Is Sued Over Song

April Productions, Inc., filed suit in the U. S. District Court here yesterday against the Mutual Broadcasting System, Inc., operators of WOR, charging copyright infringement of the song, "Will You Remember?" from Sigmund Romberg's operetta, "Maytime." The song was allegedly broadcast by the station without permission Jan. 31. A permanent injunction against further alleged infringement and an accounting of the profits are sought.

To Air Stanley Cup

The Stanley Cup hockey playoffs will be broadcast exclusively over WMCA beginning tonight at 8:45 P. M., and continuing on the air until the conclusion of the game. The playoffs will be carried over WMCA for as many days as is required to determine the championship issue between the Rangers and the Americans. The broadcasts will be sponsored by the Strauss Auto Stores, Inc., with Jack Filman and Bert Lee at the mike.

KTUL Signs Orchestra

Tulsa, March 21.—An eight-piece orchestra under the direction of Wade Hamilton has been signed by KTUL.

KENT REMARKS FURTHER ON THE SYNOPSIS PROVISIONS OF THE NEELY BILL

LEADERS who take the responsibility for imposing the Neely Bill upon the industry and who have never produced a picture, and who have never written a scenario, cannot recognize the true facts of the situation which make the synopsis provision of the Bill unworkable. The Bill does not require just a general synopsis that could be written safely. A general synopsis giving the cast and general outline of the story would certainly not be enough. The synopsis would have to be of such detail and such character as to fully reveal what would be in the picture when finished. Nothing but a foot by foot description is called for, particularly in the portion of the section which requires "a statement describing the manner of treatment of dialogues concerning, and scenes depicting vice, crime or suggestive of sexual passion."

I have spent hours talking with the studio about the workability of this part of the Bill and they have informed me that it is absolutely impossible for them to give us such a synopsis under present producing conditions because changes are so necessary and so apparent and so vital for many different reasons, that a picture is never really set until it is finally cut and goes to the laboratory.

The studio informed me also that even if a picture is finished and completed, if the picture were handed to six different writers on the lot to make a synopsis of its action and story content, everyone of the six would come out different because no two men see the action in a motion picture exactly alike. That is a fact that cannot be disproved.

Any attempt to hold a studio for the sake of sales, to a synopsis made many months to a year ahead of production, would prevent a vast improvement in a motion picture and would prevent any changes in a motion picture that a studio thought proper.

Such a synopsis requirement could be defended as clear and workable only by persons who are inexperienced in the business who have a surface and superficial knowledge of the workings of the industry and who are attempting on the basis of theories to propound a Bill destructive in its consequences.

If changes were made in a picture that made it a better picture than the exhibitor had when he got an original synopsis, the lawyers advocating this Bill would not advise their clients to cancel such motion picture, but they are good enough lawyers to pick out plenty of points in a synopsis if they wanted to, to break the contracts, and that is what they have in mind. They hope to involve distributors in a mass of litigation based on these synopses to the point where distributors would be spending most of their time in court trying to avoid wholesale cancellations by proving that the synopsis which was made up months before is in conformity with the picture that was made afterwards. In addition there is a criminal penalty for any knowingly false statement in a synopsis. Besides the financial hardship imposed, there is blithely imposed a criminal penalty on the officials of each distributing company which may be invoked if their description might be held by a jury to have been knowingly erroneous.

I repeat that the Neely Bill is going to result in exhibitors of all classes being forced to buy their pictures one by one in the exchanges of the country. That is exactly what the result is going to be and those exhibitor leaders who are seeking to bring that result about will have to shoulder that responsibility when and if it happens.

SRKent

President,
20th Century-Fox
Film Corporation

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43. NO. 67 NEW YORK, WEDNESDAY, MARCH 23, 1938 TEN CENTS

Neely Bill Is Lambasted at O'Shea Lunch

Weisman and Nizer Lead Verbal Denunciation

Four hundred exhibitors and film men in the metropolitan area turned out yesterday at a testimonial lunheon at the Hotel Astor which offiially welcomed E. K. (Ted) O'Shea, ecently appointed M-G-M district manager, to the New York film raternity.

Milton C. Weisman, counsel to the . T. O. A., took the occasion to denounce the Neely-Pettingill bill and urged that trade disputes be kept within the industry. His attack later was given approval by Louis Nizer.

The affair was sponsored by the exhibitors in the metropolitan area. There were large delegations present from the I. T. O. A., Allied of New Jersey and Motion Picture Associates. Leo Brecher, circuit operator, was toastmaster.

Among those on the dais were Leon Rosenblatt, Rudy Sanders, Irving Dollinger, George Skouras, Sam Rinzler, Laurence Bolognino,

(Continued on page 8)

Mexico Distributors Resume Remittances

By JAMES LOCKHART

MEXICO CITY, March 22.—Remittances to the home offices have been resumed by American distributors here as a result of a partial return of operations in foreign exchange. The amounts received by branches here, however, have been decreased slightly because of the new peso rate of 4.15 to the dollar as compared with the former rate of 3.60 to the dollar. It is not known at this time what peso rate will be established finally.

Sales Drive of CBS Nets 6 New Clients

A sales drive at CBS during the past three weeks has netted six new clients for that network.

The Lambert Pharmaceutical Co. will transfer from NBC to CBS its current script series "Grand Central," beginning April 24. The program will be heard from 10 to 10:30 P. M. Lambert & Feasley is the agency.

"Joyce Jordan, Girl Interne," a

(Continued on page 12)

More Radio—P. 12

Narrators of Reels Fill in What Nazi Censors Sheared

Editors of the five newsreels utilized the narration of commentators in the footage on the Nazi coup in Austria in yesterday's releases in an attempt to present a true picture of the situation.

As a result of the strict supervision of camera work in Austria by Nazi authorities, and the pruning of negative by Nazi censors, the negative which arrived on the *Queen Mary* Monday morning was pro-Nazi.

The films showed cheering throngs "welcoming" the Nazi troops and later Hitler himself, with upraised arms and waving Nazi flags. The picture material was obviously one-sided in view of the newspaper stories previously read by newsreel patrons.

These newspaper stories had told of suicides, persecution of Jews, Catholics and others, the confiscation of property and the regimentation of the people of Austria.

The narrators supplied the lack. Lowell Thomas of Movietone News, Gene Marshall of Paramount, Jean Paul King of News of the Day, Graham MacNamee of Universal and James Clemenger of RKO Pathe News all tried hard to picture by voice what lay behind the scenes visible on the screen.

The importance of the subject matter was indicated by the fact that Paramount devoted its entire footage to the European situation, while the other four producers gave to it from one-third to one-half of the available footage.

Production Slumps With 27 Shooting

HOLLYWOOD, March 22.—Production dropped to the low figure of 27 features in work this week, compared to 30 last week. Eight were started, 10 were finished and one was suspended, and 16 are being prepared. Forty-one are being edited.

Those starting were: M-G-M, "Yellow Jack," and "The Toy Wife;" RKO, "Blind Alibi" and "Gun Law;" Republic, "Under Western Stars" and "Romance on the Run;" Universal,

(Continued on page 11)

Early Decisions on Censor Appeals Seen

ALBANY, March 22.—It is believed here that the Board of Regents will hand down decisions early next week on the appeals from the banning of "I Vant to Be Alone" and "Remous," but just what kind of action will be taken on "The Birth of a Baby" is not clear.

Newspapermen were admitted to the regents' hearing on the American Committee on Maternal Welfare plea

(Continued on page 11)

Mexico Producer in Suit Against W. B.

LOS ANGELES, March 22.—Miguel C. Torres, Mexican writer and producer, today filed suit for $1,000,000 charging plagiarism against Warner Bros. Pictures, Inc., in Federal Court and asked an injunction to prevent Warners from making a film based on Carlotta and Maximilian, ill-fated Mexican rulers. Torres said he produced a Mexican film titled "Juarez

(Continued on page 11)

Oklahoma May Get MPTOA Convention

OKLAHOMA CITY, March 22.—The M.P.T.O.A. national convention is expected to be designated for this city for late September or early October within the next few weeks, it was indicated here today.

A poll of M.P.T.O.A. directors being conducted by Morris Loewenstein, secretary of the national organization and president of the Oklahoma M.P.T.O.A., has elicited no unfavorable response to date, and a poll of

(Continued on page 11)

Allied of Illinois To Meet Tomorrow

CHICAGO, March 22.—Allied of Illinois will hold its annual meeting at the LaSalle Hotel here Thursday to elect new officers and plan for the coming year. The members are scheduled to clarify their attitude regarding double features, which involves the possibility of a suit against B. & K., provided the organization votes to raise a fund to defray legal

(Continued on page 11)

Monogram's Meeting Postponed to May 8

Monogram's annual sales convention, originally scheduled to be held April 21, 22 and 23, was postponed yesterday to May 8, 9 and 10. The convention will be held at the Netherland Plaza, Cincinnati.

The five remaining pictures on the company's current season's schedule will be placed in production within the next few weeks. They include two features and three westerns.

Majors Study Philadelphia Duals' Course

Have 90 Days in Which To File an Appeal

Major companies which were defendants in the Perelman double feature case in Philadelphia intend to study the mandate of the U. S. Circuit Court of Appeals before deciding whether an appeal will be taken to the U. S. Supreme Court. The appellate court held illegal the use of contractual clauses to ban double features.

Louis Phillips, counsel for Paramount, said that company is not dropping the double billing clause for the time being because certain legal phases have to complied with. He pointed out that the distributors have 90 days from the date of the decision in which to appeal to the Supreme Court. The appellate court's decision was given on March 10.

A spokesman for Warners said that the company is studying the matter and the legal department has not as yet conferred with the sales department on eliminating the anti-double feature clause from the contracts. This

(Continued on page 8)

Exchange Contract To Run for 2 Years

The master contract agreed upon to govern exchange unions in 31 distribution centers will run for two years, retroactive to last November and extending to Nov. 20, 1939.

The term of agreement was a major point in the discussions between the major distributors and the I.A.T.S.E. spokesmen. The distributors asked for a two-year pact while the union insisted on a one-year period. There was also a divergent opinion on

(Continued on page 11)

To Commons Monday

London, March 22.—Scheduled to receive its third or final reading in the House of Lords on Thursday, the Films Bill will be referred back to the House of Commons on Monday.

New consideration is necessary in the lower house of Parliament, in view of the changes made in the measure by the House of Lords.

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Warner Men Leaving For Product Talks

Discusions on next season's product program and sales plans will get under way at the Warner studio on the coast next week with the arrival of Gradwell L. Sears, general sales manager, and Carl Leserman, assistant to Sears. Both will leave Thursday with the eastern delegation which will attend the Ned E. Depinet dinner in Dallas on Saturday.

Mort Blumenstock, eastern director of advertising and publicity, and Sam Schneider, financial expert of the company, will leave for the coast today and will sit in at the conferences. The plans will be set with H. M. and Jack L. Warner, S. Charles Einfeld and Hal B. Wallis. Merchandising campaigns for the new product also will be decided.

Form Publicity Service

Joseph A. Durkin, for many years a New York reporter, and Leo A. Pollock, former editor of International Newsreel, publicity director of Cosmopolitan Productions and film editor of the *Evening Journal*, have formed New York News End Service here, a news gathering and publicity organization.

Start Third M-G-M Sales Meet Tomorrow

The third in a series of four sales meetings held by M-G-M to outline plans for the new season will get under way in Chicago tomorrow, to end Friday night. The sessions will be held at the Palmer House.

William F. Rodgers, Edward M. Saunders and E. W. Aaron of the home office are expected to arrive here Saturday night for the final conference which will start Sunday morning at the Hotel Astor and wind up Monday night.

The New York meeting will be attended by eastern and southern branch managers and district heads and the following additional home office executives: T. J. Connors, A. F. Cummings, Jay Gove, M. L. Simons, H. Postman, Charles Deesen, I. Hirsch, Howard Dietz, W. R. Ferguson, C. K. Stern, C. J. Sonin, J. S. McLeod, Arthur Lacks and Irving Helfont.

Bendix-Para. in Tieup

Paramount has arranged an exploitation tieup between its film, "College Swing," starring Jackie Coogan and Betty Grable, and the Bendix Home Appliances, Inc., manufacturers of the Bendix Home Laundry. Contests offering prizes of the company's products will be conducted during the showing of the picture, which will be released April 29. A description of the prizes will be given by Miss Grable as part of a one-minute trailer advertising the film.

Paramount and Bendix have combined to produce 2,000 special 24-sheets for billboard use and Bendix also will make available special five-color one-sheets for display by its dealers.

Para. Host to Writers

Approximately 40 aviation editors and writers have been invited by Paramount to participate in a four-day visit to. Hollywood, beginning March 31, coincident with the start of production on "Men With Wings" and the opening of the new TWA scenic route through Boulder City, Nev. The group will include writers from all sections of the country. They will visit centers of aviation interest on the coast as well as film locales.

"Broadcast" $28,000

The second week of "The Big Broadcast of 1938" plus Cab Calloway and his band on the stage gave the Paramount $28,000. The first week's take was $43,000. "Bluebeard's Eighth Wife" will start at the Paramount today, with Guy Lombardo and his orchestra.

Revive Omaha Censors

Omaha, March 22.—Revived after many years of inactivity, a city welfare board of two women and three men has been selected by Mayor Butler. The board's main work will be to censor films and stage shows, in addition to supervising taverns and other public entertainment.

To Borrow Myrna Loy

Hollywood, March 22.—Darryl F. Zanuck has reached an agreement with M-G-M so that he can borrow Myrna Loy for the stellar role in "Always Goodbye," to be directed by Allan Dwan.

Shirley Temple Wins English Libel Suit

London, March 22.—Shirley Temple has been awarded damages of £2,000 in a libel action settlement approved by Judge Lord Hewart in the King's Bench Division. The action was brought against the defunct magazine, *Night and Day*, its printers and publishers and Graham Greene, a critic.

Twentieth Century-Fox, also a plaintiff, already has been paid £1,500. The action concerned a criticism of the Temple film, "Wee Willie Winkie," by Greene, which was described by Judge Hewart as a "gross outrage." The defendants also apologized. The damage awards will be given to charity, it was said.

Sound Apparatus in Court Passes House

Washington, March 22.—A new field for sound apparatus may be opened in Federal Courts if the Senate acts favorably on a bill passed by the House today.

The measure provides for experimental recording apparatus in a District of Columbia court for the purpose of making a record of testimony at trials.

Warner Sales Shift

Ed Schnitzer, Warners' eastern district manager, has taken over supervision of the New York metropolitan exchange. Charles Rich, local branch manager, has been transferred to Buffalo in charge of the office there, replacing Ray Smith, who will remain with the company. The changes were announced by Roy Haines, eastern and Canadian sales manager.

20th-Fox Seeking Site

Chicago, March 22.—Plans for the new 20th Century-Fox exchange having been approved, negotiations for a site are now under way. Two locations, one at 13th and Wabash and another at 12th and Wabash, are being considered.

Henri Elman, who has the Capitol-Monogram exchange, is negotiating for a new location also.

Depinet Guest List Up

Dallas, March 22.—Daily additions to the list of those who will attend the testimonial dinner to Ned E. Depinet on March 26 are being received here by Karl Hoblitzelle and R. J. O'Donnell, sponsors of the event. J. J. Fitzgibbons of Toronto made reservations today, as did the following from New York: Arthur Lee, Hal Horne, Kay Kamen, Maurice Kann, Jay Emanuel, Charles Berns and Frank Buchanan.

M-G-M Buys 4 Stories

Hollywood, March 22.—M-G-M has purchased for film production "One Young American," by Frederick Hazlitt Brennan; "Fast Company," by Marco Page; "Enemy Territory," by Margaret Culkin Banning, and "Make a Play for Love," by A. K. Denny and Erwin Shapiro.

Selznick Signs Fowler

Hollywood, March 22.—Gene Fowler has been signed by David O. Selznick to write the screenplay for "The Earl of Oxford."

Purely Personal

JIMMY ZUKOR, six-year-old son of Eugene Zukor, and grandson of Adolph Zukor, is recuperating from an appendicitis operation performed at the Cedars of Lebanon Hospita the coast.

•

Samuel and Mrs. Goldwyn, Douglas and Mrs. Fairbanks, King and Mrs. Vidor, Hassard Short and Fanny Ward will sail today on the *Queen Mary*.

•

Sam D. Cocalis, circuit operator has recovered from an attack of bronchitis. He attended the Ted O'Shea luncheon yesterday.

•

Whitford Drake, Erpi president will sail on the *Queen Mary* today fo a six-week stay at the company' London office.

•

Mrs. Frances Webb, secretary t William Goetz, 20th Century-Fo vice-president, arrived in town yesterday.

•

M. L. Simons, editor of *The Distributor*, M-G-M house organ, is bac on the job after a siege in the hospital.

•

Leopold Friedman, Loew's genera counsel, is expected to return earl next week from Havana and Miami.

•

Jackie Cooper is due in town toda from the coast. He will start a personal appearance tour at Stamford.

•

Leon Fromkess, Monogram treasurer, returned to New York yesterday from a studio visit.

•

Ed Schnitzer, Warner eastern district manager, is due back today fro a tour of his district.

•

Frank Phelps of Warners is expected back today from Philadelphia.

•

Eddie and Mrs. Cantor have returned to the Sherry-Netherland.

•

Rochelle Hudson arrived yesterday by air from the coast.

Goodridge on Vacation

Denver, March 22.—Harry Goodridge, Ogden manager, is making a extended tour, including South America. Tom Ward, recently Hiawath manager, is subbing for him, and th Hiawatha management has been take over by Ralph Batschelet, who als manages the Bluebird. All are Fo houses.

Berle's Father Dead

Moe Berlinger, father of Milto Berle, is dead here at his home, 1 Central Park West. Funeral ser ices will be held in the Riversi Memorial Chapel following the arriv of the comedian who has canceled e gagements to attend.

Apfel Services Today

Hollywood, March 22.—Funer services for Oscar Apfel, veteran ac or and director, who died Monda will be held here tomorrow. Crem tion will follow.

"The Greatest Picture I have ever made

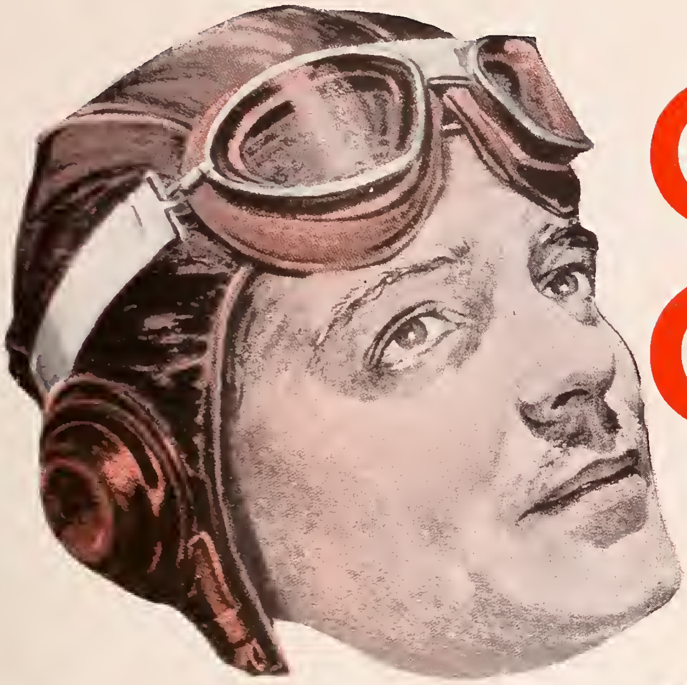
is

"TEST PILOT

and it will NOT be road-showed!

NATION-WIDE RELEASE

APRIL 22nd



CLARK GABLE

Better than "San Francisco"

Myrna LOY

Better than "After The Thin Man"

SPENCER TRACY

Better than "Captains Courageous" Academy Award winner

What are you going to do to get the greatest results from the year's greatest picture?

Clark Gable • Myrna Loy • Spencer Tracy

"TEST PILOT"—APRIL 22nd

Victor FLEMING's Production • with Lionel Barrymore • *Screen play by Vincent Lawrence and Waldemar Young • Original story by Frank Wead • Directed by Victor Fleming • Produced by Louis D. Lighton*

Produced by

—YOU KNOW!

Springfield Theatre Sale Is Authorized

The sale for $227,500 of the Art Theatre and Commercial Building, Springfield, Mass., to Harry C. Arthur, Jr., representing the Camelot Theatre Corp., was authorized in the U. S. District Court here yesterday by Circuit Judge Martin T. Manton. Milton C. Weisman, equity receiver [illegible] Fox Theatres Corp., applied for permission to make the sale.

Cartoon Suit Trial Dated

April 4 was set as the date for the trial of the copyright infringement suit brought by Paramount Productions, Inc., and Exclusive Movie Studios, Inc., against Benjamin Leder and Nathan Leder, doing business as the Leader Motion Picture Film Co. The complaint alleges that Exclusive holds the right for 8 mm. and 16 mm. reproduction of "Popeye" and "Betty Boop" cartoons. Unauthorized duping, sale and distribution of the films is alleged. The plaintiff seeks a permanent injunction and an accounting of the profits.

Seek Sally Rand Testimony

National Variety Artists, Inc., will request Justice Charles B. McLaughlin in N. Y. Supreme Court today for an order requiring Sally Rand to testify and assist NVA in preparing a complaint in a libel suit to be brought against the American Federation of Actors.

Louis Handin, NVA president, stated in his petition that Miss Rand had been requested to appear at a benefit performance at the Alvin Feb. 27. It is alleged that the AFA refused permission to Miss Rand in a letter which referred to the NVA as "a dual organization" and "of little consequence." According to Handin, it is necessary to have the letter produced before suit can be brought.

Warners Deny Revue Charge

Warner Bros. Pictures, Inc., and Vitagraph, Inc., yesterday filed their answers to the infringement suit brought by Hollywood Hotel Revue, Inc. in the U. S. District Court here. The complaint alleges that the plaintiff produced a stage presentation for film theatres under the name "Hollywood Hotel Revue" and that Warners' had appropriated the name for their film. The answer denies the charges and contends that the name belongs to the Campbell Soup Co., which uses the title for a radio program.

Pinky Tomlin Marries

Hollywood, March 22.—Pinky Tomlin was married here today to Joanne Alcorn. They will leave shortly for New York.

Will Rogers' Son to Wed

Hollywood, March 22.—Jimmy Rogers, 22, son of the late Will Rogers, will be married Saturday to Astrea Kemmler. Mary Rogers, sister of the bridegroom, will be maid of honor.

"U" Borrows McLaglen

Hollywood, March 22.—Universal today borrowed Victor McLaglen from 20th Century-Fox for the lead in "Hell's Kitchen" and set $400,000 as the budget for the film, double the original figure.

Hollywood Previews

"Night Spot"

(RKO)

Hollywood, March 22.—The police and criminals again come to grips in "Night Spot" and a love story is told. Although formula in conception and development, the film has several elements of novelty in the manner in which both melodrama and romance are developed and comedy included. None of the players possesses high ranking name value. They do, however, go about their work in an energetic manner and under the workmanlike direction of Christy Cabanne cause "Night Spot" to be a fair sustaining attraction.

In return for presenting an alibi that absolves him of a murder charge, Bradley Page permits Joan Woodbury to sing in his night club. The suspicious police place two rookie officers, Allan Lane and Gordon Jones, in the orchestra to keep an eye on Page. As Parkyakarkus furnishes comedy, romance develops between Lane and Miss Woodbury. Failure to prevent a robbery engineered by Page, forces Lane off the police job for a while. By convincing his superiors that through the girl he can trap Page, he is permitted to work in his own way. Eventually Lane manages to learn Page's plans, but as the crook's capture is effected, romantic complications set in when Miss Woodbury discovers that the supposed musician is a cop. He gets a promotion and a honeymoon.

Miss Woodbury's work in the film gives indication that she will shortly be ready for more important assignments. Lane, Page, Jones, Lee Patrick, Parkyakarkus and Joseph Crehan are adequate in their roles.

Anne Jordan wrote the original story which Lionel Houser adapted in the style common to such type scenarios. Cabanne's direction takes full advantage of the material available and the talents of the players.

Running time, 60 minutes. "G."

"A Trip to Paris"

(20th Century-Fox)

Hollywood, March 22.—Twentieth Century-Fox's successful series of homey comedies, "The Jones Family," is continued with "A Trip to Paris," in which the same characters are involved in new difficulties in a new locale. This time the "Joneses" go to Paris, meet up with a cousin living on the Left Bank, are entertained royally—at their own expense—and become innocently involved in an espionage plot.

The clean comedy which characterizes this series is deftly heightened in the screenplay by Robert Ellis and Helen Logan, who squeeze each situation dry of laughs. Mal St. Clair deftly paces the direction to give each of the cast his moments in the spotlight.

In addition to the "family" of Jed Prouty, Shirley Deane, Spring Byington, Russell Gleason, Ken Howell, George Ernest, June Carlson, Florence Roberts and Billy Mahan, who appear regularly in the series, the cast includes Marvin Stephens, Joan Valerie, Harold Huber, Nedda Harrigan, Leonid Kinskey, Armand Kaliz and Clay Clement. Kinskey, as a French hotel detective, does an outstanding bit of comedy portrayal. Max Golden was associate producer.

Prouty is forced to "save face" by taking his family to Paris on his silver wedding anniversary. Ken Howell becomes infatuated with a beautiful girl and innocently becomes an aide to a spy ring. His romance is shattered by her arrest, and that of her accomplices, but all ends well.

Running time, 64 minutes. "G."

"Mr. Moto's Diary"

(20th Century-Fox)

Hollywood, March 22.—Crammed with suspense and pushed to its denouement at a crisp pace, "Mr. Moto's Gamble," another in the 20th Century-Fox "Moto" series, perhaps will rank among the wider appealing melodramas of this type. It is based on a murder committed during a prizefight without any visible means. Peter Lorre heads the cast, supported by Keye Luke, Dick Baldwin, Lynn Bari, Douglas Fowley, Jayne Regan, Harold Hubler, Maxie Rosenbloom and George E. Stone.

Based on the character created by John P. Marquand, the original screenplay of Charles Belden and Jerry Cady provides for plenty of action, mostly in the fight ring. It had the preview audience swaying in the seats to the accompaniment of the landing blows. James Tinling directed. Humor is supplied mostly by Harold Hubler, Rosenbloom and Luke. John Stone was associate producer.

Lorre, instructor in a scientific criminology class, is called in to help solve the mystery of how a boxer died after his match on which large amounts of money had been wagered against him. When Lorre enters the case, suspicion points to a number of characters, complications with a gambling ring arise, attempts are made on Lorre's life, and the murderer is disclosed in the final three minutes.

Running time, 60 minutes. "G."

Hepburn Probes Into Ontario Admissions

Toronto, March 22.—An immediate investigation into the admission prices charged by theatres in Ontario has been ordered by Premier M. F. Hepburn because exhibitors had allegedly failed to keep their promise to pass on to the public the benefit of the cancellation of the amusements tax last June. This probe is to govern the action of the province with respect to the imposing of further new taxes, he declared. If it is found that exhibitors had not reduced prices to the extent of the former amusement impost, then the theatres will encounter substantial taxation of a different type, presumably in the form of increased license fees.

"The revenue from the amusements tax during the past year amounted to only $227,000, whereas, during the previous year, it was nearly $2,000,000," declared Premier Hepburn in his budget speech before the Ontario Legislature. "Before this tax was cancelled last June, I had a conference with the principal theatre owners of the province and received from them their solemn promise that, if we abolished the amusements tax, they would pass the benefit on to their patrons and, in no case, would they increase the price of admissions to their places of entertainment.

"Reports have reached me that this promise has not been honored."

J. J. Fitzgibbons, managing director of Famous Players Canadian Corp., says theatres will oppose any attempt to place an amusement tax on patrons.

Toronto to Tax Tickets

Toronto, March 22.—This city has decided to impose a local tax on theatre admissions in a move to bolster civic revenue in lieu of monetary grants from Federal and Provincial Governments for unemployment relief. The amount sought by the city in the first year from this new source is $400,000 and it will supplement other existing forms of municipal taxation such as annual license fees and property taxes as well as business levies, all of which are also to be increased, it is announced.

Sherwood for "Passage"

Hollywood, March 22.—Robert E. Sherwood has been engaged by M-G-M to make a screen adaptation of "Northwest Passage," current best seller of Kenneth Roberts. Sherwood has just finished the screen adaptation of his own play, "Idiot's Delight."

"Lord Jeff," Freddie Bartholomew starring vehicle, has been placed in production at the M-G-M studio.

Jackson Replaces Asher

London, March 22.—Jerry Jackson, for three years associate producer and assistant to Irving Asher has been appointed managing director at the Warner studio at Teddington, in charge of all Warner English production. He replaces Asher, who resigned last week.

Close Theatre Deal

Samuel Strausberg, operator of 30 theatres in Greater New York, has entered into partnership with Abraham Leff which involves the latter's six houses in the Bronx.

Neely Bill Is Lambasted at O'Shea Lunch

(*Continued from page 1*)

John J. O.Connor, Tom Connors, Harry Brandt, Walter Reade, Joseph Seider, David Bernstein, Clayton Bond and Robert Lynch of Philadelphia, as well as Weisman, Brecher and Nizer.

The Neely-Pettingill bill was considerable of a topic. Brecher started off the speaking by saying that "under the bill, they have to give you a synopsis and you read it, and if you don't like it you have to buy it anyway."

This was in lighter vein, as were some of the other talks.

Tom Connors, M-G-M division manager and O'Shea's superior, traced the new district manager's 19 years of service with the company, starting in Buffalo. He disclosed that O'Shea was not baptized "Ted," as he is known, but Edward Kelly John, and that while his initials are "E. K.," he is also "O. K."

Reade, on Giveaways

Walter Reade, facetiously, said that when O'Shea moved his family from Albany and took an apartment here, he got three months' free rent from the landlord, having been told that this was a custom here. He added that it is also a custom in New York when selling film contracts to give six months free rental, but as an afterthought said, "I don't know if that will go."

The first really serious note came with Weisman's talk. Saying he spoke not only as an attorney but also as an exhibitor, Weisman declared that "exhibitors in this district have never had to resort to legislation from outsiders, strike suits or bludgeoning."

Launching his attack on the Neely-Pettingill bill, he said: "We are now faced with a serious situation from brainstorming, crackpot, dopey legislation which has all signs of being ruinous to the industry. Unless we who are opposed to such measures get together to defeat it, we might be pushed into it by a vociferous minority which does not know what it is doing."

Legislators Criticised

He had more remarks to make about the "crackpots in Washington who are trying to put through this bill," and pleaded for maintenance of harmonious relations between exhibitors and distributors "without outside reformers to tell us how to run our specialized industry."

Also alluding to the disputed anti-block booking measure, Nizer said that "when legislation is not in accord with the facts, there is tragedy which exhibitors may well try to avert." Saying that he was restating three fundamentals that govern the business, he cited them as follows: 1. The natural conflict between buyer and seller is not inconsistent with the friendship that exists among them; 2. The industry is integrated so that when any part of the industry suffers, the entire organism is affected, the same rule applying conversely in times of prosperity; 3. The industry by its very nature has a public interest, "and we serve that interest better when we realize our obligation to each other."

Nizer took the word "flop" as a symbol of the industry's ills, saying the letters in the word represented "Federal legislation, overseating and price cutting."

Telegrams were read from William Scully, whom O'Shea succeeded as district manager and who now is Universal general sales manager, on business in Atlanta; P. T. Dana, Universal branch manager in Albany; Lewen Pizor, president of the U. M. P. T. O. of Philadelphia, who said he was prevented from attending by illness, and William F. Rodgers, M-G-M general sales manager, who sent a message from San Francisco, where he attended a regional sales meeting.

Harry Brandt presented O'Shea a scroll signed by those attending. O'Shea replied briefly. He said he considered the tribute not so much a personal one as one signifying the high regard in which those present hold his superiors, Rodgers and Connors, and he acknowledged their aid, as well as that of the late Felix F. Feist, general sales manager of M-G-M, in the progress he had made.

The Newsreel Parade

Movietone News

Vol. 20, No. 55

(*20th Century-Fox*)

The cameramen have done well in recording indelibly the most recent of Europe's significant occurrences. Hitler's usurpation of Austria is well pictured, as customs barriers are removed and Hitler's stolid, heavy-shod troops and machines pour across what was once an international border, and he himself is welcomed with hysterical cheers.

In other words, it is clear that the cameramen have taken precisely what they were permitted to record, and neither more nor less. It remained for editors here, preparing words for the narrator to deliver, to attempt in some small measure to present something of a true picture of what had transpired—and is transpiring—a story of blood and suicide, dictatorship and fear. The reels did what they could, and their work is of some historical significance, but they perforce present only half a picture—in pictures.

Fully half of the reel is devoted to scenes in Austria, then are shown the formation of a new French Cabinet by Leon Blum; the army of Franco starting its final "push" against the loyalist defenses in Spain; George of England visiting a munitions factory.

Strikingly mild and almost ludicrous by comparison are the closing scenes—of fashion parade of spring styles for brides, and a race of lifeboats in the surf on the Australian coast, which is entertaining. Running time, 10 mins.
A.

News of the Day

Vol. 9, No. 253

(*M-G-M*)

Approximately half of the footage of this number of the reel is devoted to a pictorial treatment of the events in Europe which have startled the world during the last fortnight. The opening, of course, is devoted to scenes depicting the Hitler Nazi coup in Austria, but with every indication that the cameramen were strictly supervised with respect to what they should take. All the Austrian footage is one long "howl" of acclaim for the Nazis, and only the narration, which is good, presents a true picture of what is happening in the hitherto free "nation" of Austria.

The careful editing which went into this European phase of the reel offers the president of Czechoslovakia in conversation with ex-President Hoover on a recent visit, the French Cabinet crisis, anti-Nazi riots halted by the police in London following the Austrian coup, George VI visiting a so-called "shadow factory" where implements of war are fashioned in secrecy and the opening drive of the insurgent "push" on loyalist Spain.

In sharp contrast to scenes of death and unrest are pictures of a feminine underwear show in Florida, California girls in bathing suits disporting themselves on the beach, Mrs. Roosevelt at the ground-breaking of the San Francisco exposition, and the sporting division, showing the Notre Dame football team in spring training and a steeplechase in England, with its quota of spills. Running time, 10 mins.
A.

Paramount News

Issue No. 66

(*Paramount*)

Paramount devotes this entire issue to Europe's disturbed state with the principal emphasis on the German coup in Austria, and it is an excellent job of editing with what is admittedly material chopped by Nazi military censors.

Maps are used to point up Gene Marshall's comment. Marshal Rydz-Smigly's mobilization in Poland before his ultimatum to Lithuania, shots of Spanish troops crossing open terrain, with comment on the German and Italian intervention there, crowds around Poremier Blum in Paris and members of the British cabinet arriving at 10 Downing St. are presented. This is a buildup for the Austrian material.

Von Schuschnigg's campaign before the plebiscite which Hitler stopped introduces the Viennese scenes. Troops arrive, crowds sing, Nazi banners are unfurled, Hitler rides at the head of a column of military automobiles. The commentator points out at the finish that the darker side of the event—anti-Semitic riots, arrests, suicides—was not photographed. Running time, 9 mins.
J.

RKO Pathe News

Vol. 9, No. 70

(*RKO*)

The Nazi invasion of Austria is the lead of this issue. With due regard for the censor's scissors the material has been given good editorial treatment. The narrative is strong stuff, describing behind-the-scenes angles to the story as the shots of troop movements, crowds and other accessories to the event are paraded on the screen.

The rest of the makeup utilizes an interesting assortment of events including the Eastern Intercollegiate Swimming League tournament at the Harvard pool, tornado wreckage in Illinois, a ski meet at Sun Valley, automobiles being blessed in Rome, fancy ice skating in Paris, Mrs. Roosevelt breaking ground with a tractor for the San Francisco exposition, candid shots of Richard Whitney at a grand larceny hearing, football practice at Notre Dame and dirt track automobile racing in California. Running time, 8 mins.
P.

Universal Newsreel

Vol. 10, No. 651

(*Universal*)

This issue delivers the goods. It opens with the Nazi invasion of Austria and in a secondary vein offers scenes of a Communist demonstration on Times Square protesting the coup. The Austrian scenes show troops arriving at various points on the border, the surface reaction of the people, the Nazification of Vienna and the arrival of Hitler. There are also portrait shots of the various political personalities involved.

The remainder of the reel offers a demonstration of non-skid tires, Venice, Cal., bathing girls indulging in a little snow fun on the beach; the circus giving its first performance at Sarasota, Fla.; the wreckage left by a tornado in Illinois, the St. Patrick's Day parade in New York, a lingerie show in Miami, the Notre Dame football team coming out for spring practice and Easiest Way dramatically winning the Cocoanut Grove purse at Coral Gables. Running time, 9½ mins.
P.

Majors Study Philadelphia Duals' Course

(*Continued from page 1*)

will be done when a copy of the decision is received, he said.

This spokesman said that the appeal in the Hoblitzelle-Interstate Circuit case at Dallas which is scheduled to come up in the U. S. Supreme Court next week probably will have no bearing on the Philadelphia action and that the companies are considering filing a writ of certiorari for a review of the Philadelphia decision.

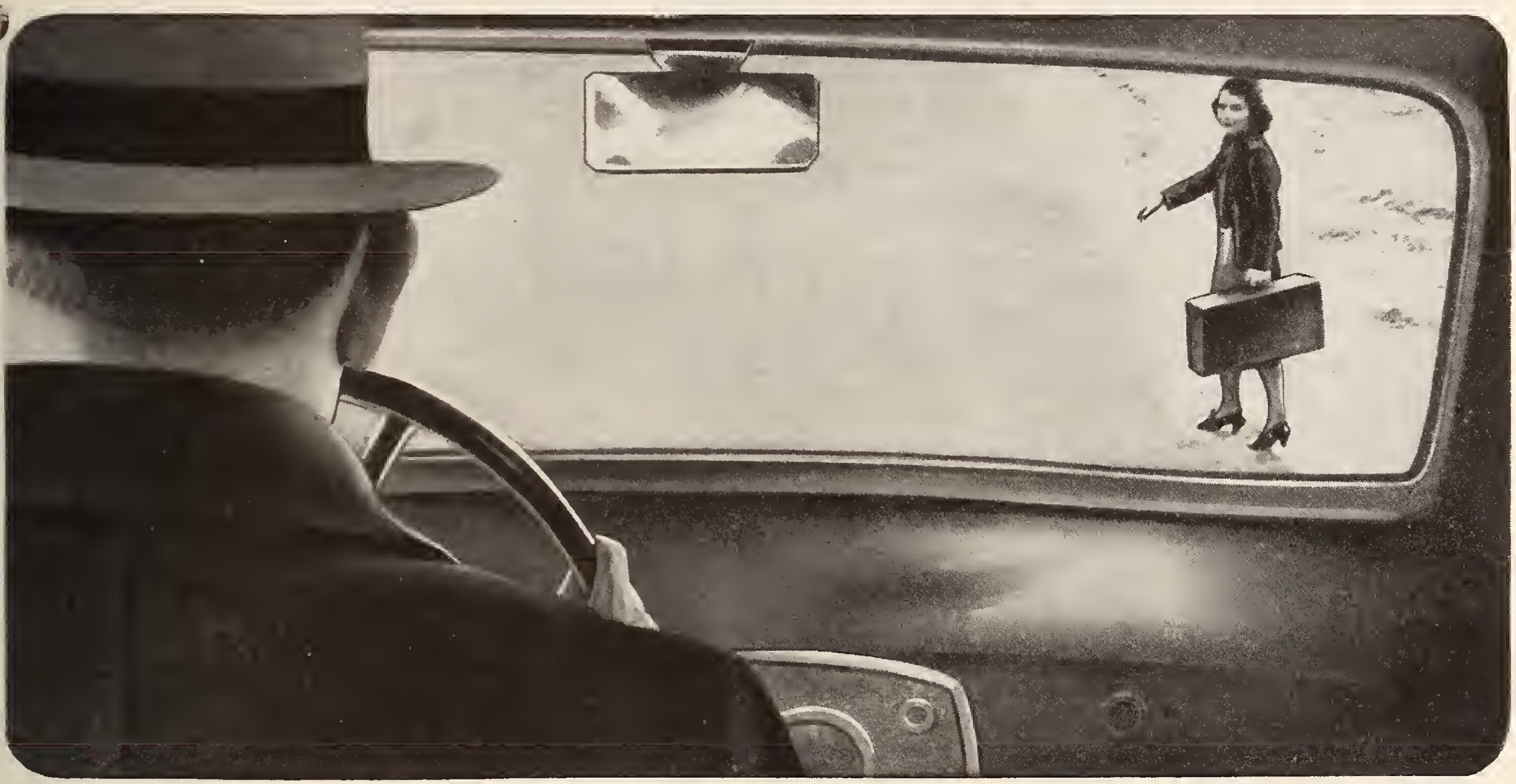
M-G-M, which was a defendant in the Philadelphia case, will not be affected by the court's prohibition because the company has not used the restrictive clause for the past two seasons, according to the legal department.

Not to Affect Procedure

In distributor circles it was indicated that the court decision will have little bearing on the companies' present methods of doing business in the Philadelphia area because a majority of the theatres do not play double features. Nat Levy, RKO district manager, estimated that 95 per cent of the Philadelphia theatres are single bill houses, with about five per cent of the subsequent runs having a double bill policy.

The Warner theatre department yesterday described as "ridiculous" reports from Philadelphia that the circuit plans to adopt a twin feature policy.

DON'T STOP!



SHE'S ONE OF THE

"TIP-OFF GIRLS"

See the sensational inside workings of America's newest, most daring big-time racket!

Paramount Pictures

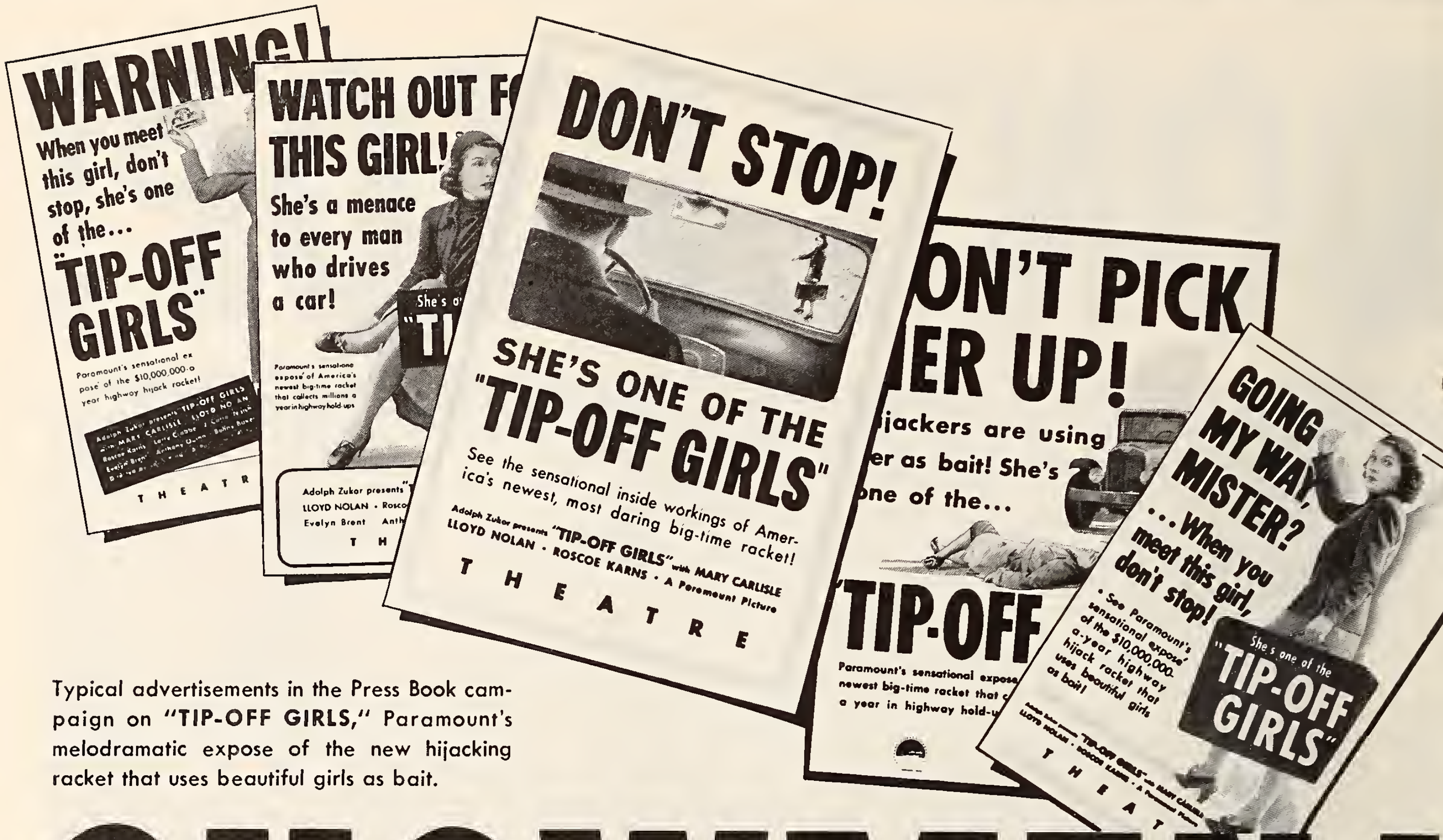
Adolph Zukor presents

"TIP-OFF GIRLS"

Mary Carlisle · Lloyd Nolan · Roscoe Karns

A Paramount Picture · Directed by Louis King

Original Screen Play by Maxwell Shane, Robert Yost and Stuart Anthony



WARNING! When you meet this girl, don't stop, she's one of the... "TIP-OFF GIRLS"

Paramount's sensational expose of the $10,000,000-a-year highway hijack racket!

WATCH OUT FO THIS GIRL! She's a menace to every man who drives a car!

DON'T STOP! SHE'S ONE OF THE "TIP-OFF GIRLS"

See the sensational inside workings of America's newest, most daring big-time racket!

Adolph Zukor presents "TIP-OFF GIRLS" with MARY CARLISLE LLOYD NOLAN · ROSCOE KARNS · A Paramount Picture

THEATRE

ON'T PICK ER UP! ijackers are using er as bait! She's one of the... "TIP-OFF

GOING MY WAY, MISTER? ...When you meet this girl, don't stop!

She's one of the "TIP-OFF GIRLS"

Typical advertisements in the Press Book campaign on "TIP-OFF GIRLS," Paramount's melodramatic expose of the new hijacking racket that uses beautiful girls as bait.

SHOWMEN!

Here's the tip-off on **"TIP-OFF GIRLS"**: "It's a sizzling hour of high explosive melodrama," writes *Motion Picture Herald*. It's a timely, thrilling expose of the new highway hijacking racket that's costing the country almost $36,000,000 a year... a racket so highly organized and so ruthless that the Federal authorities have declared war to the finish on these modern land pirates and their beautiful girl decoys. Liquors, furs, cigarets, hosiery—valuable merchandise of all sorts—falls tribute to the hijacker whose prey is the nation's transport industry that operates on 3,000,000 miles of paved road from the Canadian border to the Gulf of Mexico. Paramount has prepared an exciting Press Book campaign to help you SELL this timely surging melodrama of the highway. Take our tip and get behind **"TIP-OFF GIRLS."** ***It packs a terrific box-office wallop.***

Paramount Pictures

"Snow White" Gets 3rd Week In Pittsburgh

PITTSBURGH, March 22.—The bot- iell out of business here last week, everything but "Snow White and ie Seven Dwarfs," a holdover at the enn, nosediving. It grossed $18,500 nd was held a third week.

At the Stanley, "Gold Is Where ou Find It" and Jimmie Lunce- ord's band held up fairly well at 17,000 and "She's Got Everything" nd "Bulldog Drummond's Revenge" ere fair at the Warner, getting 4,600.

Total first run business was $47,250. verage is $45,000.

Estimated takings for the week nding March 17:

"START CHEERING" (Col.)

ALVIN—(2,000), 25c-50c, 7 days. **Gross:** 4,700. (Average, $6,500)

"THE BLACK DOLL" (Univ.)
"OUTSIDE OF PARADISE" (Republic)

FULTON—(1,750), 25c-40c, days. **Gross:** 2,750. (Average, $4,500)

"SNOW WHITE" (RKO)

PENN—(3,300), 25c-50c, 7 days, 2nd week. **Gross:** $18,500. (Average, $11,000)

"GOLD IS WHERE YOU FIND IT" (F.N.)

STANLEY—(3,600), 25c-60c, days. Stage: Jimmie Lunceford's band. Babe Matthews, Ralph Brown, Harris, Brown and Harris. **Gross:** $17,000. (Average, $18,000)

"SHE'S GOT EVERYTHING" (RKO)
"BULLDOG DRUMMOND'S REVENGE" (Para.)

WARNER — (2,000), 25c-40c, 7 days. **Gross:** $4,600. (Average, $5,000)

Mexico Producer in Suit Against W.B.

(*Continued from page 1*)

and Maximilian" in 1932 and released it in Spanish speaking countries. At present he is engaged in producing an English version here and charged that the Warner announcement of plans for a similar film hurt his chances of selling his product.

Shooting on the Torres' film was suspended by Torres two weeks ago due to lack of funds. Thirty-two technicians yesterday filed in Superior Court a suit against Torres and his company, Colonial Pictures Corp., for wages claimed due before shooting was suspended.

Wall Street

Many Off Heavily on Board

	Open	High	Low	Close	Net Change
Col.	11	11	10½	10½	— ½
Cons.	5⅞	6	5¾	5¾	.....
E. K.	146½	147	145	145	—3½
G. T. E....	9½	9½	9	9	—1⅛
Loew	43¾	43¾	41	41⅛	—2½
Para.	8	8	7½	7⅝	— ⅜
Para. 2 ...	8⅛	8⅛	8	8	— ¼
Pathe	4¾	4¾	4⅝	4⅝	— ⅛
RKO	2⅞	2⅞	2¾	2¾	— ¼
20th Fox ..	20	20	19⅛	19⅛	—1⅛
W. B.	4¾	4⅞	4⅝	4⅝	— ¼
W. B. pfd.	32	32	30	30	—3

Little Curb Action

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	—1/16
Monogram	1⅞	1⅞	1¾	1¾	— ⅛

Bonds Hold Levels

	High	Low	Close	Net Change
Loew 3½s '46.....	96½	96½	96½	— ¼
RKO 6s '41.......	61½	61½	61½	.....
W. B. 6s '39.....	67¼	67¼	67¼	.....

(Quotations at close of March 22)

Production Slumps With 27 Shooting

(*Continued from page 1*)

"Flaming Frontiers;" Warners, "Mr. Chump."

Finishing were: "Go Chase Yourself," and "Saint in New York," RKO; "Thunder in Alaska," Republic; "Kidnapped" and "The Battle of Broadway," 20th Century-Fox; "The Lady in the Morgue," Universal; "Crime School," "Secrets of an Actress," "White Banners" and "Gold Diggers in Paris," Warners. "Marie Antoinette" was suspended pending cutting of footage already shot and mapping of exterior scenes.

In addition to those starting features in work are:

"Holiday," Columbia; "Three Comrades," M-G-M; "You and Me," "Tropic Holiday," "Cocoanut Grove," "Crime Gives Orders" and "The Texans," Paramount; "Fighting Devil Dogs," Republic; "Alexander's Ragtime Band," "Kentucky Moonshine," "Josette," "Little Miss Broadway" and "Racing Blood," 20th Century-Fox; "Sinners in Paradise," Universal; "Four's a Crowd," "The Amazing Dr. Clitterhouse," "When Were You Born?" and "Boy Meets Girl," Warners.

Warners are shooting one short subject. Columbia started one and finished it within the week. M-G-M is preparing three, and a total of 12 is being edited.

Oklahoma May Get MPTOA Convention

(*Continued from page 1*)

directors of the state organization brought a unanimous response in favor of Oklahoma City as the convention place. The state organization's board will meet here as soon as the convention is awarded to this city in order to proceed with convention plans without delay. Ed Kuykendall, M.P. T.O.A. president, will meet with the local organization at that time.

Directors of the national organization who have approved this city for the convention place include Roy Walker, Sidney Lust, Ed G. Levy, L. C. Griffith and M. A. Lightman.

Await Utah Hearing Near End of April

SALT LAKE CITY, March 22.—A Supreme Court hearing on the legality of Bank Night, Buck Night, Ten-O-Win and similar games in Utah may be held the last of April.

The action was brought in January against 11 Utah theatres by the recently created Utah State Trade Commission which issued "cease and desist" orders after a hearing and agreed to pass the case up to the court for a decision.

The theatres involved are the Tower and Roxy, Salt Lake City; Ogden. Egyptian, Paramount, Lyceum and Colonial, Ogden, and the Roxy, Grand, Capitol and Lyric, Logan. Pending the decision the games are being continued.

Close Sheffield House

SHEFFIELD,, Ia., March 22.—K. A. Boek, operator of the Nu-Bee, which opened here early last October, has closed it for lack of patronage.

Exchange Contract To Run for 2 Years

(*Continued from page 1*)

whether the agreement should be retroactive or start on the date of signature. The I.A.T.S.E. opposed making the agreement retroactive, it is understood.

The contract is being drawn up by attorneys in legal form and will be ready for signing by ranking company executives and George E. Browne, president of the I.A.T.S.E., and other union officials, probably next week.

Extend "Ranger" Tieup

BOSTON, March 22.—Republic in New England has completed tieups on "The Lone Ranger" with additional stations of the Colonial Network. They are WLLH, WNBH, WRDO, WICC, WSAR and WLNH, together with WABY, Albany. Previous tieups were with WAAB and WEAN. The Republic serial is publicized free of charge on the air following the radio serial. In return, Republic is crediting the Colonial Network on the screen.

Two Titles Are Changed

HOLLYWOOD, March 22.—The title of Warners' "Mystery of Hunting's End" has been changed to "Mystery House." Dick Purcell, Ann Sheridan and Anne Nagel head the cast.

Universal has changed the title of "Halfway to Shanghai" to "Sinners in Paradise," and the title of "Don't Judge a Book" to "Men In Her Diary."

Early Decision on Censor Appeals Seen

(*Continued from page 1*)

for an appeal on "The Birth of a Baby"—banned by Director Irwin Esmond and Commissioner of Education Frank P. Graves. It has not been known whether the Board of Regents is considering the A. C. M. W. plea as an entirely new matter, or whether the appeal merely concerns upholding or reversing Dr. Graves' negative decision.

Some believe that if the committee's plea is considered as a new appeal the film might be re-submitted to Director Esmond.

Allied of Illinois To Meet Tomorrow

(*Continued from page 1*)

expenses. Aaron Saperstein is expected to be reelected president.

The effect of radio on theatre business is slated for discussion and possible action.

Officers of Allied stated that the organization is in a stronger condition today than at any time in its history. Members were said to number more than 100, including several important circuits.

Dickinson to Take Two

KANSAS CITY, March 22.—Glen W. Dickinson Theatres, Inc., will take over the Lee, Cherryvale, Kan., March 30. The 500-seat theatre has been operated by R. O. Lee. The circuit will take over the Karyl, operated by C. L. Hurdle at Milan, Mo., March 27. The Karyl is a 250-seat house.

I forgot to ask your name
Just call me "The Lady in Room 315"
Gilbert Bundy

ALEXANDER KORDA presents
MERLE
OBERON
in
The Divorce of Lady X
A COMEDY IN TECHNICOLOR
with LAURENCE OLIVIER
BINNIE BARNES • RALPH RICHARDSON • MORTON SELTEN
Directed by Tim Whelan • Released thru United Artists

Banner LINES

Draw your own conclusions from this little tale. The teams on the "True or False" quiz program the other evening were made up of radio editors versus girls of the Baltimore & Ohio Railroad. *Radio Guide* magazine, anxious to have the all-around winner, did not enter any of its New York office staff, but sent for Ken Purdy, the "bright boy" of its Philadelphia office.

Ken was eliminated.

One sure-thing bettor, however, fared well. Ken Lyons, the press agent, bet two bits on Aaron Stein, giving Dave Alber, another "p. a.," the choice of the field. Stein won the contest hands-down, and Lyons collected.

▼

Ben Bernie arrived at a meeting of the National Association of Performing Artists the other day, looked about and noticed Dr. Damrosch and Dr. Fritz Reiner among those present. "Well, there are two among us who can read music," he cracked. Those at the meeting included Paul Whiteman, Phil Spitalny, George Olsen, Xavier Cugat, Don Voorhees, Benny Goodman and other bandleaders of that calibre.

▼

It happened over WABC the other day on the Modern Age Book program. Subject of the talk on this particular program was a discussion of the book "Tickets to Fortune," a tome which gives the lowdown on the meagre chances the average participant has of winning a prize in a contest or raffle.

Having painted for the listeners a sufficiently discouraging picture as to what they are up against in entering a contest, the commentator concluded by offering 50 copies of the book to the listeners writing the best letter on the subject which was covered in the book.

▼

Phil Cook, whose "Morning Almanac" program is heard over CBS at the unseemly hour of 7 A. M., asked for and got the 6:30 to 7 P. M. Sunday spot on the network which the Wrigley Co. is giving up. Phil will take over his new period this Sunday.

Thereupon Phil asked if the network wouldn't give him a playhouse from which to broadcast. He was told to prove that he could muster an audience sufficiently large to warrant giving him a theatre. Last Thursday on his 7 A. M. spot, Phil began to ask his listeners if they would like to see him broadcast. By 2 P. M. the very same day the mail count was 654, and the first mail the following morning brought the total to 5,881 letters. The response as of yesterday was not quite 9,000 letters, and Phil has been told he can have the theatre.

—Jack Banner

LEO SAYS:
WHN's United Press News Flashes are a magnet for sales!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

Sales Drive of CBS Nets 6 New Clients

(Continued from page 1)

script series, will be heard over CBS Mondays through Fridays from 9:30 to 9:45 A. M. for McKesson & Robbins Co., through Brown & Tarcher.

The other new clients and their programs are Griffin Shoe Polish Co., show starting April 19 with Hal Kemp's orchestra; Household Finance Co. "It Can Be Done" script series, starting April 6; the "Popeye" show for the Popsicle Co., starting May 2, and the Brewers Association program featuring Lou Holtz and Dick Himber, now current on the network.

Deny Broadcast Charge

A general denial was filed by WBO Broadcasting Corp., operators of WNEW, and Elin, Inc., in the U. S. District Court here yesterday, in answer to the suit brought against them and Paul Whiteman by the RCA Mfg. Co., Inc.

The complaint charges that WNEW broadcast recordings of Whiteman's music without permission, and seeks a decree that the plaintiff has exclusive right to issue licenses for broadcast purposes. Whiteman has filed a counterclaim in which he contends that the recording agreement did not include broadcast rights. WBO's answer alleges that permission for the broadcast was obtained from Ascap.

Ad Class at Broadcasts

Chicago, March 22.—Chicago network advertisers have invited to their shows the 50 members of the new radio advertising class of the Chicago Federated Advertising Club. "It Can Be Done" and "A Tale of Today" have taken the lead. Marvin Harms of Young & Rubicam is chairman of the class, which has a different speaker from Chicago radio and advertising every Thursday night for six weeks.

Rodzinski Will Conduct

Dr. Arthur Rodzinski, conductor of the Cleveland orchestra and drillmaster of the NBC symphony orchestra which he conducted in three broadcasts preceding the Toscanini series, will return as guest conductor of the NBC symphony in three more broadcasts, beginning April 2.

Closes WHN Contract

Madison Personal Loan Co. of New York has entered into a contract with WHN for 52 weeks beginning April 11. The programs, 15 minutes each, will be heard three times weekly. The Klinger advertising agency placed the business.

◂ Radio Personals ▸

BILL McGRATH, production manager at WNEW, is the father of a baby girl. . . Al Pearce is on another cross-country dash, having left New York last night for a two-week personal appearance tour to Kansas City and St. Louis. . . Kathryn Cravens has been judged the best dressed woman in radio by the Fashion Academy. . . Blue Barron has been renewed for another 13 weeks at the Edison from where he is heard over NBC. . . Anne Shirley will be the guest player on the Tyrone Power Woodbury show Sunday. . . Olivia de Havilland will be the guest on the Chase & Sanborn hour Sunday. . . Barbara Stanwyck will make her third appearance of the season in the Lux "Radio Theatre" April 4 when she stars in "Dark Victory." . . Dorothy Mackaill and possibly Errol Flynn will be in the Kraft "Music Hall" tomorrow night.

✠

San Francisco

Jack Meakin, well known NBC conductor and originator of "Bughouse Rhythm," has resigned from the KPO-KGO staff. Meakin will direct the band on Tom Breneman's "Secret Ambition" variety show, a Sunday night CBS coast network feature. . . Maestro Henry King of KSFO will fly to New York early in April to join Mrs. King. . . William Wood of Stanford has joined the KLS announcing staff. . . Jack Van Nostrand, son of Superior Judge Van Nostrand, has left for New York to produce the Fred Allen show. . . Dance engagements for Joe Sanders and Roger Pryor here have been extended. . . Milly Bennett, former local newspaperwoman, just back from seven years in China, Russia, and Spain, is broadcasting a series of lectures of foreign political conditions over KGO.

Miss Durbin to Quit Air

Deanna Durbin will terminate her air appearances with Eddie Cantor at the end of this month. Following her final apeparance with Cantor March 25, she will return to Hollywood to work on a new Universal picture. Plans are in progress for a new radio program for her.

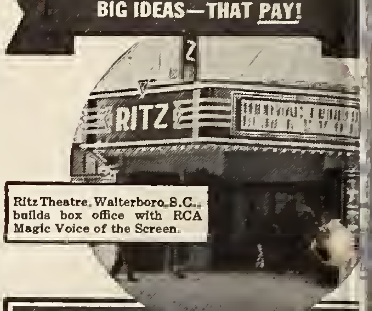
Parker on "Hotel" Show

Frank Parker has been signed for the "Hollywood Hotel" program and will leave this week for the coast. Signed for three years, Parker will replace Jerry Cooper beginning April 1.

Bandits "Air-Trapped"

Okmulgee, Okla., March 22.—When KHBG here was asked to give frequent news bulletins and assist police officials in pursuing two bandits who robbed the Bank of Paoli, Okla., recently, the station complied, dropping all commercial programs, and devoted three hours and a half to this service, according to T. R. Putnam, station manager.

The bandits had taken the cashier and his wife as hostages in the direction of Okmulgee. Other stations in the territory also gave frequent news bulletins to aid the police and to warn the public. The bandits finally were forced to release their hostages when a farmer and his son who had heard the radio broadcasts went out gunning for them.



AN INTIMATE THEATRE WITH BIG IDEAS—THAT PAY!

Ritz Theatre, Walterboro, S.C., builds box office with RCA Magic Voice of the Screen.

LET RCA Magic Voice of the Screen PAY YOU DIVIDENDS!

Big theatre or intimate—it's no matter! This equipment i built for both—at a price you can afford!

WITH SOUND such an important factor to your "takes"—why wait! Install RCA Photophone Magic Voice of the Screen *now!* It makes every picture sound better—and better sound means better box office

RCA Photophone is used by many Hollywood studios for recording—by over 5,000 theatres for reproduction—*proof* of it superiority.

Available to theatres of any and all sizes—at prices to sui your budget—RCA Photophon Magic Voice of the Screen wil pay you big dividends!

RCA THEATRE SERVICE INSURES THE NATION'S BOX OFFICE

Only RCA offers these advantages—Highl trained Sound Engineers backed by th world's largest sound research and manu facturing organization...Continual inspec tion maintaining high quality reproductio for bigger "takes"... Speedy—24-hou emergency service... Complete emergenc sound systems—always in readiness.. Complete maintenance—"NO EXTRAS ... Broadest insurance available... Th most efficient and complete theatre soun service—at the lowest cost.

Better sound means better Box Office—an RCA Tubes mean better sound

ONLY RCA OFFERS THESE 10 PROOF OF SUPERIORITY

Rotary Stabilizer... Cellular Speakers.. Simple Operation... Economical Opera tion... Push-Pull Adaptability... Hig Fidelity Reproduction... Simple Installa tion...Accessibility...Easy Payment Plan.. Low-Cost Maintenance—Liberal Servic

RCA MAGIC VOICE OF THE SCREEN

Photophone

THE MAGIC VOICE OF THE SCREEN
RCA Mfg. Co., Inc. • Camden, N. J.
A Service of the Radio Corp. of America

DO NOT REMO

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 68 NEW YORK, THURSDAY, MARCH 24, 1938 TEN CENTS

.C.C. Starts Vide Probe of Air Financing

Report to Be Obtained From Every Station

By BERTRAM F. LINZ

WASHINGTON, March 23.—A na- onwide investigation of the financial osition of broadcasting stations was stituted today by the Federal Com- unications Commission with an rder to its accounting division to ob- in a complete financial report from ery broadcaster.

A questionnaire, as simple as pos- ble under the circumstances, will be ent to all station operators, in which ney are to report details of the financ- g of their stations and financial re- ılts of operations, a complete break- own of expense items being called or so that the commission may deter- ine the relative importance of vari- us types of costs.

A separate questionnaire will be ent to the networks, it is understood,

(Continued on page 8)

W2XE Expands Its Short Wave Program

W2XE, the CBS international sta- ion, has enlarged its program of short vave broadcasts to Latin American ountries, effective immediately, and as added a new commentator to its panish speaking staff.

Americo Lugo-Romero is the new V2XE commentator. He will be on the aturday and Sunday 6:45 to 7 P.M. ews programs which have been added o the W2XE schedule.

NBC Adds Montana Station to Network

Further improvement in coverage of he North Mountain states has been chieved by NBC with the addition f another new station to the network, KPFA in Helena, Mont., effective im- mediately.

NBC recently added KSEI, Poca- ello, and KTFI, Twin Falls, Idaho, as bonus stations to users of the North Mountain Group as a unit. KPFA is owned by the Peoples Forum of the Air, and operates full ime with a daytime power of 250 watts and a night power of 100 watts. It will be offered as a bonus outlet

(Continued on page 8)

More Radio—P. 8

It Was 23 Years Ago

Albany, March 23.—The Constitutional Convention, to convene here April 5, unquestionably will be called upon to deliberate resolutions affecting the film business. That the last New York State Constitutional Convention gave consideration to film censorship, however, is not generally known—or remembered.

Held in the spring and summer of 1915, New York's last Constitutional Convention considered 725 proposals, many of which were amended. One of the resolutions introduced was by Delegate Mark Eisner of New York City, whose bill provided for "amending Section 8, Article 1, by prohibiting the censorship of motion pictures by providing that no law shall be passed to restrain or abridge the liberty of the motion picture screen."

Blumberg to Be Named as Member Of MPPDA Board

Nate J. Blumberg, Universal president, is scheduled to be elected to the board of directors of the M. P. P. D. A. at the organization's next annual election. Blumberg will replace R. H. Cochrane, former president of Universal, who represented the company on the Hays organization board for many years.

The annual meeting of the M. P. P. D. A. board is scheduled for Monday, but there is a possibility that the election may be postponed to a later date due to the absence from New York of many company heads who are members of the board. Company heads who are now out of town include Leo Spitz, RKO; E. B. Hatrick, Cosmopolitan; Cecil B. DeMille; Sidney R. Kent, 20th Century-Fox; Sol Lesser, Principal; Nicholas M. Schenck, Loew's; H. M. Warner, Warners; Jack Cohn, Columbia, and Blumberg.

All officers of the association are expected to be reelected. They are Will H. Hays, president; Carl Milliken, secretary; Frederick L. Herron, treasurer, and George Borthwick, assistant treasurer.

Agreement Near on Code for Theatres

The chances for adoption of a basic agreement to stabilize Broadway legitimate production conditions next season, and for the enactment of a code of fair practices to eliminate ticket speculation were "measurably improved" at a luncheon conference at the Astor yesterday participated in by a committee of producing managers and the executive committee of Actors Equity council, it was stated by Brock Pemberton and Burgess Meredith, spokesmen for the two groups.

In answer to a petition from the

(Continued on page 7)

Twenty Scheduled As U.A. Minimum, Asserts Schaefer

United Artists has scheduled a minimum of 20 features for release during 1938-'39, it was said yesterday by George J. Schaefer, vice-president and general manager of United Artists. So far this season the company has delivered 25.

Schaefer said that the product lineup would be as follows: Samuel Goldwyn, five; Walter Wanger, five; Alexander Korda, five; Edward Small, three, David O. Selznick, two. As is usually the case with U. A., there is the possibility that the total will be increased by product from outside producers.

Before sailing for England yesterday, Goldwyn said that he planned six films for next season, which would increase U. A.'s schedule to 21.

Douglas Fairbanks said he had no plans for production. Mary Pickford does not intend to reenter production, but she may change her mind, Schaefer said. U. A. does not look for a picture from Charles Chaplin for next season, although he is thinking about one, which would be his first

(Continued on page 7)

Tax Collections Gain in February

WASHINGTON, March 23.—Admission tax collections in February totaled $1,659,641, an increase of $306,000 over the $1,353,415 collected in January and about $186,000 over the February, 1937, receipts of $1,473,353, it was reported today by the Internal Revenue Bureau.

The monthly statement of the bureau showed that for the first seven months of the fiscal year ending with February, collections from admissions were $1,268,000 ahead of a year ago, amounting to $14,467,073 as against

(Continued on page 7)

Selznick Buy Of U.A. Off, Says Goldwyn

Silent About Purpose of His Visit to Korda

"All negotiations with David Selznick are off and I don't know whether he will stay with United Artists," said Samuel Goldwyn before sailing for England yesterday on the *Queen Mary*. Goldwyn's reference was to negotiations which had been under way for weeks in Hollywood which contemplated that Selznick International would purchase an interest in the company and become a participating partner.

Goldwyn declared that the United Artists setup would consist of "the same partners" and denied that there was any deal on with Alexander Korda for the acquisition of the partnership stock interest held by Charles Chaplin, Douglas Fairbanks and Mary Pickford.

He was vague, however, as to the purpose of his trip, other than declaring that he was going for discussion of certain matters with the head of London Films. David Rose, vice-president of Samuel Goldwyn, Inc.,

(Continued on page 7)

Theatre Builder in L. A. Anti-Trust Suit

LOS ANGELES, March 23.—Charging violation of the Clayton anti-trust law, Laurel Theatre, Inc., today filed a suit demanding $300,000 damages from Fox West Coast, Wesco Corp., National Theatre Corp., Chase National Bank, Loew's, Inc., and six major production companies.

The plaintiff company, engaged in the construction of a theatre at Ventura and Laurel Canyon Boulevards, alleged in the Federal Court action that the defendants conspired to con-

(Continued on page 7)

Pledge $15,000 Fund In Palestine Drive

Pledges totaling about $15,000 were made for the United Palestine Appeal at a luncheon meeting of the amusement division of the charitable drive held at the Hotel Astor yesterday. Prominent persons in the film industry and the legitimate theatre field were present. The guest of honor was Dr. Abba Hillel Silver of Cleveland, president of the national drive.

Louis Nizer, who presided as co-chairman with Leo Spitz, introduced

(Continued on page 7)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Depinet Party Gets Three Special Cars

Three special compartment cars will carry a party of approximately 50 to the Ned E. Depinet 30th anniversary dinner Saturday at the Hotel Baker in Dallas. The train will leave Grand Central tonight at 8 P. M. and will pick up additional passengers along the route.

Those attending the dinner from the coast will leave by air on Friday night. Ned and Mrs. Depinet will arrive in Dallas tomorrow. Karl Hoblitzelle and Robert J. O'Donnell have engaged Phil Levan's orchestra for the banquet. A floor show is being arranged by Norman Steppe. Gov. James V. Allred of Texas will present Depinet with a scroll making him Commissioner of Texas for the New York World's Fair.

Among the latest reservations are: Arthur Lee, Harry Gittleson, Irving Mills, John O'Connor, Harry Michalson, Red Kann, Jay Emanuel, Chick Lewis, James P. Cunningham of *Motion Picture Herald,* Hal Horne, Charles Berns, Frank Buchanan, Horace Falls, J. J. Fitzgibbons, Jack Oakie, Kay Kamen, Charles Papne and Charles Paine. Bobby Breen is expected to leave on the same train.

◂ *Purely Personal* ▸

SPYROS SKOURAS said goodbye to SAMUEL GOLDWYN, DOUGLAS FAIRBANKS, DAVID ROSE and party on the *Queen Mary* yesterday before the boat sailed for England. C. AUBREY SMITH, actor, was a passenger, headed for a vacation in his native land.

●

J. DON ALEXANDER, president of Alexander Film Co., will sail tomorrow on a 17-dav cruise to the Caribbean and South America. MRS. ALEXANDER and young son arrived this week from Colorado Springs to accompany him.

●

JACK COHN is expected back from Bermuda early next week. ABE MONTAGUE, who is vacationing there also, will be away for another three weeks. NATE SPINGOLD will be in Florida for another week or 10 days.

●

HARVEY DAY, SR., left yesterday on a business trip to midwestern exchange centers which will end in Kansas City next Friday, where he will attend the 20th Century-Fox sales meeting.

●

C. C. MOSKOWITZ of Loew's will leave tomorrow for a three-week vacation at Hollywood Beach, Fla. He will be accompanied by ALEX J. MORRISON, golf pro, and MACK SCHORR.

●

ED KUYKENDALL, M. P. T. O. A., president, is entering his second month on the Washington front where he is observing legislative moves affecting the industry.

●

PAUL and MRS. MUNI will arrive on the *President Roosevelt* on Saturday from an extended European tour. They plan to leave immediately for the coast.

●

HAROLD RODNER of Warners has returned from Saranac Lake and has gone to Philadelphia. He may be back today or tomorrow.

●

MARGOT GRAHAM is in from the coast and is staying at the Waldorf.

KING VIDOR, M-G-M director, for the second time has canceled his sailing to England. He was due to leave last Friday on the *Ile de France,* but changed his plans. He cancelled again yesterday on the *Queen Mary.* He is due to direct "Citadel" in London.

●

LARRY GOLOB of the Warner home office publicity department left yesterday on a business trip to Boston. He will return over the weekend.

●

ROSEMARY LANE, having finished her work in Warners' "Gold Diggers in Paris," will arrive here next Monday for a vacation of three weeks.

●

RUDY VALLEE is due in New York today. He made the trip from the coast by automobile.

●

M. P. COYLE, slidefilm scenario writer, has been transferred to the editorial contact staff of the Jam Handy organization.

●

THEODORE A. SHAW, assistant to WILLIAM C. GEHRING at 20th Century-Fox, will return tomorrow from a trip to the Montreal and Toronto exchanges.

●

ED MCAVOY of RKO will leave tomorrow via American Airlines for Dallas to attend the NED E. DEPINET dinner.

●

CHARLES WORKMAN of the Rialto managerial staff has returned to work after an illness.

●

. . . *Omaha*

ERNEST EPLEY, injured in an auto crash five months ago, is now out of the hospital.

FRED HORN is expected home soon after undergoing an operation at the Mayo Hospital at Rochester, Minn.

RALPH GOLDBERG, Omaha circuit owner, is back after a vacation trip to California.

BILL FOLEY had an operation on his eye.

Dallas Case Hearing Unlikely Next Week

The prospects of the distributors' appeal from the Dallas Federal Court decision in the Interstate Circuit anti-trust case being heard by the U. S. Supreme Court next week were dimmed yesterday when George Wright, attorney for the distributors, was informed that a hearing date would not be set until next Wednesday. Wright will apply to the clerk of the court on that day for the hearing assignment which, ordinarily, is set for three days to a week thereafter. Wright is now in Dallas.

The distributors' appeal seeks to have set aside the Dallas Federal Court's finding of conspiracy in the making of contracts regulating subsequent run admissions and double featuring. Pending the outcome of the appeal, the distributors will not move for a review by the high court of the recent Philadelphia Federal Circuit Court of Appeals decision upholding a lower court finding that distributors conspired in the writing of contracts which prohibited double featuring in the Philadelphia territory.

Report Ad Reels in 250 ITOA Theatres

Two hundred and fifty member theatres of the I.T.O.A. are now running short-length advertising films in a deal with Alexander Film Co. which is now in its third year. J. Don Alexander, head of the company, recently was invited to address a meeting of the organization and was given the assurance that the tieup would continue for another year. Alexander has similar arrangements with exhibitor organizations throughout the country.

More Talent for Ampa

Irene Dunne, Mrs. Lela Rogers, mother of Ginger Rogers and head of RKO's talent school, and Joy Hodges of "I'd Rather Be Right" have been added to the scheduled program for the Ampa luncheon at the International Casino today. Earle McGill, head of the CBS casting department and formerly with film companies, will speak on "Radio and Motion Pictures." Signora Claudia Volta of the Italian opera will sing.

Units Fail to Set Grading Agreement

By AUBREY FLANAGAN

LONDON, March 23.—The Cinematograph Exhibitors' Association and the Kinematograph Renters' Society (distributors) were no closer to an agreement on the problem of grading films today after a joint meeting on the matter than they had been before the session. The meeting was adjou[illegible] with no headway having been n[illegible]e, the K.R.S. committee agreeing to place the views of the C.E.A. before all the members of the distributor organization.

The distributors presented a plan under which all films would pass a distribution-controlled clearing house and the K.R.S. would decide on the category of each film. The exhibitors declare they are not implacably opposed to the K.R.S. claim to the right to classify product, but refused to consider that the distributors have any right to assess values of individual pictures, claiming that to be a matter solely between seller and buyer.

The exhibitors demanded the separation of the problem into two parts one designed to curtail overlong programs and the other designed to regulate rentals. The K.R.S. will mee again tomorrow and will hold another joint session with the C.E.A representatives next Wednesday.

Cowdin Sees Drake Off

J. Cheever Cowdin, chairman of the board of Universal, had intended t sail for England on the *Queen Mar* yesterday, but canceled his reservation

Cowdin conferred for some time o the boat with Whitford Drake, president of Erpi, who was a passenger

Drake in London will temporaril handle the duties of William A. Bach managing director of Western Electric Co., Ltd., who is ill.

ITOA Special Meeting

Arrangements for the I. T. O. A annual ball at the Hotel Astor, Apri 2 will be discussed at a membershi meeting at the hotel tomorrow afternoon. Awards to the "king an queen" of the screen will be made a the affair, in conjunction with a pol being conducted by metropolitan theatres in a tieup with the *Daily Mirror*

20th-Fox Board to Meet

The 20th Century-Fox board of directors will hold an adjourned meetin this afternoon to approve the annua report to stockholders. The financia statement for the last fiscal year als will be submitted. The stockholders annual meeting is scheduled for Apri 19 when all present directors ar slated to be reelected.

Consolidated to Elect

Reelection of two directors to th board of Consolidated Film Industrie and other routine business is schedule for the annual stockholders' meetin to be held at 11 A.M. today. Th directors will meet some time nex month to reelect the present officer for another year.

Restore Theatre Name

The Cinema de Paris has been renamed the Fifth Avenue Playhous the name it had when it was opene in 1926. Foreign product will continue to be shown at the house.

MOVING INTO RADIO CITY TODAY!

CAROLE
Lombard
and
FERNAND
Gravet
in
"Fools For Scandal"
with
RALPH BELLAMY

ALLEN JENKINS • ISABEL JEANS • MARIE WILSON
MARCIA RALSTON • A MERVYN LeROY PRODUCTION
Screen play by Herbert Fields and Joseph Fields • Additional Dialogue by Irv Brecher • From the Play, "Return Engagement," by Nancy Hamilton, James Shute and Rosemary Casey • A First National Picture

With words and Music by Rodgers and Hart!
"HOW CAN YOU FORGET"...."THERE'S A BOY IN HARLEM'

It's Carolossal!

It's from Warner Bros.!

It's the show the Music Hall picked as big enough to follow 'Jezebel'!

Australian Circuits Complete Film Deals

By CLIFF HOLT

SYDNEY, March 4 (*By Air Mail via London*).—Australia's major circuits, Hoyts and Greater Union, now virtually have completed negotiations for product with all distributors, bringing to a close an interesting battle of tactics which has been going on officially since Jan. 1, but unofficially for a much longer period.

On paper it seems Hoyts have gained an early advantage. Product deals by this company have been entered into with United Artists, 20th Century-Fox, Warners, RKO, Columbia, and Gaumont British. The Columbia deal is spread over a period of years.

Greater Union has closed with Paramount, Universal (for three years), M-G-M and Associated Distributors, while it also will have the output provided by the local producing organization, Cinesound. The M-G-M deal excludes attractions of road show calibre which M-G-M will require for its own first run houses in the key centers. These are the St. James and Liberty in Sydney, and the Metro and Cremorne in Brisbane and the Metro in Melbourne. M-G-M, however, has enough film of good quality to make profits for Greater Union in the situations controlled by that circuit in the capitals.

M-G-M in Strong Position

M-G-M product deals in Australia with Greater Union, and in New Zealand with J. C. Williamson Films, the Fuller-Hayward Circuit. N. Z. Theatres and Christchurch Cinemas place the company in a dominant position in the two dominions. The company will service eight city outlets in Sydney, two exclusively. In Melbourne it will have four city outlets, one exclusively; it has two outlets in Brisbane, both depending entirely on M-G-M product, and further strong representations in Adelaide, Perth, Newcastle, and Tasmania. In New Zealand, M-G-M is booked for 240 situations.

"Jezebel" 2nd Week Ends with $70,000

"Jezebel" ended its second week at the Music Hall last night with $70,000, against a first week take of $78,000. "Merrily We Live" at the Capitol took $22,000 and "Start Cheering" finished with $7,300 at the Rialto.

"In Old Chicago" has been penciled in as the Easter Week attraction at the Roxy starting April 15, but the date hinges on whether the previous program will be held over. The film will complete its roadshow engagement at the Astor Sunday night.

"Romance in the Dark" will go a week and a half at the Rivoli, to be replaced on March 30 by Alexander Korda's "The Gaiety Girls."

Laurel, Hardy to Tour

HOLLYWOOD, March 23.—Stan Laurel and Oliver Hardy, following the preview of "Swiss Miss," will make a three-week personal appearance in Mexico City.

Blystone Buys Story

HOLLYWOOD, March 23.—Director John G. Blystone has purchased Horace Jackson's original "Elephants Don't Fly," a comedy. The deal was negotiated through the Small agency.

Hollywood Preview

"Goodbye Broadway"

(*Universal*)

HOLLYWOOD, March 23.—This is a new treatment of James Gleason's "The Shannons of Broadway" with Alice Brady and Charles Winninger in the principal roles supported by an experienced cast including the veteran Dell Henderson, Donald Meek and Jed Prouty and in the younger register, Tom Brown, Frank Jenks, Dorothea Kent and Tommy Riggs of the Rudy Vallee airshow. As produced by Edmund Grainger and directed by Ray McCarey the picture has much to commend it to popular attention. It is treated as a straight comedy in somewhat refreshing contrast to the corkscrew variety recently dumped on the market in wholesale lots.

Roy Chanslor and A. Dorian Otvos wrote the present screenplay, preserving the essence of the original. It will be recalled that the plot details the adventures of two vaudeville troupers who invest their savings in a small-town hotel. The place is coveted by a greedy local realtor. Their investment becomes profitable when the property grabber ultimately tricks himself into paying them more for it than they need to set up a chicken ranch. Whereupon, the boards calling, they decide to stick to vanishing vaudeville.

Miss Brady's performance is more to the pattern of her Academy Award role in "In Old Chicago" than her giddier works of recent date. Winninger's will recall to oldsters his lively didoes of the period when the Winninger Brothers' roadshow furnished an annual sensation in every good show town from Ohio to the Texas border. Riggs, who works without a dummy and doesn't stiffen his lips, seemed to please the preview audience.

Running time, 40 minutes. "G."

New Giveaways Gain In Detroit Theatres

DETROIT, March 23.—With the passing of Screeno and Bank Night in local theatres, because of a city ban, other games and giveaways are being used by local exhibitors. Chief among the new stunts are Movie Stamps, which are being handled here by Ralph Raskin and which are being used by more than 25 theatres in the city. Another stunt is ventriloquist contests, with the theatres giving away cash prizes and also dummies patterned after Charlie McCarthy.

Premiums, such as dishes, silverware and table linen, also are being used by almost 90 per cent of the theatres, and a new "Star Guessing" contest, handled by Sam Carver, is proving popular.

Freed on Game Charge

AUGUSTA, March 23.—Frank J. Miller, Sr., vice-president of Augusta Amusements, Inc., tried on a lottery charge growing out of the use of Cash Night in local theatres, was acquitted by a City Court jury.

Canadian Town Booming

TORONTO, March 23.—Business has been so good in the Northern Ontario gold mining center of Kirkland Lake that Famous Players Canadian Corp. has engaged Herbert G. Duerr, Toronto architect, to draw plans for reconstruction of the Capitol and Strand in that town. Enlarged seating capacity is required.

Defer Ascap Meeting

The annual membership meeting of Ascap which was to have been held tonight was postponed because of the illness of the son of Gene Buck, Ascap president, who underwent an operation yesterday. No new date for the meeting has been set yet.

'Hotel' Suit Back to N. Y. Supreme Court

Ruling that "the business of exploitation of a photoplay, production, distribution and advertising are essential steps of a single transaction," although performed by different corporations, Federal Judge Francis G. Caffey decided in the U. S. District Court here yesterday that the unfair competition suit brought by the Hollywood Hotel Revue, Inc., against Warner Bros. Pictures, Inc., and Vitagraph, Inc., must be returned to the N. Y. Supreme Court for trial. The action was started in the State court, but was transferred to the Federal court because of diversity of citizenship.

"U" Men Will Attend Dinner for Gottlieb

DETROIT, March 23.—President Nate Blumberg and other home office executives, including William A. Scully, Frank McCarthy and E. T. Gomersall, will attend a testimonial dinner to be given for M. M. Gottlieb in the Book-Cadillac, April 4.

Gottlieb, who is to be Universal branch manager in Chicago after having been with the company here for seven years, is a charter member of Variety Club, which is sponsoring the dinner, and has been active in its affairs since its organization.

J. O. Brooks of the Butterfield Circuit and Charles Perry, manager of the Adams, are in charge of the dinner.

To Exhibit Film Posters

Competitors in the exhibition of one, two and three-sheet posters which will be held in the west concourse of Rockefeller Center beginning next Wednesday will include 35 theatrical and film producers, 14 railroads and 29 hotels.

Variety Club

Baltimore

BALTIMORE, March 23.—The first lunch of the recently organized Variety Club Tent No. 10 was held today at the Belvedere Hotel with J. LOUIS ROME, chief barker, presiding. He announced the appointment of FRANK H. DURKEE as chairman of the Welfare Committee and SAM SOLT[illegible] as chairman of the House Committee.

Temporary quarters in the Belvedere will be ready April 1. JOHN J. ZINK, architect, is designing permanent quarters on the third floor of the hotel. These will be opened May 1.

Several acts from the Hippodrome furnished entertainment by courtesy of I. M. RAPPAPORT.

Detroit

DETROIT, March 22—More than 10 barkers and their wives and friends attended this week's "Family Party" in the local Variety Club's rooms in the Book-Cadillac, at which the club's new orchestra, composed entirely o Variety members, played.

Members of the "band" are: L. A SPAULDING, violin; PAUL FRISCHKORN, piano; LESTER SANDELMAN saxophone; R. HAL BURRISS, drums and HAROLD SANDELMAN, banjo. Othe members are to be added.

MURRAY D. VAN WAGONER, stat highway commissioner, will be th guest at the weekly luncheon of Tent No. 5 next Monday.

It will be called "Butterfield Circuit Day" and among those expecte are GEORGE S. BERGER, J. OLIVE BROOKS and E. C. SHIELDS.

Films in S. C. Measure

SPARTANBURG, S. C., March 23.—Provisions for film censorship are included in a liquor bill passed by th State Legislature. The measure forbids the showing of scenes in th state of drinking, murder or divorce.

Wall Street

GTE Lone Board Gain

	Open	High	Low	Close	Net Chang
Col.	10¾	10¾	9⅞	10⅛	— ⅜
Cons.	1⅛	1⅛	1⅛	1⅛	— ¼
Cons. pfd.	5¾	5¾	5¾	5¾	.....
E. K.	143½	143½	140½	141½	—3½
G. T. E.	9⅛	9½	8½	9⅛	+ ⅛
Loew	41⅛	41⅛	39¾	40⅞	— ¼
Loew pfd.	105	105	104	104	—2
Para.	7⅜	7⅜	6⅝	7	— ⅝
Para. 1.	72	72	71	71	—7½
Para. 2.	7⅝	7¾	7¼	7⅝	— ⅜
Pathe	4⅞	4⅞	4½	4½	— ⅛
RKO	2¾	2¾	2½	2⅝	— ⅛
20th Fox	19	19	17½	17⅞	— ¾
20th pfd.	26	26	26	26	— ⅞
Univ. pfd.	33	33	33	33	—3⅛
W. B.	4½	4⅝	4	4⅛	— ½

Curb Declines Fractionally

	Open	High	Low	Cliose	Net Chang
G. N.	7/16	7/16	⅜	7/16	.....
Monogram	1¾	1¾	1¾	1¾	.....
Sonotone	1⅜	1½	1⅜	1⅜	— ⅛
Tech.	17½	17½	17¼	17½	— ⅛
Trans-Lux	2½	2⅝	2½	2½	.....
Univ. Corp.	1¾	1¾	1¾	1¾	— ¼

Bonds Have Losses

	High	Low	Close	Net Chang
Keith 6s '46	82½	82½	82½	—2½
Loew 3½s '46	96¾	96½	96½	— ⅜
W. B. 6s '39	67¼	65⅛	65⅛	—2⅛

(Quotations at close of March 23)

"REBECCA OF SUNNYBROOK FARM"

HELD OVER IN CHICAGO!* AMONG YEAR'S VERY BIGGEST IN RICHMOND, PHILADELPHIA AND PROVIDENCE!

*First pre-release run

Another 20th top hit begins a boxoffice rampage!

20th CENTURY FOX
THE KEYSTONE
OF YOUR FUTURE

"Golden West" Strong in Two Coast Houses

Los Angeles, March 23.—"Girl of the Golden West" stepped out of the parade in a big way by getting $18,912, up by $4,912, at Loew's State, and $13,879, over the line by $1,379, at the Chinese. In each case it was dualed with "Walking Down Broadway."

"Mad About Music," on a dual with "She's Got Everything," was strong in its second week at the Pantages and the Hillstreet. At the former it held up to $9,000 and at the latter it took $8,500. "Snow White" grossed $11,140 in its 13th week at the Carthay Circle.

Total first run business was $104,761. Average is $105,700.

Estimated takings for the week ending March 23:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 13th week. **Gross:** $11,140. (Average, $10,000)

"GIRL OF THE GOLDEN WEST" (M-G-M)
"WALKING DOWN BROADWAY" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $13,879. (Average, $12,500)

"YIDDLE WITH HIS FIDDLE" (Green-Kalich)
ESQUIRE—(900), 40c-55c, 6 days. **Gross:** $2,200. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 7 days, 10th week. **Gross:** $3,530. (Average, $8,000)

"MARIA NOVER"
GRAND—(750), 35c-40c, 3 days. **Gross:** $900. (Average, $1,200)

"MAD ABOUT MUSIC" (Univ.)
"SHE'S GOT EVERYTHING" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days. 2nd week. **Gross:** $8,500. (Average, $6,500)

"GIRL OF THE GOLDEN WEST" (M-G-M)
"WALKING DOWN BROADWAY" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $18,912. (Average, $14,000)

"MAD ABOUT MUSIC" (Univ.)
"SHE'S GOT EVERYTHING" (RKO)
PANTAGES — (3,000), 30c-65c, 7 days. 2nd week. **Gross:** $9,000. (Average, $7,000)

"I MET MY LOVE AGAIN" (U.A.)
PARAMOUNT—(3,595), 30c-65c, 7 days Stage: Adriana Caselotti, F. & M. revue, Kurt Houck and orchestra. **Gross:** $10,200. (Average, $18,000)

"GOLD IS WHERE YOU FIND IT" (F.N.)
"PENROD AND HIS TWIN BROTHER" (W.B.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 2nd week. **Gross:** $12,400. (Average, $14,000)

"GOLD IS WHERE YOU FIND IT" (F.N.)
"PENROD AND HIS TWIN BROTHER" (W.B.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 2nd week. **Gross:** $14,100. (Average, $12,000)

Tyson on Pageant Again

Pittsburgh, March 23.—For the third year in succession, George Tyson, who handles the advertising and exploitation for the Harris theatres, will direct the annual Atlantic City beauty pageant next September. Tyson will leave for the shore June 1. His post with the Harris circuit will be filled during Tyson's absence by Ken Hoel.

Hold "Jones Family"

Hollywood, March 23.—Jed Prouty, Shirley Deane, Florence Roberts, George Ernest, Billy Mahan, June Carlson and Ken Powell, members of the "Jones family," have been re-signed by 20th Century-Fox.

"Follies" Bright Spot in Oklahoma

Oklahoma City, March 23.—"Goldwyn Follies" was the bright spot in a generally gloomy week for first runs. The $6,500 gross at the Criterion was $1,300 over normal.

The only other house to get into the money was the Victoria, to which "Snow White and the Seven Dwarfs" was moved after three weeks at the Tower. The $2,500 gross was up by $500.

Total first run business was $22,550. Average is $21,200.

Estimated takings for the week ending March 19:

"GOLDWYN FOLLIES" (U. A.)
CRITERION—(1,500), 10c-35c-40c, 10 days. **Gross:** $6,500. (Average, $5,200)

"CHARLIE CHAN AT MONTE CARLO" (20th-Fox)
"DAREDEVIL DRIVERS" (F. N.)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $1,800. (Average, 7 days, $2,700)

"WESTERN GOLD" (20th-Fox)
"BULLDOG DRUMMOND'S REVENGE" (Para.)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $350. (Average, 7 days, $2,700)

"A SLIGHT CASE OF MURDER" (W. B.)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $4,000. (Average, $4,600)

"BOY OF THE STREETS" (Monogram)
STATE—(1,100), 10c-25c-40c, 7 days. **Gross:** $4,000. (Average, $4,200)

"BARONESS AND THE BUTLER"
TOWER—(1,000), 10c-25c-40c, 7 days. **Gross:** $3,400. (Average, $2,500)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
VICTORIA—(900), 15c-35c-40c, 7 days, 4th week moved from the Tower to Victoria. **Gross:** $2,500. (Average, $2,000)

"Snow White" 5th Week Top In Cleveland

Cleveland, March 23. — "Snow White and the Seven Dwarfs," showing four days in its fifth week, with "Checkers" as the other half of a dual bill, made the only profitable showing of the week. The take at the Allen was $6,250, up by $250.

All other first runs were in a bad way.

Total first run business was $49,380. Average is $58,500.

Estimated takings for the week ending March 18:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO) (5th week, 4 days)
"CHECKERS" (20th-Fox) (3 days)
ALLEN—(3,000), 30c-35c-42c-55c, 7 days. **Gross:** $6,250. (Average, $6,000)

"BRINGING UP BABY" (RKO)
WARNER'S HIPPODROME — (3,800), 30c-35c-42c-55c, 7 days. **Gross:** $10,355. (Average, $12,000)

"RADIO CITY REVELS" (RKO)
RKO PALACE—(3,100), 30c-35c-55c-66c, 7 days. Stage: Don Bestos, Clyde McCoy in "The Battle of Swing." **Gross:** $16,275. (Average, $17,000)

"A YANK AT OXFORD" (M-G-M)
LOEW'S STATE—(3,500), 30c-35c-42c-55c, 7 days. **Gross:** $12,000. (Average, $15,000)

"GOLDWYN FOLLIES" (U. A.)
LOEW'S STILLMAN — (1,900), 30c-35c-42c-55c, 7 days, 2nd week. **Gross:** $4,500. (Average, $6,000)

Tapernoux Busy on Film

John S. Tapernoux of the French M. P. Corp. is preparing "Freedom in My Song," a French film of the Cardinal Richelieu period, for release shortly.

"Mad About Music" A Smash in Buffalo

Buffalo, March 23.—"Mad About Music" was a smash hit at the Lafayette on a dual with "Spy Ring." The $12,500 gross was $6,200 over normal. The bill was held.

"Snow White and the Seven Dwarfs" took $14,300 in its second week at the Great Lakes, breaking par by $6,300 and assuring a third stanza. To date, the Disney opus has collected $38,500.

"Sally, Irene and Mary," dualed with "Love on a Budget" at the Hippodrome, turned in a surprising $8,500 to crack normal by $1,000 and give the house one of its top takes in recent weeks.

Total first run business was approximately $52,200. Average is $42,300.

Estimated takings for the week ending March 19:

"MERRILY WE LIVE" (M-G-M)
BUFFALO — (3,000), 35c-60c, 7 days. **Gross:** $10,600. (Average, $14,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
GREAT LAKES—(3,000), 30c-50c, 7 days, 2nd week. **Gross:** $14,300. (Average, $8,000)

"SALLY, IRENE AND MARY" (20th-Fox)
"LOVE ON A BUDGET" (20th-Fox)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $8,500. (Average, $7,500)

"RADIO CITY REVELS" (RKO)
"DOUBLE DANGER" (RKO)
CENTURY — (3,000), 25c-35c, 7 days. **Gross:** $6,300. (Average, $6,300)

"MAD ABOUT MUSIC" (Univ.)
"SPY RING" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days. (Held over.) **Gross:** $12,500. (Average, $6,300)

"Hawaii" Gets $11,000, High Denver Gross

Denver, March 23. — "Hawaii Calls," with "Man-Proof" as the other half of a dual, rolled up an impressive $11,000 at the Orpheum. This was $3,500 over normal.

"Snow White and the Seven Dwarfs" was more than good in its fourth week downtown with $4,500 at the Aladdin. This was $1,000 up. The picture had played three weeks at the Orpheum.

Total first run business was $36,500. Average is $32,750.

Estimated takings for the week ending March 17:

"SNOW WHITE" (RKO)
ALADDIN—(1,400), 25c-40c, 7 days, following three weeks at the Orpheum. **Gross:** 4,500. (Average, $3,500)

"ADVENTURES OF TOM SAWYER" (U. A.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Denver. **Gross:** 3,000. (Average, $2,500)

"DANGEROUS TO KNOW" (Para.)
DENHAM—(1,700), 25c-35c-40c, 7 days. **Gross:** $4,500. (Average, $5,500)

"SALLY, IRENE AND MARY" (20th-FOX)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, 8,500)

"HAWAII CALLS" (RKO)
"MAN-PROOF" (M-G-M)
ORPHEUM—(2,000), 25c-35c-40c, 7 days. **Gross:** $11,000. (Average, $7,500)

"THE KID COMES BACK" (W. B.)
"THE BLACK DOLL" (Univ.)
PARAMOUNT—(2,096), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"GOLD IS WHERE YOU FIND IT" (F. N.)
"CITY GIRL" (20th-Fox)
RIALTO—(878), 25c-40c, 7 days. "Gold Is Where You Find It" followed a week each at the Denver, Aladdin and Broadway. **Gross:** $2,500. (Average, $1,750)

"Snow White" 2d Week Hit, Philadelphia

Philadelphia, March 23.—Holdin to its stride, "Snow White an [illegible] Seven Dwarfs" reeled off a big [illegible]5,000 for its second week at the Stanley It looks good for two more weeks an then will probably get a four or five week second run in one of the central city theatres.

A like amount was clocked up b "Little Miss Roughneck" and Tomm Dorsey on the stage at the Earle.

Total first run business was $109,800. Average, not including "In Ol Chicago," is $81,560.

Estimated takings for the week ending March 17:

"ADVENTURES OF TOM SAWYER" (U. A.)
ALDINE — (1,300), 40c-55c-75c, 7 day **Gross:** $12,000. (Average, 7 days, $2,80

"EVERYBODY SING" (M-G-M) (2nd run)
ARCADIA—(600), 25c-40c-55c, 6 day **Gross:** $1,700. (Average, 7 days, $2,80

"MERRILY WE LIVE" (M-G-M)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gros** $13,500. (Average, $14,000)

"LITTLE MISS ROUGHNECK" (Col.)
EARLE—(2,000), 25c-40c-55c, 7 day Stage: Tomy Dorsey band. **Gross:** $25,0 (Average, $14,000)

"IN OLD CHICAGO" (20th-Fox) (Roadshow)
ERLANGER—(2,000), 57c-86c-$1.14-$1.7 7 days, 5th week. **Gross:** $6,500.

"SALLY, IRENE AND MARY" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 7 days. **Gros** $14,000. (Average, $14,000)

"SLIGHT CASE OF MURDER" (W. B (2nd run)
KARLTON—(1,000), 25c-40c-55c, 7 day **Gross:** $3,400. (Average, $4,000)

"GOLDWYN FOLLIES" (U. A.) (2nd run)
KEITH'S — (2,000), 30c-40c-55c, 7 day **Gross:** $3,900. (Average, $4,000)

"SNOW WHITE AND SEVEN DWARFS" (RKO)
STANLEY—(3,700), 40c-55c-65c, 7 day 2nd week. **Gross:** $25,000. (Average, $1 000)

"DAUGHTER OF SHANGHAI" (Para.
STANTON—(1,700), 30c-40c-55c, 7 day **Gross:** $4,800. (Average, $7,000)

"Snow White" Thir Week Montreal Wi

Montreal, March 23. — "Sno White and the Seven Dwarfs" set fast pace and grossed $12,500 in i third week at the Palace where average is $11,000. It was held over f a fourth week.

"The Big Broadcast of 1938," on double at the Capitol, took an avera $9,500.

Total first run business was $38,5 Average is $40,500.

Estimated takings for the week en ing March 19:

"THE BIG BROADCAST OF 1938" (Par
"NIGHT CLUB SCANDAL" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, days. **Gross:** $9,500. (Average, $9,500)

"WHAT PRICE INNOCENCE?" (Col
"IT CAN'T LAST FOREVER" (Col.
LOEW'S—(3,115), 25c-34c-40c-50c, 7 da **Gross:** $7,500. (Average, $8,000)

"NOTHING SACRED" (U.A.)
ORPHEUM—(919), 25c-35c-50c, 7 da 3rd and final week. **Gross:** $4,000. (Av age, $5,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
PALACE—(2,600), 25c-35c-40c-50c-65c, days, 3rd week. **Gross:** $12,500. (Avera $11,000) Held over.

"ACTION FOR SLANDER" (British
"SEZ O'REILLY TO McNAB" (Briti
PRINCESS—(2,272), 25c-30c-35c-50c-65c days. **Gross:** $5,000. (Average, $8,000)

elznick Buy Df U.A. Off, Says Goldwyn

(*Continued from page* 1)

Goldwyn's financial adviser, ac- nied him. Rose will sit in at London conferences and will re- n with Goldwyn. They expect to it their stay in England to a week. Goldwyn parried all questions re- rding the significance of his forth- ning meeting with Korda. Fair- nks, who also sailed, likewise re- ed information, insisting that ldwyn was the spokesman.

The two U. A. partners arrived here m the coast on Monday and for o entire days before sailing were in nference with Mary Pickford. hile no statement has been made, a ldwyn spokesman indicated that an reement had been reached which ened the way for revival of the gotiations which collapsed three onths ago for the Goldwyn-Korda quisition of control.

George Schaefer at Pier

George J. Schaefer, vice-president d general manager of U. A., said odbye to Goldwyn and Fairbanks the boat.

The original deal assertedly fell rough because of the lack of imme- ate capital and the problem of heavy overnment taxes on the sale of the eferred stock. The revamped terms ovided that instead of being paid ,000,000 in cash, the three partners ould accept substantial cash pay- ents and the balance in stock.

"Will the deal go through if Korda n raise the capital?" Goldwyn was ked.

"I can't tell you that," he replied.

The Prudential Assurance Co. of ondon was interested in the deal last ll as the chief underwriter of Lon- on Films.

Taxes a Factor

Mary Pickford on her recent ar- val in New York said that taxes ere still a problem, that the Govern- ent would consider the stock trans- r an outright sale and would levy n income tax against the sellers. The x would be 40 per cent, which would bstantially reduce the amounts the ree partners would receive.

Both Goldwyn and Fairbanks were companied by their wives. Fairbanks id he planned to return next sum- er. In a flower-banked cabin in airbanks' suite reposed the ashes of is friends, Lord and Lady Plunkett, ho were killed in a plane accident on e coast.

Fanny Ward, mother of the late ady Plunkett, also sailed on the *ueen Mary* with her husband, Jack ean.

Change "Trails" Title

Hollywood, March 23.—"Law of e Plains" has been chosen by Col- mbia as the release title for the film ormerly called "Hidden Trails." harles Starrett has the lead.

Now Called "Hunted Men"

Hollywood, March 23.—The title of aramount's "Crime Gives Orders" as been changed. It will be released s "Hunted Men."

No Speak English

Some kind of a record has been established by the Victory in Trenton, N. J., which shows foreign product exclusively.

During the past four weeks, the house has played films of eight different nationalities, an average of two nationalities a week. They include Hungarian, Irish, Polish, French, Slovak, Italian, Russian and Austrian. Danubia Pictures did the booking.

Tax Collections Gain in February

(*Continued from page* 1)

$13,199,206. For the first two months of the calendar year, however, revenues were but $34,000 ahead of a year ago, totaling $3,013,056 against $2,979,029, it was shown.

Improved business in the Third New York (Broadway) District accounted for more than half of the total increase in collections over January, the bureau disclosed.

Total collections in that area were $506,240 against $339,074 in the first month of the year, most of the increase being attributable to heavier collections at the box-office, which advanced from $271,505 to $417,766.

Other collections in the Broadway sector were reported by the bureau as follows: free or reduced rate admissions, $5,249 in February against $4,966 in January; tickets sold by brokers, $26,643 against $15,535; tickets sold by proprietors in excess of established prices, $4,230 against $243; permanent use or lease of boxes and seats, $2.95 against $5.84; admissions to roof gardens and cabarets, $52,349 against $46,819.

Van Dyke Is Optimistic

Portland, March 23.—The present slump in production at Hollywood studios is not permanent and conditions are gradually bettering themselves, according to W. S. Van Dyke, M-G-M director, who stopped here briefly with Buck Jones, western film actor, and Herman Kersken, San Francisco theater manager.

"The old saying that the picture business is only as good as the pictures still goes," Van Dyke said. "True, film production has been rather slow in Hollywood, but the condition is not permanent."

Van Dyke, Jones and Kersken are on vacation. At Seattle they were joined by two schoolmates of Van Dyke, one a state employe at Olympia, and the other a postal employe of the Puget Sound city.

The party left Seattle on Van Dyke's yacht for salmon fishing along the British Columbia coast. They may continue on to Alaska. The party will be gone from two to four weeks.

Re-Sign Wallace Beery

Hollywood, March 23.—M-G-M has signed Wallace Beery to a new long term contract. During the coming season the actor will be featured in "Bad Man of Arizona" and "Stand Up and Fight."

Agreement Near on Code for Theatres

(*Continued from page* 1)

managers submitted several weeks ago to the Equity council, the latter's representatives reported that the council was willing to participate in the agreement providing a sufficient number of representative managers were included. About 10 leading producers have signed the agreement and Equity's delegates were advised by Pemberton that the managers have a campaign under way to obtain additional signatures and are confident of securing enough to warrant the adoption of the basic agreement.

The proposed agreement, which will probably be given a one-year trial at the outset, would include a code of fair practices governing the sale and distribution of tickets based in principle upon the NRA code provisions, "modified to meet existing conditions." The code would permit Equity, upon proof that a manager-signatory had violated it, to refuse to allow its members to perform for him. Since the code is also to be made a part of every Equity employment contract, no manager could acquire immunity from its provisions by refraining from joining the managers working under the basic agreement, it was pointed out.

Managers, Treasurers Agree

The Theatrical Managers and Treasurer Union has agreed to abide by whatever regulations are adopted by Equity and the managers, yesterday's meeting was advised. Power to enforce the regulations will remain with the actors' organization, a power which was not granted by the NRA code and which is held to explain the failure to achieve the desired results.

The proposed agreement will be submitted to the membership of the League of N. Y. Theatres, the producing managers organization, at a meeting to be called shortly. Steps to place it in effect for next season will be taken immediately thereafter in the event sufficient approvals are obtained.

The managers who attended yesterday's meeting were Marcus Heiman, Lee Shubert, Warren Munsell, Max Gordon and Brock Pemberton. Representing Equity were Meredith, Mary Morris, Edward Fielding, Eliot Cabot, Philip Loeb, Paul Dullzell, Paul N. Turner, Robert T. Haines and Alfred Harding.

Judell Has Two in Work

Hollywood, March 23.—Ben N. Judell, film distributor who formed Progressive Pictures Corp. here, has started production on the first group of four features and said today he would not discuss distribution deals until all four have been completed about May 1, at which time he will go to New York.

"Delinquent Parents" and "Wayward Daughters" are now in work. The other two titles are "Scandal House" and "Stepmother."

Jerome E. Olenick has been signed as publicity director.

Film Salesmen to Dine

Boston, March 23. — The Film Salesmen's Club will hold a dinner-dance April 3 at the Cocoanut Grove. James Kennedy is in charge of reservations.

Twenty Scheduled As U.A. Minimum, Asserts Schaefer

(*Continued from page* 1)

since "Modern Times," released in the early part of 1936.

With two more films to go, "Young in Heart" and "Heartbreak Town," Selznick will complete his present 12-picture contract with U. A.

The total of 25 delivered this season was listed by the company as nine from Korda, five from Goldwyn, six from Wanger and three from Selznick, in addition to "Thief Meets Thief," a Criterion film, and "Dreaming Lips," a Trafalgar production.

Small's contract calls for the delivery of a total of six pictures.

Goldwyn's first for next season will be "Graustark," actual production on which will start when he returns. Merle Oberon, who will co-star with Gary Cooper, is in London and may return with Goldwyn.

Pledge $15,000 Fund In Palestine Drive

(*Continued from page* 1)

Dr. Silver, who made an appeal for the fund. "Civilization does not progress by a continuous line, but by steps forward and then back," Dr. Silver said. "This is a period of recession, and in such periods minorities suffer, among them the Jews." He discussed today's situation in Austria and expressed alarm for other centers in eastern Europe. The movement is to provide in Palestine "a home for the Jewish people which they can call their own."

Among those on the dais were W. G. Van Schmus. Langdon W. Post, Walter Reade, Barney Balaban, Saul E. Rogers, and representatives of the legitimate theatre. Wires were received from Spitz on the coast, and Eddie Cantor, both of whom pledged $1,000 to the fund.

Theatre Builder in L. A. Anti-Trust Suit

(*Continued from page* 1)

duct a monopoly and refused to lease films to it on a suitable clearance schedule. It is also alleged that F. W. C. officials attempted to discourage the plaintiff from building the theatre by threats to build a new theatre nearby and to acquire another San Fernando Valley house in which to show first run product.

The plaintiff seeks an injunction to restrain the theatre circuit and an order to get pictures after a 21-day clearance schedule from Los Angeles first runs.

The suit was filed through Attorneys Charles J. Katz and Alfred Gitelson. The producers named are M-G-M, RKO, Warners, Universal, First National and 20th Century-Fox.

Slinker Sells Theatre

Kansas City, March 23.—W. C. Slinker has sold his Cozy at Lockwood, Mo., to Fred Wilcox. Wilcox also has the Cozy, Lockwood, Mo.

George Vanderpool will open the Norwich at Norwich, Kan., which has been dark several years except for occasional use by a country circuit.

F.C.C. Starts Wide Probe of Air Financing

(*Continued from page* 1)

and the accounting division has been instructed to call upon the networks for their books and records should it consider a more detailed study is desirable.

The inquiry will serve the dual purpose of obtaining the financial information which Commissioner T. A. M. Craven, in his report on the social and economic aspects of broadcasting in January, declared was lacking and was essential to a clearer understanding of the broadcasting situation by the Commission, as well as to provide the data called for in the resolution adopted March 18 for an investigation of chain operations.

NBC Adds Montana Station to Network

(*Continued from page* 1)

to advertisers using KGIR, Butte, a regular member of NBC's North Mountain Group.

NBC is expected soon to announce the addition of several more stations to its networks. The deals for the acquistion of the additional stations are now nearing completion.

Engle on RCA Program

Ed Engle has been retained by RCA to handle publicity for the "Magic Key" program. Engle is formerly of the NBC press department, and for the past several years has been free lancing in publicity. It is believed that he may be awarded the RCA publicity contract for the World's Fair if he achieves satisfactory results for the "Magic Key" program.

Wins Case on Program

MINNEAPOLIS, March 23.—Judgment in favor of the defendant in a suit asking $117,000 damages was given here by Federal Judge Robert C. Bell in a case brought by the Mid-West Recording Co. against the Mid-Continent Petroleum Corp. The plaintiff had contended that the oil company had "borrowed" an idea for a radio program.

Runyan in Cincinnati

CINCINNATI, March 23.—Mefford R. Runyan, vice-president and director of CBS, is spending the week here in conference with John McCormick, general manager of WKRC, wholly-owned CBS station.

Compile CBS Rate Card

A new CBS rate card has been compiled, and is expected to be issued to stations, agencies and advertisers early next week. Few if any changes in rate will appear on the card, it is believed.

Will Air Ad Comment

News and comments on advertising will be broadcast daily by Street Railways Advertising Co. over WHN beginning tomorrow. On weekdays the broadcasts will be at 8:30 A. M., on Sundays at 9:30 A. M.

Radio Personals

HARRY FRAZEE, "Gang Busters" staff director, will marry Dorothy Sherwood in the Little Church Around the Corner tonight. . . Dorothy E. Levy, secretary to Phil Lord, was feted at a party in the Lord office yesterday in celebration of her ninth year with the company. . . A. Goldstone, attorney for Major Bowes, will sail tonight with Mrs. Goldstone on the *Lafayette* for Havana. . . Morton Bowe and Jane Froman will return as guest soloists on the Al Pearce show March 29 and April 5, respectively. . . Hazel Scott, vocalist-pianist heard on the Alan Kent show over WNEW, is now making a guest appearance at the Famous Door. . . Glenn Darwin will be heard in a special oratorio performance at the Julliard School tomorrow. . . Jean Muir will be Radie Harris' guest on Mutual tonight.

✚

Pittsburgh

William Robson, Jr., was in town to visit the folks on his way back to New York from Mexico City. . . Dorothy Bushey of KDKA will be in the Pittsburgh Playhouse's forthcoming revue. . . An office in the *Post-Gazette's* new building has been fixed up for newscaster Johnny Davis. . . Darrell V. Martin, the *Post-Gazette* radio editor, and Rosalind Wikander are on their honeymoon. Those Three Girls (the Rosenberg Sisters and Jean Galbraith) and Earl Truxell's orchestra are each doing a couple of shows weekly over the Mutual web from WCAE. . . William Hetzel has joined KDKA's dramatic staff.

A "Radiode"

San Francisco, March 23.—Jack Burroughs, lyrical radio editor of the *Oakland Tribune*, offered this "radiode" to Laurance Cross's daily program on KPO, which features canaries:

"A squawk I inscribe to the good Dr. Cross;
His songbirds have irked me: I'm thrown for a loss.
Each morning I listen, but listen in vain—
Not one of them warbles: 'Bei Mir Bist Du Schon'!"

✚

San Francisco

John B. Hughes' thrice-daily newscasts, heard over KFRC for the past year, have been extended to include KFBK, Sacramento, and KMJ, Fresno. . . "Paul Martin and His Music" will be broadcast coast-to-coast each Monday from KGO, over the blue network, at 8:30 P.M., with Phil Hanna, tenor, and the "Three Cheers" as soloists. . . After a year's absence with the Golden Gate International Exposition, Cliff Engle, announcer, has returned to the KPO-KGO staff. . . Feature races will be broadcast direct from the track by KYA, during the forthcoming Bay Meadows racing season. . . A new KJBS show each Wednesday presents transcribed operas, from 10 P.M. to midnight. Religious operas will be featured during Holy Week, April 13-19.

Mutual Issues New Promotional Piece

The Mutual network has just issued its latest promotion book, "Study in Ups and Downs," a hard-covered volume written by the network's promotion manager, Robert A. Schmid and illustrated in five colors by Robert Carroll. The volume traces the results achieved for "Blue Coal" via a Mutual program for the D. L. & W. Coal Co.

"Study in Ups and Downs" is a fine promotional production job and the volume certainly merits award consideration. The copy shows how "Blue Coal" in 1937 raised sales 10.8 per cent over the same period in 1936 through its Mutual program, despite a small talent and time budget and stiff program competition. B.

Set Air Shows for Fair

SAN FRANCISCO, March 23.—The Golden Gate International Exposition, set for 1939, has assurances that Jack Benny, Chase and Sanborn, Burns and Allen and several CBS shows will originate in the fair's radio hall. The building will seat 4,000. More than 150 theme songs for the exposition have been submitted by musicians.

Transradio Closes Deal

WASHINGTON, March 23.—A new contract covering a period of three years was negotiated yesterday between Transradio Press Service and WOL, Mutual outlet here.

Soap Firm Renewing KNX Show 39 Weeks

LOS ANGELES, March 23.—Manhattan Soap Sales Corp. has renewed on KNX for another 39 weeks starting April 1, increasing its quarter-hour series featuring Tom Conrad Sawyer, commentator, from once to twice weekly. The agency is the Milton Weinberg Co. of Los Angeles.

Five-week participation starting immediately in "Sunrise Salute" and "Housewives Protective League" on KNX has been placed by Lewis and Aylesbury. Also, Vernon Nussbaum Co. has renewed participation in "Sunrise Salute" through the Glasser agency.

Metro Show in London

M-G-M's "Good News of 1938" broadcast will be heard in London next Thursday night in conjunction with the London opening of "A Yank at Oxford" at the Empire Theatre. Louis B. Mayer will introduce Robert Taylor, Maureen O'Sullivan and Lionel Barrymore, who are featured in the film, and Jack Conway, director.

Gilbert Russell, under contract to M-G-M, who is known to English radio audiences as Val Rosing, also will be on the program, which will be heard at 9 P.M. New York time and at 3 A.M. in London. Arrangements have been made to have the broadcast received at the Empire. Details were set by Louis K. Sidney on the coast and Sam Eckman, M-G-M's British manager, in London.

Hearing Schedule Is Set by F.C.C

WASHINGTON, March 23.—Tentativ dates for examiners' hearings o broadcasting applications have been se by the Federal Communications Com mission as follows:

March 30: Applications of Chester Howarth and Clarence Berger for 1,420-kilocycle station at W[illegible]e Idaho, with 100 watts night, 250 watt day, and WDAE, Tampa, for chang of frequency from 1,220 to 780 kilo cycles.

April 26: Application of KTEM Temple, Tex., for increase of tim from day to unlimited, to operate wit 100 watts night, 250 watts day.

April 27: Application of WNLC New London, Conn., for increase o time from day to unlimited.

April 29: Applications of Stat Broadcasting Corp. for a 1,370-kilocy cle station at Gretna, La., with 10 watts night, 250 watts day, an WHBF, Rock Island, Ill., for chang of frequency from 1,210 to 1,240 kilo cycles and increase of power from 10 watts night, 250 watts day to 1,00 watts.

May 9: Applications of the Monoc acy Broadcasting Co. for an 1,14 kilocycle, 250-watt daytime station a Rockville, Md., and Michael J. Ming for a 1,400-kilocycle, 250-watt statio at Tacoma.

April Sues Harms on Broadcast of Song

April Productions, Inc., assignee o the Shubert Theatre Corp. and Shu bert Theatrical Corp., filed nine in fringement suits seeking $900,000 dam ages against Harms, Inc., in the N Y. Supreme Court yesterday. Th complaint charges that exclusive pub lication and mechanical rights wer granted to Harms on songs from 1 Shubert shows, but that no radi rights were included. It is claime that Harms has failed to account fo royalties received from broadca licenses. Harms has filed a gener denial and contends that an accountin has been rendered to the plaintiff predecessors.

April will ask Justice Ernest E. L Hammer in the Supreme Court toda to strike out certain of the defense The plays involved are "Artists ar Models," "Mad Cap," "Greenwic Village Follies," "Night in Spain "The Nightingale," "Sky High "Sunny Days," "Cherry Blossoms "Under the Red Robe," "Arizona" ar "Studio Girl."

Biow Signs Budd Hulic

Budd Hulick, formerly of the rad team of Stoopnagle & Budd, has bee signed by the Biow agency to "e cee" the forthcoming new Philip Mo ris cigarette program, which will sta Friday on Mutual. Eric Rolf wa originally reported as being signe for the role now taken by Hulic Other members of the cast for th program include Arlene Franci Charles O'Connor and Ray Block orchestra.

Change Program Time

ARDMORE, OKLA., March 23.—Th KVSO "Roundup," hillbilly and cow boy show, has been moved from Sa urday at 7:30 P.M. to Friday at 9: P.M.

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20th-Fox '37 Net Profit Increases to $8,617,114

Gain Goes Through 4th Quarter—Theatres Also Improve

Despite a business recession which struck in the latter months of 1937, 20th Century-Fox Film Corp., yesterday reported a net profit for the year ended Dec. 25, 1937, of $8,617,114, which was $894,160 better than the net profit for the year 1936, which totaled $7,722,954. It will be remembered that 1936 was virtually unaffected by economic recession in the manner that the past year has been.

In the case of both the above net profits, they are taken after all charges, including income and surtaxes and foreign exchange adjustments. In the figures for both years, dividends from National Theatres Corp. are included in the amount of $1,134,000 for each year. These dividends were received in the fourth quarter of each year.

The profits for the fourth quarter of 1937 were $3,718,200, compared with $3,472,275 for the fourth quarter of 1936 and $1,143,000 for the third quarter of 1937.

Highly significant as well of the unusual financial strength shown by the company in 1937 is the fact that after deducting all dividends paid on the preferred stock in 1937, the balance of 1937 earnings was equivalent to $4.11 per share on the common stock outstanding on Dec. 25, 1937.

In a statement which accompanied the financial report, Sidney R. Kent, president, said, "While new sales records were established in 1936, still

(Continued on page 7)

A 20% Return

Simple computation reveals that at the current market price of 18¼ per common share of 20th Century-Fox stock on the N. Y. Stock Exchange, the net profit for the year 1937, which was equivalent to $4.11 per common share after preferred dividends were paid, indicates a return on the investor's money equal to more than 20 per cent.

The $4.11 was not paid, of course, the difference between that figure and the $2.50 which was paid going into reserve.

Cochrane "U" Stock Sought By Syndicates

Groups Identified with Company Negotiating

Several syndicates have been formed or the purpose of negotiating for the urchase of R. H. Cochrane's stock oldings in Universal Pictures, with ither company officials or financial nterests already identified with the ompany reported to be represented on ach of them. Cochrane's holdings onsist of 70,500 shares of common tock, or about 20 per cent of the total utstanding. At current market prices he holdings are worth approximately 260,000.

The negotiations are expected to be dvanced with the return of Cochrane o New York next week from a vacaion in Arizona. With his return Cochrane, likewise, will consider various future activities. One of these is n executive post with a major comany. Another involves his becoming

(Continued on page 3)

Hear Patent Case of Westinghouse, RCA

Wilmington, March 24.—A hearing on the action for control of important television patents brought by Westinghouse Electric Manufacturing Co. against Radio Corporation of America was held in U. S. District Court today before Judge John P. Nields. Argument was set for May 20 with a May 10 deadline established or briefs.

Westinghouse asks that the United States Commissioner of Patents be directed to issue patents on television

(Continued on page 6)

Additional developments in radio yesterday on page 6.

Tax Cut Sought

London, March 24.—English exhibitors today appealed to the Treasury for an adjustment of the current tax on inexpensive seats.

They were told that a reduction would cost the Government £400,000, and that such a move would be inconvenient in the present abnormal times. However, it was said the case would be given consideration.

Yates Says Republic Has Six Millions in Bookings

Republic Pictures has $6,000,000 in business on its books represented by exhibition contracts and has received several offers from prospective purchasers, all of which have been rejected, H. J. Yates, president of Consolidated Film Industries, told Consolidated stockholders at their annual meeting yesterday.

This and other information regarding Republic was given by Yates in answering stockholders' questions regarding the extent of Consolidated's investment in the film company and its prospects.

The only official business before the meeting was the election of four directors for three-year terms starting yesterday. The candidates presented were elected without opposition. They were J. W. Coffman, J. E. MacPherson and M. J. Siegel, president of Republic Productions, who were reelected, and E. H. Seifert, a new member. Seifert was described by Yates as general manager of Consolidated's laboratory at Fort Lee. He succeeds Ben Goetz on the directorate, the latter having resigned as vice-president some time ago to become a production executive for M-G-M in England.

There was no discussion of a new recapitalization plan for the company. M. H. Lavenstein, attorney for the Yates enterprises, said the Delaware courts held invalid the plan which was approved by the stockholders in 1936 on the ground that it required the stockholders' unanimous consent. He invited suggestions on a new plan. Only two or three stockholders offered suggestions. One of these was Nor-

(Continued on page 3)

Commons May Prune Quota Percentages

By AUBREY FLANAGAN

London, March 24.—The hopes of the trade that the quota percentage figures for distributors and exhibitors may be reduced in a new Government move were raised today by a statement in the House of Lords by Lord Swinton that the Government acceptance of the Lord Moyne amendments for increased quotas is without prejudice to what may happen in the House of Commons.

The Cinematograph Exhibitors' Association has written to all members

(Continued on page 7)

Jack Warner Denies No Musicals Planned

Hollywood, March 24.—Reports that Warners had turned cold on musicals were denied today by Jack L. Warner. The company not only intends to make them, he said, but considers them the best box-office material.

"Musicals have saved the industry generally, and almost every important producing company individually several times in the past, and they will

(Continued on page 7)

GB Will Release 24 Next Year, Says Lee

G.B. will have approximately 24 features available for release here next season, according to present indications, Arthur Lee, managing director, stated yesterday.

The company's schedule may not be definitely set for another month, he said, but present plans indicate that about eight more features will be distributed here next season than were handled this season. The current schedule consists of 16 pictures.

Lee may go to London late in April for conferences with company heads on new season plans.

About 50 Leave Here For Depinet Dinner

About 50 New York film and theatre men left from Grand Central Station on the Southwestern Limited at 8:00 P. M. last night to attend the testimonial dinner for Ned E. Depinet in Dallas tomorrow night. Another delegation, including the guest of honor, is en route to Dallas from Hollywood, while still others left yesterday from widely separated localities.

The event is sponsored by Karl

(Continued on page 7)

MOTION PICTURE
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ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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K-A-O to Cut Common

Keith-Albee-Orpheum Corp. has notified the New York Stock Exchange that it proposes to reduce its authorized common stock from 2,000,000 to 1,400,000 shares. The move is being made as a franchise tax economy measure and is made possible by the fact that, allowing sufficient common for the exercise of preferred stock conversions, there are still 600,000 shares of K-A-O common for which the company has no use at this time.

"Music" Gets $40,000

"Mad About Music" finished a second week at the Roxy last night with $40,000, against $54,500 for the first stanza. "Bulldog Drummond's Peril" at the Criterion did $8,500. "King of the Newsboys" will go into the Criterion following "Tip-Off Girls," which will start today.

Altec, 20th-Fox in Deal

L. W. Conrow, president of Altec Service Corp., has closed a deal with E. I. Sponable, technical director of 20th Century-Fox, under which Altec will service all 20th Century-Fox exchanges in the United States. Regular and emergency service and repair and replacement work are included.

The Newsreel Parade

Movietone News
Vol. 20, No. 56
(*20th Century-Fox*)

The usual punch is lacking in this release, which contains little outstanding from a spot news standpoint. President Roosevelt's speech at Gainesville, Ga., in which he asked the South to join the forces of social progress leads it off, but shots of the crowd interfere with a concentration on the President himself.

Cardinal Hayes gives a peace message on his 14th anniversary, and this is a close runnerup to the Roosevelt talk. Training of air corps rookies provides some exciting flying. The rest includes change of army command at Honolulu, Lew Lehr's description of a wrestling free-for-all in the snow, and a Paris fashion show, in addition to the sports division which has the Golden Gloves fights, Harvard rowing and a skating carnival. Running time, 9½ mins. F.

News of the Day
Vol. 9, No. 254
(*M-G-M*)

Adept handling of President Roosevelt's speech at Gainesville, Ga., almost all in closeup, and Cardinal Hayes' message on peace heightens the interest. Two other clips that will have a wide appeal are George Bernard Shaw in some wisecracking remarks and George VI of England trying out an ancient automobile used by his grandfather, Edward VII.

The hazardous flying of the cadet navy fliers provides thrills. The "sporting page" presents the ice carnival at Madison Square Garden, a wrestling melee in a snow-covered ring, and Tommy Farr, with his bride, explaining why he married. Running time, 9 mins. F.

Paramount News
No. 67
(*Paramount*)

The New York Americans-Rangers hockey game gets the lead position in this release, with plenty of the speed and action of a good hockey game having been caught by the camera. The fatal journey of the Susquehanna River log raft gets second position, although the pictures, themselves, are uneventful. There was no camera record of the accident to the raft which cost several lives, including that of a newsreel cameraman.

The balance of the reel is of a routine order, but the subjects are diversified, brief and, for the most part, of general interest. They include the launching of a new submarine on the Pacific coast, construction work on San Francisco's 1939 exposition grounds with Mrs. F. D. Roosevelt as a visitor; Herbert Hoover's reception in Poland; cherry-blossom time in Washington; a Chicago couple who paid for their baby with penny savings; Mark Hawley, Connecticut artist, and his bird paintings, and a presentation of Kentucky Derby favorites. Running time, 9 mins. K.

RKO Pathe News
Vol. 9, No. 71
(*RKO*)

President Roosevelt's criticism of Southern wage scales and "feudalism" at Gainsville, Ga., on Wednesday appears in this newsreel as a forthright statement of Administration policy, certain to command audience interest, either sympathetic or provocative. The subject is deserving of the lead position in the reel, which it holds, even though other material crowds it for mass interest in this uniformly good release.

Pictures of the Eucharistic Congress in Australia, the significance of the Government's half-billion dollar slum clearance drive; Chinese-American relief work for war refugees of their native land, and the spectacular burning of the lake steamer *City of Buffalo,* at Cleveland, all are of more than average interest. Completing the release are pictures of a Madison Square Garden ice carnival, effectively photographed; a water polo contest with plenty of action; Harvard crews in their first spring practice on the Charles, and King George VI sampling 1899 touring methods in an automobile owned by his grandfather, Edward VII. Running time, 9 mins. K.

Universal Newsreel
Vol. 10, No. 652
(*Universal*)

Four or five wrestlers and a referee in a ring filled with a foot of snow at Lake Worth, Fla., wind up the Universal reel with a series of laughs. It's one of the funniest things filmed in months, with all the standard clowning technique of wrestlers complicated by their inability to stay on their feet.

The other 11 subjects cover a varied field. One is a glimpse of the novena which draws thousands to a Chicago church daily. A solemn angle is provided by shots of the log raft on the Susquehanna River on which Thomas Proffitt, a Universal cameraman, lost his life.

Other clips include the results of the bombing of Formosa; some fancy flying by Naval cadets at Pensacola; the ruins of the *City of Buffalo,* a steamer, at Cleveland; the making of chocolate Easter rabbits; some ludicrous and serious boxing in the Golden Gloves tournament; a girl's soft ball team in action at Memphis; tennis lessons by Donald Budge at Miami; an exciting hockey game at Madison Square Garden, and shots of Man-O-War at Lexington, Ky., with a five-day-old son. The horse is still a magnificent animal. Running time, 9 mins. J.

Will Names Mrs. Mulvey

Mrs. Marie McKeever Mulvey inherits the entire estate of her father, Stephen W. McKeever, president of the Brooklyn Dodgers, by the terms of McKeever's will filed yesterday. Mrs. Mulvey and James Mulvey, her husband, who is eastern representative of Samuel Goldwyn, are named executors.

"Rawhide" Has Premiere

St. Petersburg, March 24.—Preceded by a parade, fireworks, radio broadcast and reception, "Rawhide" opened at the Capitol here today before an audience which included players from the local baseball training camps who attended in tribute to Lou Gehrig, Yankee star, who is featured in the 20th Century-Fox film.

Mexican Congress To Discuss Plans For Film Financ

Mexico City, March 24.—Preside Lazaro Cardenas has docketed for di cussion by the extraordinary sessi of Congress, which is to be held April, the proposition of establishi a Federal government-sponsore [illegible] to finance the film industry. The ba is to have a capital of 100,000,0 pesos (about $28,000,000) which w be provided jointly by the Governme and the industry.

The proposition of creating a n tional council to regulate vario phases of the industry is being co sidered by the Senatorial bloc.

Saperstein Reelecte Illinois Allied Hea

Chicago, March 24.—Aaron Sape stein today was elected to serve l seventh term as president of Allied Illinois at its convention held here the La Salle Hotel. Van Nomik was elected vice-president, Benjam Bartelstein, secretary; Joseph Ste treasurer, and Harry Nepo, sergea at-arms.

Members of the board of directo are Charles Nelson, Jack Rose, Be jamin Lasker, Tippy Barison, Ludw Sussman, Harry Reckas, Jack Kirs Samuel Roberts, Abe Gumbin Richard Salkin and Verne Langdon.

Orders Brown Testimon

George Frame Brown, plaintiff a $6,535 breach of contract suit agai Gem Picture Productions, Inc., w ordered to appear for an examinati before trial on April 5 by Justi Charles B. McLaughlin in N. Y. S preme Court yesterday.

Brown alleges that he was engag in 1933 to produce 11 issues "Goofytone" newsreels at $500 ea and that Gem breached its contr after accepting two completed reels.

Wall Street

Gains Predominate on Board

	Open	High	Low	Close	Ne Char
Col.	10¼	10⅝	10⅛	10⅛	...
Cons.	1⅜	1⅜	1⅜	1⅜	+
Cons. pfd...	5¼	5¼	5¼	5¼	—
E. K.	140¼	140¼	135	137	—4
G. T. E.....	9¾	9¾	9¾	9¾	+
Loew	40½	41¼	40	41	+
Loew pfd...	105	105	105	105	+1
Para.	7	7⅜	6⅞	7⅛	+
Para. 2.....	7¾	7⅞	7⅝	7⅞	+
Pathe	4⅜	4½	4⅜	4⅜	—
RKO	2⅝	2⅝	2½	2½	—
20th Fox ..	18¼	18¼	18	18¼	+
Univ. pfd...	30	30	30	30	—3
W. B.	4⅛	4¼	4	4¼	+
W. B. pfd..	29	29	29	29	—1

Curb Increases Fractionally

	Open	High	Low	Close	Ne Char
Monogram	1½	1¾	1½	1¾	+
Sentry	5/16	5/16	5/16	5/16	...
Sonotone ..	1½	1½	1⅜	1⅜	...
Tech.	17⅞	17⅞	17¼	17¾	+
Trans-Lux	2½	2½	2½	2½	...
Univ. Corp.	1⅞	2	1⅞	2	+
Univ. Pict..	3¾	3¾	3¾	3¾	...

Light Bond Movement

	High	Low	Close	Ne Char
Keith 6s '46......	83	83	83	+
Loew 3½s '46.....	96½	96¼	96¼	—
Para. B'way 3s '55...........	58½	58½	58½	...
W. B. 6s '39......	67⅛	67	67	...

(Quotations at close of March 24)

Purely ersonal

FRANK FREEMAN, Para- mount theatre head, left Miami erday for Dallas, where he will fer with KARL HOBLITZELLE and J. O'DONNELL, and will attend the . DEPINET testimonial dinner. ll stop off at New Orleans for ferences with E. V. RICHARDS be- e returning to New York in about eek.

•

AMON NOVARRO plans to leave to- rrow for the coast to start in his t Republic picture, "As You Are," HANS KRALY. He has completed ersonal appearance tour and has n here for a few days discussing film with H. J. YATES and others.

•

IORRIS H. GOODMAN, Republic's eign sales manager, is due over the ekend from a two-month trip ough South and Central America. will attend the company's conven- n in Hollywood early in May.

•

VILLIAM A. SCULLY, Universal eral sales manager, returned yes- day from a tour of the company's thern branches and plans to leave in tonight on a second visit to tral and midwestern exchanges.

•

RTHUR LEE, G.B. head, will visit company's Los Angeles and far stern branches before returning to w York. He left yesterday for llas where he will attend the NED DEPINET testimonial dinner.

•

MARY PICKFORD expects to remain New York to the end of April, en she will return to the coast. e is completing the organization of osmetics company.

•

LORIA SWANSON has invited guests a housewarming tomorrow at her w apartment. She expects to remain re for a while.

•

MRS. DAVID PALFREYMAN is re- vering from a major operation per- med yesterday at Polyclinic Hos- al.

•

JACKIE COOPER and his mother, RS. MABLE COOPER BIGELOW, are at e Warwick.

Japanese Sought Republic Control

Among the offers for purchase of control of Republic Pictures was one from the Japanese Government, H. J. Yates stated after the meeting of Consolidated Film Industries stockholders yesterday. It was rejected.

This offer, he said, would have assured Consolidated $1,000,000 profit over the total investment in the company.

Asked if he knew why Japan wanted the company, he said he surmised that it wanted control of an American producing and distributing organization for "propaganda purposes."

Yates Says Republic Has Six Millions in Bookings

(Continued from page 1)

man Johnson, plaintiff in the action in which the original plan was held illegal. Johnson said that he now felt that he was partly to blame for the lack of recapitalization plan and therefore was working on an alternative proposal which he would shortly submit to the officers. Another stockholder said he would submit a plan whereby the corporation could buy 50,000 shares of Consolidated preferred stock at the market price of slightly more than $5 a share in order to meet back dividends on the preferred.

About 50 persons attended. A total of 510,496 common and preferred shares was represented, of 924,973 outstanding on Dec. 31, last, 14,594 shares being represented in person.

Queried on Republic

The stockholders displayed more interest in Republic Pictures than any other operation of the organization. When questioned about earnings, Yates replied that an amortization table is being set up for Republic and until that is completed it would be difficult to estimate the earnings accurately. He said that he would be willing to make a statement on earnings at the end of Republic's fiscal year April 30.

After the meeting, he privately said that his present estimate of Republic's earnings last year was $200,000. He declared that the franchise holders earned $800,000 in the same period and that he considered the two amounts unbalanced and therefore would ask the franchise holders to reduce the percentages charged for distribution, which range from 20 to 45 per cent.

A stockholder asked why Consolidated had become so heavily involved in Republic during 1937, in which year the parent company paid $902,100 for Republic's stock. As of the first of this year, the unpaid balance of Consolidated's loans to Republic amounted to $2,211,783.78.

Republic Setup Explained

"Consolidated has been interested in Republic since June, 1935," Yates said. "Since 1917 it has been lending money at interest to film companies to control their printing. It has been our experience that producers, after emerging from their swaddling clothes, opened their own laboratories or forced down the price of printing.

"When Consolidated went into Republic it was on a basis of having control. We saw an opportunity where a lineup of product at a medium cost of from $55,000 to $100,000 per picture would be acceptable to exhibitors. The company has been through the usual trials and tribulations of building a picture company. It is now in its third year and I don't think I am exaggerating to say that it has a tremendous future. In due time it will earn more money for Consolidated than all of its other companies combined."

He said that Consolidated owns a total of 225,000 shares of stock in Republic, 150,000 of which is outright and 75,000 through a beneficial interest in holdings of the Cajo Corp. in which the Setay Corp., another Yates corporation, also shares.

Yates said that the Biograph studio is owned by a separate corporation. The lease on the studio expires next fall, and he gave no indication whether it would be renewed. He said he had found eastern production unprofitable.

Republic in the last four weeks has done more business than in any comparative period since it was started, he continued, and predicted that playdates would increase to May 1. He said the $6,000,000 in exhibition contracts held by Republic is a lien owned by Consolidated since the parent corporation has first call on collections.

Yates said that Republic had been offered $500,000 for Gene Autry, its top acting name, and had refused it. Autry, he said, is seeking higher wages, but "in a week or two" Yates said he believed the dispute would be settled.

RKO Slate Clean

RKO has liquidated its past indebtedness to Consolidated and owes the company nothing except current bills, Yates said.

Consolidated has discontinued color film development after an investment of more than $250,000 in its coast color plant, he stated. He said that the company is keeping up with color technique to some extent and if the industry swings to color, the laboratory can begin production "over night."

Technicolor is not competition to Consolidated as yet, he said, "but if they can ever get their process down to the cost of black-and-white, they would be a serious threat."

Ralph Poucher, head of Consolidated Film Laboratories, reported this subsidiary as "in excellent shape" and said he was working on a deal with one of the largest film companies which would increase the plant's capacity 30 per cent. This contract will be for five years. He said that while production costs have increased, rates have not been boosted to the accounts as yet.

Subsidiary Reports Profit

R. W. Altschuler, president of the American Record Co., another subsidiary, said his company is showing a profit and that business is as good as in 1927 or 1928, at the height of prosperity. He said that the retail price of the company's records would be increased from 25 cents to 35 cents on April 7. A report on another subsidiary, Consolidated Moulded Products Corp. of Scranton, was given by J. P. Case, its president.

Enlarge Trailer Staff

Trailer-Made, Inc., new trailer organization, has added eight new men in the field: Sam Farber, Arthur Gangel, Lee Goldberg, Morris Cohen, Walter Price, Mortimer Weinberg, Sidney Goldberg and F. M. Sanford.

Hilgers "U" Branch Head

OKLAHOMA CITY, March 24.—William Scully, general sales manager of Universal, has named Claire Hilgers to succeed A. G. Leary as branch manager of the company's exchange here. Leary transfers to Albany.

Cochrane "U" Stock Sought By Syndicates

(Continued from page 1)

associated with an advertising agency, together with P. D. Cochrane.

There is no deal on at the present time for the purchase of Erpi's security holdings in Universal, according to ranking officials of the former company. It was pointed out that Erpi does not regard the investment as a permanent one and that, in fact, the company's policy is to relinquish all direct ties with producing and distributing companies, which means, of course, that eventually the $1,250,000 Erpi investment in Universal will be disposed of. Any deal appears to be distant at this time, however, with no negotiations under way and unfavorable market conditions prevailing.

Muto Gets Publicity Post in I. A. T. S. E.

Anthony Muto, formerly with the Washington office of the M. P. P. D. A. and before that well known as a journalist, has been placed in charge of publicity and public information for the I. A. T. S. E., working out of the Washington office.

Muto entered the film business through the NRA and its business code activities. His newspaper work included delving into the affairs of the Ku Klux Klan for the *New York World*.

Huss in New ITO Post

COLUMBUS, March 24.—F. W. Huss, Jr., has been advanced from second to first vice-president of the Independent Theatre Owners of Ohio to fill the vacancy caused by the death of Sam E. Lind. Robert C. Menches has been named as second vice-president.

Caldwell H. Brown of the Zanesville Theatres Co. has been named a director.

Cockrill to Use Duals

DENVER, March 24.—After this week Dave Cockrill will operate his first run Denham on a double bill basis. Operating in the past exclusively with Paramount product, he has purchased several films from Grand National, Monogram and Republic to augment the Paramount films.

No Smoking

There was practically no smoking at the Consolidated Film Industries stockholders' meeting yesterday. The two-hour session was held in an air-tight recording room at the company's headquarters at 1776 Broadway. A lady of advanced years complained that the smoke was too much for her, even before the meeting got under way. Meyer H. Lavenstein, the company's general counsel, admitted to being gallant and doused his cigar. The other smokers followed suit.

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the world!"
Fox presents
ZANUCK'S
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POPULAR
PRIC...

FIRST POPULAR
"IN OLD CHICAGO
RECORDS FOR
AT PARAMOUN

Highlights of history-making engagemer

1 Every Paramount Theatre record, for every picture shattered, including holiday runs!

2 Picture ran as single bill in house that for years has had double bill policy!

THE GREAT AMERICAN
MOTION PICTURE
The ro-
turbulent
forever in
sweeping
that

PRICE RUN OF
SMASHES ALL
LL PICTURES
SAN FRANCISCO!

3 Theatre forced to run picture all Saturday night to accommodate unprecedented waiting lines!

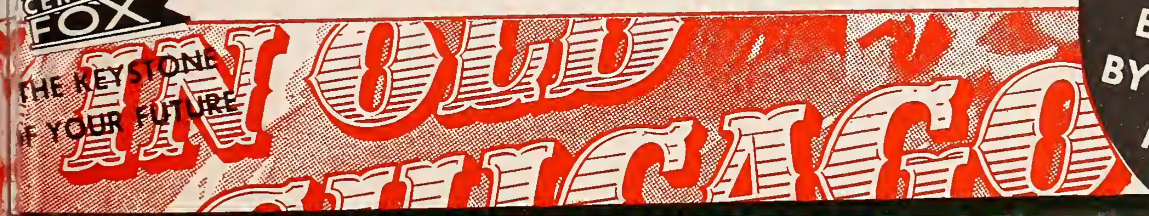
4 First four days played in terrific and unceasing rain!

HELD FOR SECOND WEEK
(at least!)

AT POPULA PRICES.
Direct From
Sensationa
$2 Runs

AND IN DALLAS
BIGGEST BUSINESS BY ANY PICTURE IN MANY YEA

20th CENTURY FOX
THE KEYSTONE
F YOUR FUTURE


IN OLD CHICAGO

Banner LINES

Harry Von Zell seems to have gone over to the "School of Screaming Announcers," an institution presided over by Ford Bond and Graham McNamee. That is really too bad, for Harry's commercial pronouncements once were the most pleasurable in radio. Tone down, Harry, and drop your enrollment in this school.

▼

Too many programs are aping the delightfully informal style and chatter of the Kraft "Music Hall" series. But mere carbon-copying, pals, just isn't enough. To capture the full charm of the "Hall," wean away Bing Crosby and his writer, Carroll Carroll, from the Kraft employ, and place them in your employ. Instructing your artists and writers to emulate the talents of this duo simply won't turn the trick.

▼

The new WMCA studios are far from complete, but an inspection of the premises easily convinces one that Donald Flamm will have one of the finest studio and plant setups of any independent station in America, once the job is finished.

▼

Dave Elman of the "Hobby Lobby" program will close with Hearst any day for a syndicated column on hobbies.

▼

Opening a pet subject, that of artists who retain a loyal and devout following despite—or perhaps because of—years spent in performing harness, one wonders why Morton Downey has not returned to the air. Nightly at Billy Rose's Casa Manana, Downey almost literally tears down the roof. If ever a voice was suited for the microphone, it is Downey's unbelievably high and sweet tenor tones. He was one of radio's first great attractions, and he could become one again if brought back to the air.

—JACK BANNER

To Interview Oldfield

LINCOLN, March 24.—Barney Oldfield, motion picture columnist for the Lincoln *Journal-Star,* and correspondent in this city for MOTION PICTURE DAILY, will be interviewed on the Lux "Radio Theatre" Monday as the "busiest motion picture critic." He will remain in Hollywood for two weeks and will write his column from there.

Ida Bailey Allen Signed

Rockwell-O'Keefe has signed Ida Bailey Allen to a personal management contract. The same office has booked Lani McIntyre and Art Shaw for guest appearances on the Chesterfield show April 1 and 15 respectively. All negotiations were handled by Frank Cooper, manager of the radio division.

CBS Extends Options

Columbia Broadcasting System, Inc., has notified the N. Y. Stock Exchange that options extended to certain executives to purchase 3,068 shares of Class A stock at $15 a share up to March 11 have been extended to March 10, 1939.

Mason to Press NBC Short Wave Activity

Frank Mason, NBC vice-president and assistant to President Lenox R. Lohr, yesterday was appointed to direct all short wave activities of that network. Mason will assume his new duties immediately.

In appointing Mason director of short wave activity, Lohr made the following significant statement:

"While the licenses under which short wave stations operate are experimental and carry no public obligation *per se,* NBC feels that it, along with other private broadcasters, must see to it that the United States does not lag behind other nations in international short wave broadcasts. In this period of world stress and widely conflicting political ideologies, it is especially important that NBC be alert to the needs of the United States for communicating its policies and actions to all parts of the world."

NBC's short wave station is W3XAL.

Sponsors Renew on "Homemakers" Show

SAN FRANCISCO, March 24.—United States Products Corp. and the Golden State Co., Ltd., two large national accounts, have renewed their sponsorship of "Friendly Homemakers," participation series on KSFO, for long periods. Agencies placing the business are the Long Advertising Agency of San Jose, Cal., and N. W. Ayer & Son.

Goodrich Tire & Rubber Co. has placed a summer spot announcement campaign on KFSO, beginning April 1, through Ruthrauff & Ryan.

Jack Combs Joins WINS

Jack Combs of WMCA has joined WINS as assistant program director in charge of commercial programs. Twenty-three new radio presentations, many of which shortly will appear in new commercial shows, will be auditioned by Combs for Al Cormier, manager of WINS, and Al Shillin, director of sales.

Hear Patent Case of Westinghouse, RCA

(Continued from page 1)

systems for which the plaintiff corporation has made application on the inventions of Vladimir K. Zworykin. Zworykin made inventions for television systems and applied to the Commissioner, Westinghouse alleges, but interferences were declared by the Commissioner because of applications made by several later inventors of television systems and patents were not issued.

Westinghouse charges that after several hearings and appeals the Commissioner decided in favor of the patent application of Henry Joseph Round. RCA owns full interest in the Round application while Westinghouse owns full interest in Zworykin's inventions. Westinghouse now asks the court to adjudge Zworykin the true and original inventor and to assign to Westinghouse the entire rights.

Witnesses today were Jonah Bernard Nathanson, Charles K. Storvel and Joseph T. Tykociner, all of Pittsburgh, appearing for Westinghouse. They are television experts and delved into the purely technical side of the industry.

Volume on Coverage Is Prepared by CBS

The latest report of CBS on station coverage, devoted to a study of evening hours, has been issued in book form by the network. Written and compiled by Vic Ratner, sales promotion manager for the network, the volume is one of the most exhaustive studies of radio station coverage ever compiled.

The volume, by text and maps, treats the coverage areas and gives the market data for each station affiliated with the network. It is far more valuable than most books of its type in that it differentiates between night and daytime coverage. A companion volume to the book at hand, which will deal with daytime coverage, is now in preparation and will be available some time next month. B.

Radio Sustaining Artists Get Pat on Back at Ampa

The lowly radio sustaining artists, called thus according to a long-standing, grim joke in radio because their salaries are just able to sustain them, were brought out from their usual place behind the well known eight ball for a mite of praise by Earl McGill, casting director of CBS, at the weekly Ampa luncheon yesterday.

McGill urged motion picture interests to listen to radio with a wider discrimination than heretofore; to eschew the big commercial programs which feature established radio and screen players for the run-of-the-mill sustaining output. From these programs will come the radio and film stars of the future, McGill said.

Radio, McGill said, can afford to experiment with new players in an effort to develop them, whereas the screen and stage cannot because of the expense involved.

"Unknown players no longer head for the Broadway casting offices when they arrive in New York," he said. "They head straight for the network headquarters. If, after an audition, we feel they have talent we place them in sustaining programs which cost very little to produce. If they develop we sell them to sponsors, to the stage and to the screen. If they do not develop, radio has lost comparatively little money."

He cited numerous past instances of talent thus developed, and currently, he said, the network was attempting to build up via sustaining shows personalities like Barry Wood, Ruth Carhart, Doris Rhodes and Charles Cantor.

Guests at the luncheon included Leila Rogers, mother of Ginger Rogers and head of the RKO talent school; Joy Hodges of "I'd Rather Be Right" and Senora Claudia Volta.

Paul Lazarus, Ampa vice-president, presided in the absence of Ralph Rolan.

◀ Radio Personals ▶

JACK BENNY arrived in town yesterday from Hollywood for a four-day visit. . . . Irma Phillips, network script writer, will return to New York today from a six-day cruise. . . . Warners have retained Steve Han[illegible]gan to do the publicity for the "[illegible]core Theatre of the Air" series. . . . Newest developments in the art of making phonograph records will be discussed in an interview between Frank E. Mullen, manager of the department of information of RCA, and R. R. Sooy, who is in charge of all RCA-Victor recording work, during the "National Farm and Home" hour Monday over NBC. . . . Ken Lyons, Frank Parker's press agent, leaves for Hollywood today. . . . Pauline Swanson of the Fizdale office in Hollywood is visiting here for about 10 days. The Alton Cook's baby arrived yesterday morning. It's a boy.

+

Tony Wons, having completed his CBS series, will leave for Chicago in a few days before going to his Center Island retreat in Ontario where he will spend the summer writing. . . . Volney S. Richter, formerly contact man for Young & Rubicam, has joined the WOR sales department. . . . Stan Shaw of the WNEW all-night "Milkman's Matinee," will be the guest of honor at Leon & Eddie's restaurant, Sunday.

Defeat Plan to Open CBC Board's Records

OTTAWA, March 24.—The House of Commons Committee on Broadcasting today rejected a motion that the minutes of a certain meeting of the Canadian Broadcasting Corp. board governors be filed with the secretary. The vote was nine to two. In a heated session, Earl Lawson, Conservative chief and opposition critic of the corporation, moved for production of the minutes from which L. W. Brockington, chairman of the board of governors, previously had read excerpts.

Lawson wanted them for private study by committee members. Transport Minister C. D. Howe jumped into the fray, declaring making such records available to the committee would be unfair to an industry operating in a competitive field. Lawson fired back that it was against the principles of British justice to allow a witness before a House committee to read extracts from a document which was not open in its entirety to committee members. After much wrangling a committee vote went against Lawson.

Set Kate Smith Show

Kate Smith, beginning April 4, will start a three times weekly sustaining commentary series on CBS. This will be in addition to her commercial program over the same network for General Foods Corp. According to a report, the reason for the double series of programs, which is somewhat unusual, is that Miss Smith is negotiating to do a daily syndicated newspaper column, and she feels that being on the air as often as four times a week will help build up the column.

20th-Fox Net Increases to $8,617,114

(*Continued from page* 1)

rther progress was made during the . 1937 and the corporation's prodcontinues to be well received by xhibitors and the public throughout he world."

National Theatres Corp. and its votng controlled domestic subsidiaries ad consolidated net income of $2,988,28 for 1937 as compared with $2,923,09 in 1936. The 42 per cent interest f 20th Century-Fox in National Thetres indicates an interest in these arnings of $1,255,055.

The film company paid dividends on ts preferred stock in 1937 of $1.50 er share and on the common stock f $2.50 per share. Total dividends aid amounted to $5,754,703. During 937, 84,412 shares of preferred were xchanged for 105,514 shares of comnon. Outstanding capital at Dec. 25, 937, comprised 946,882 shares of preerred and 1,741,683 shares of comnon.

Exchange Costs Listed

During 1937 there was charged to xpense the sum of $719,471 by reaon of foreign exchange fluctuations nd the advisability of further proviion for possible losses due to curency restrictions in foreign countries. Df these 1937 charges $119,471 repesenting foreign exchange fluctuations luring the year was applied directly o reduce the values of assets in forign countries and $600,000 constitutes n addition to the reserve for the flucuation in the dollar value of working ssets in foreign countries, which reerve now stands at $850,000.

Gross income from sales and rentls in 1937 amounted to $56,172,192, nd the net operating profit before inerest and depreciation amounted to 10,169,668.

G. T. E. '37 Profit Equals $1,199,415

General Theatres Equipment Corp. and subsidiaries have reported net profit of $1,199,415 for the year ended Dec. 31, 1937, after depreciation, Federal taxes and other deductions.

In the preceding year the company reported a net profit of $959,509 for the period from June 1, 1936, beginning of business, to Dec. 31, 1936.

Commons May Prune Quota Percentage

(*Continued from page* 1)

of the House of Commons asking support for a move to restore the clause in the Films Bill cutting the quota for the current year and appealing for the restoration of the original Commons quota schedules.

The organization also has pointed out that the increased quota on short subjects will defeat its own end, because the exhibitor is not compelled to show American shorts, and the distributor, in order to forestall the quota, need only withhold the American shorts output. The letter is seen as strengthening the Government's hand.

About 50 Leave Here For Depinet Dinner

(*Continued from page* 1)

Hoblitzelle and R. J. O'Donnell of Interstate Circuit, Dallas, in observance of Depinet's 30th anniversary in the industry.

The New York delegation occupied three special cars, and will be augmented by friends of the RKO distribution chief, who will join the party at Indianapolis and St. Louis. Frederick Ullman, Jr., general manager of Pathe News, took with him a reel depicting Depinet's career, which was produced at the Pathe offices here and will be screened during the Saturday night program. Matthew J. Fox, Universal vice-president, and a member of the entertainment committee for the dinner, reported that an elaborate entertainment program had been completed for the event.

Amsterdam Handling Engel Dinner Detail

PHILADELPHIA, March 24.—Ben Amsterdam, circuit executive, is chairman and treasurer of the committee handling details of the dinner to be given Joe Engel, Universal branch manager who has been shifted to Cleveland, at the Hotel Warwick March 28.

Frank McNamee will be toastmaster.

Others on the committee are: Joseph Leon, Al Boyd, William Mansell, William Goldman, Lewen Pizor, Jay Emanuel, Jack Beresin, Ben Fertel, Sam Varbalow, Jack Greenberg, Sam Gross, I. Epstein, Jim Clark, David Weshner, Ted Schlanger and Abe Sablosky.

Jack Warner Denies No Musicals Planned

(*Continued from page* 1)

continue to be great attractions on any program as long as good stories, good music and good entertainment appeal to the public," Warner declared.

"It has become almost a habit in Hollywood for some spokesman to put up scarecrows in any field of entertainment into which they are not, at the moment, willing to venture. When an announcement is made that any certain kind of picture will not be produced 'next year' it usually means that the announcer, for one, has no suitable story or stars to use in that particular field of entertainment.

"We ought to pay attention to the business of making better pictures and less to these slightly foolish efforts to scare our competitors."

MGM Talks Product At Chicago Meeting

CHICAGO, March 24.—Product for this season was discussed by William F. Rodgers, general sales manager of M-G-M, at the company's regional sales conference which opened here today. Product for the coming season will be considered tomorrow and the delegates will hear an outline of the company's selling plans for 1938-39.

M-G-M is considering the roadshowing of its forthcoming "Test Pilot" here, but the arrangement is said not to be definite as there is no theatre available for the purpose.

The modern girl is rotten, spoiled and the sooner man applies the whip, the better!

ALEXANDER KORDA presents
MERLE OBERON
in
The Divorce of Lady X
A COMEDY IN TECHNICOLOR
with LAURENCE OLIVIER and
BINNIE BARNES • RALPH RICHARDSON • MORTON SELTEN
Directed by TIM WHELAN • RELEASED THRU UNITED ARTISTS

NEW UNIVERSAL PRESENTS

"GOODBYE BROADWAY"

...YOU GOTTA KNOW THE

RIGHT

PEOPLE—TO MAKE THE

RIGH

PICTUR

ALICE BRADY

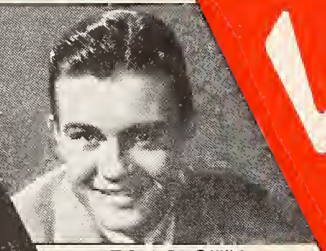
RIGHT!

Because Academy Award Winner Alice is the talk of the country after her sensational performance in "In Old Chicago."

CHAS. WINNINGER

RIGHT!

Because he steals all honors in "Nothing Sacred" and "Every Day's A Holiday."



TOM BROWN

RIGHT!

Because of his standout performances in "Navy Blue and Gold" and "I Old Chicago."

DOROTHEA KENT

RIGHT!

Because of Dorothea Kent's rapid stride ahead as the new "Dulcy" of the screen.

FRANK JENKS

RIGHT!

Because of Jenks' great work in "10 MEN AND A GIRL" and "YOU'RE A SWEETHEART."

TOMMY RIGGS

RIGHT!

Because Tommy Riggs and hi "Betty Lou"...are the most talked about comedy feature in radi today . . . and Tommy rates hand some-high on the screen!

THE NEW UNIVERSAL PRESENTS

1938'S COMEDY SENSATION!

"GOODBYE BROADWAY"

with

ALICE BRADY

Chas. WINNINGER

TOM BROWN • FRANK JENKS

DOROTHEA KENT and

RADIO'S NEWEST COMEDY SENSATION

TOMMY RIGGS

AND HIS BETTY LOU

Screen Play by Roy Chanslor and A. Dorian Otvos

Based on the Broadway Stage Success by

James A. Gleason • Directed by Ray McCarey

Associate Producer EDMUND GRAINGER

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Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

L. 43. NO. 70 NEW YORK, SATURDAY, MARCH 26, 1938 TEN CENTS

Blanks Go Out For Financing Probe by FCC

ntimate Details Must Be in by April 25

WASHINGTON, March 25.—Distribu- on of questionnaires on which broad- asters will submit financial reports as started today by the Federal Com- unications Commission.

Every station in the country, re- ardless of size, frequency or owner- hip, will be required to report, by pril 25, intimate details of its financ- g and its receipts and expenditures or 1937.

In the case of chain stations, rev- nues from networks are to be shown

Additional developments in radio yesterday on page 4.

eparately from other income, and uch broadcasters also are to report he average number of weekly sustain- ng program hours furnished by the tation and the difference between the etwork revenue reported and the mount of net billings to users for uch network broadcasting, with re- pect to the time of the station.

Broadcasters also will be required o report if they exchange time for

(*Continued on page* 4)

Oakie Is Tonight's Depinet Dinner m. c.

DALLAS, March 25.—Jack Oakie will be master of ceremonies at the dinner to be given tomorrow night in honor of Ned E. Depinet who entered the industry 30 years ago in Dallas. Depinet and Mrs. Depinet arrived today with a party which included Charles Skouras and Mike Rosenberg.

The New York delegation of 50 will be met at the station tomorrow morning by a welcoming committee and band.

M. H. Aylesworth, former head of RKO, is en route here flying his own plane, and is expected momentarily.

Expect Consolidated To Reelect Officers

All present officers of Consolidated Film industries are slated for reelection at the annual board meeting to be held on April 15. H. J. Yates is president of the company.

The corporation discloses that the $1,050,000 listed as notes payable on bank loans in the 1937 financial statement, released to stockholders March

(*Continued on page* 4)

Objections Delay Senate Action on the Neely Bill

WASHINGTON, March 25.—Objections voiced by several senators today prevented consideration of the Neely block booking bill when that measure was reached during consideration of the Senate calendar.

The bill was called up in a routine manner, but was passed over when several senators said "over," which is all that is necessary to defer consideration. There was no discussion, naturally, and none of the objecting senators vouchsafed any reason for his action.

The bill will be called up again when the calendar is next taken up.

New Admission Tax Threatens Canada Houses

TORONTO, March 25.—The Toronto City Council has decided to send representatives to Premier M. F. Hepburn of Ontario and his Provincial Cabinet to seek enabling legislation to impose a tax on theatre tickets in the city.

The move is seen as a new and definite step in the recent movement toward the imposition of an admission tax in the province, which was abolished last June. The Toronto City Council, at an emergency session on the necessity for increased local reve-

(*Continued on page* 2)

"U" Will Decide on Sales Meet Shortly

A decision as to the type of annual sales meeting to be held by Universal this spring will be made in about two weeks following conferences at the studio between Nate J. Blumberg, president, and W. A. Scully, general sales manager.

Scully will leave for the coast in

(*Continued on page* 2)

Terry to Stay At 20th-Fox; Plans Feature

Paul Terry, producer of Terry-Toons, is switching his affiliation from Educational to 20th Century-Fox and will include six Technicolor cartoons in the total of 26 he will make for next season. This will be the first time he has used color.

Terry also plans a cartoon feature in color and plans to get it under way in six months, for release within a year. Twentieth Century-Fox presumably will handle it.

The one-reel cartoons will be in addition to the shorts program scheduled

(*Continued on page* 2)

Harris-Local 306 Dispute Is Settled

A suit brought by Harry Harris, independent theatre operator, involving a master contract between the I.T.O.A. and Local 306 has been settled out of court, under a stipulation filed in the N. Y. Supreme Court.

Harris sued in the name of Gotham Amusement Co. and six other theatre

(*Continued on page* 2)

Shelve Federal Arts Project

WASHINGTON, March 25.—The House Education Committee today decided to lay aside a number of educational bills, including those looking to the creation of a Department of Fine Arts, pending further study of a report just prepared by the President's Advisory Committee on Education.

The committee's report does not deal with films in education and only in passing with radio, suggesting with respect to the latter that the Government should continue to administer a national program of education by radio "to the extent to which such type of program proves to be desirable."

"Education by radio," it was pointed out, "is an especially appropriate activity to be carried on under national educational auspices, since the cost of such programs under state and local educational auspices may prove disproportionate to the audiences that can be reached by local non-profit programs."

The House Committee will hold another meeting early in April for further consideration of its program.

Metro Plans No Increase In Film Terms

Rodgers Says Individual Spots to Govern Price

CHICAGO, March 25.—No general rental increases will be asked by M-G-M for its 1938-'39 program, William F. Rodgers, general sales manager, said here tonight at the conclusion of the two-day regional sales conference at the Palmer House.

He added that the prices to be written into contracts will depend on individual situations, with local conditions to be taken into consideration. The company's sales campaign will get under way immediately, he said.

Rodgers attended meetings in Kansas City and San Francisco prior to the conference here. He said his observation was that business is pointing upward for the spring, with conditions on the coast and in the east "very favorable" as compared with last year.

He also reported finding exhibitors more lenient toward radio and that they now feel the air "plugs" help pictures at the box-office.

Rodgers will leave here tomorrow to preside at the New York meeting which starts Sunday morning and extends through Monday.

M-G-M Shorts Total To Equal This Year

M-G-M's shorts program for 1938-'39 will be substantially the same, numerically, as this season, it was said yesterday by home office officials. This year the company is releasing 94 shorts, including 12 two-reelers. An increase has been considered, but in any event the number of two-reelers will be held down because of widespread double billing.

Details of the shorts program will be given to eastern and southern

(*Continued on page* 2)

Kent Not to Attend Kansas City Meeting

Sidney R. Kent, president of 20th Century-Fox, has changed his plans and will not attend the annual sales conference to be held in Kansas City next Friday and Saturday. He left the coast yesterday and will arrive here Monday after two weeks of conferences at the studio on new season plans.

The product program and other plans for the season were completed

(*Continued on page* 2)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54 Vienna VII; Hans Lorant, Representative.

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Kent Not to Attend Kansas City Meeting

(*Continued from page* 1)

in coast meetings attended by Kent, John D. Clark, Darryl F. Zanuck, Joseph M. Schenck, William Goetz, Charles E. McCarthy and Harry Brand.

Brand will be the only studio representative at the Kansas City meeting. Pressure of production will make it impossible for Zanuck to attend.

M-G-M Shorts Total To Equal This Year

(*Continued from page* 1)

branch managers and sales executives here tomorrow at the fourth and final meeting of a series M-G-M has been conducting in advance of launching the new season's selling. The sessions will be held at the Hotel Astor and will conclude Monday night. More than 40 will attend the meeting.

Nathansons Back Home

TORONTO, March 25.—N. L. Nathanson, president of Famous Players Canadian Corp., and his wife have both returned from their winter home at Miami.

Terry to Stay At 20th-Fox; Plans Feature

(*Continued from page* 1)

for production by Truman H. Talley, head of Movietone News. All shorts will be one-reelers.

Terry-Toons have been released through Educational since 1930. Educational's releasing contract with 20th Century-Fox will expire July 31 and the short subject company is now formulating its future plans.

Terry is acquiring color cameras, has added a floor to his premises in New Rochelle and has added 15 men to his staff, increasing it to 70, in anticipation of the color and feature development. He plans to add more artists as the new program gets under way. He believes that eventually all cartoon producers will make features and that the market can absorb a maximum of six, later finding its level.

"Call" Will Open at Astor Monday Night

A strong advance sale is reported for the opening of "The Call" at the Astor Monday evening. The film is based on the life of Charles de Foucauld. Proceeds of the film's run will be donated to Daughters of Mary, Health of the Sick, a charitable organization.

Among those expected to attend the opening performance are: Alfred J. Talley, William F. Bleakley, John A. Byrnes, John J. Bennett, Jr., Major Edward Bowes, Philip A. Brennan, James Byrne, John J. Cavanaugh, John W. Clancy, Daniel F. Cohalen, Salvatore A. Cotillo, Eddie Dowling, Joseph J. Early, Henry Heide, Jr., Leo J. Hickey, J. F. O'Brien, J. P. O'Brien, John H. O'Connor, Martin Quigley, Alfred E. Smith, Bishop Stephen S. Donahue, Bishop Thomas E. Molloy, Monseigneur Keegan, Monseigneur Michael J. Lavelle, Irene Dunne, Hope Hampton, Sylvia Sidney, Rutgers Neilson, Spyros Skouras, Walter Reade, C. C. Moskowitz and Clayton Bond.

Harris-Local 306 Dispute Is Settled

(*Continued from page* 1)

companies to set aside the agreement made in January, 1937, on the ground that it was not ratified by the I.T.O.A. board of directors and it therefore could not bind him. Allied Motion Picture Operators' Union also was named a defendant. Harris asked for an injunction to prevent the agreement from going into effect.

Under the terms of the settlement Harris withdrew his seven companies from the I.T.O.A. and will employ Local 306 operators under a separate agreement. Seven actions filed by the I.T.O.A. against Harris' companies to collect $2,500 in dues back to May 1936, have been dismissed.

RKO to Star Moore

HOLLYWOOD, March 25.—RKO has cast Victor Moore for his first starring role, that of a kindly old marriage license clerk in "This Marriage Business."

New Admission Levy Threatens in Canada

(*Continued from page* 1)

nue to relieve the tax pressure on real estate, approved the move to seek permission for the amusement taxation by a vote of 13 to four.

If the plan goes through, as expected, because of alleged acquiescence on the part of Premier Hepburn, the way will be open for all other cities and towns in Ontario to establish an amusements tax as a means to reduce the current real estate impost. It is understood that Toronto is ready to slap on a levy of 10 per cent of the face value of admission tickets to theatres. So far, no mention has been made of the possibility of taxing other forms of amusement and recreation, such as professional and amateur sports, dances and midway attractions, all of which were included in the former provincial tax collection.

No date for the meeting with the Ontario Cabinet has been arranged, but the Toronto Board of Control was instructed by the City Council to arrange the conference without delay so that the tax can be imposed within the statutory 60 days after the passing of the required law by the Ontario legislature. The prime movers for the new measure are Controllers W. J. Wadsworth and Fred Hamilton, both of whom have been prominent in local sport activities, which fact makes it appear that theatres alone will be affected.

Agfa Ansco Reports $723,025 Net Profit

Agfa Ansco Corp. has reported net profit for 1937 of $723,025 after taxes and other charges, the largest earnings in the history of the company, according to Dr. Ernst Schwarz, president, including an estimated surtax of $232,002. The net is equal to $1.51 per share on the 480,000 shares of $1 par common outstanding. The net profit for 1936 amounted to $157,486, equal to 33 cents per share on the common.

Employment, payrolls and sales reached the highest level in the history of the company last year, according to Dr. Schwarz. Additional compensation was paid to employes in the amount of $101,071 and the company paid its first dividend, 50 cents per share.

Freed on Game Charge

TULSA, March 25.—Because purchase of a ticket or other exchange of money was not required of participants in a theater Bank Night, Common Pleas Judge Grady Cornett dismissed a lottery charge against V. L. Chandler, local theatre operator.

Ray Lewis' Husband Ill

TORONTO, March 25.—Joshua Smith of Toronto, internationally known portrait painter and husband of Ray Lewis, publisher of the *Canadian Moving Picture Digest,* is ill in Toronto General Hospital following an operation.

Plan Dover Theatre

DOVER, Del., March 25.—A four-story building, housing a theater to seat 1,200 persons, is planned for the business center, according to James J. Walker of Wilmington, representative of a financial group interested in a new theater.

◀ *Purely Personal* ▶

GRADWELL L. SEARS, Warners general sales head, and CARL LESERMAN, his assistant, are due to arrive on the coast on Tuesday from Dallas for conferences on new season's plans. MORT BLUMENSTOCK and S SCHNEIDER will arrive at Burb today. They will return in about three weeks.

●

LEAH RAY, singer under contract to 20th Century-Fox, will be married to DAVID WERBLIN, executive of the Music Corp. of America, at the Waldorf-Astoria tomorrow. She arrived here yesterday with her mother, MRS. LEAH RAY HUBBARD.

●

MRS. DAVID PALFREYMAN continued to improve yesterday following a recent major operation. She is at St. Clare's Hospital on West 51st St., rather than Polyclinic, as reported yesterday.

●

J. BURGI CONTNER, general manager of Film Art Studios in the Bronx, will start a commercial short at studio beginning Wednesday. BILL STEINER will be the cameraman.

●

NORMAN MORAY, head of Vitaphone sales, is due to return Monday from an extended trip during which he conferred at the Warner studio and toured exchanges.

●

E. J. MANNIX, M-G-M production executive, plans to leave for the coast early next week after a few days of conferences at the home office.

●

LOUISE HOVICK plans a Mexican vacation with her husband, ROBERT MIZZY.

●

MARY PICKFORD will return tomorrow night from a visit with her husband, BUDDY ROGERS, in Philadelphia.

●

JAMES GLYNN, statistician for 20th Century-Fox, lost his mother this week. The burial was yesterday.

●

WILLIAM J. KUPPER, 20th Century-Fox division manager, has returned from a business trip to Dallas.

●

PAUL and MRS. MUNI will return today on the *President Roosevelt* from a European tour.

●

JACK COHN will arrive in New York tomorrow on the *Bermuda Clipper,* following a two-week vacation.

"U" Will Decide on Sales Meet Shortl

(*Continued from page* 1)

a week or 10 days, by which tim Universal's new season productio plans, now being formulated by Blumberg and Charles R. Rogers, produc tion head, are expected to be fairl well set.

Scully stated yesterday that Universal's exchange setup, which ha just undergone numerous manageria changes, is now complete. He is de ferring a visit to midwestern branche which had been planned for thi weekend.

THE SOLUTION

FINE grain, solver of many a photographic problem, has finally overcome the problem of duplicating. Eastman Fine Grain Duplicating Films are capable of making "dupes" that cannot be distinguished from originals. Now the original in the laboratory and the duplicate in the vault can be actually equal in quality. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *Fine-Grain*

DUPLICATING FILMS

Radio Personals

PHIL LORD will leave Wednesday aboard the *Queen Mary* for a two-week stay in London. . . . Sylvia Press of the publicity department of WINS, confined to the hospital with grippe for the past 10 days, will return to work on Monday.

✚

Chicago

Marge Kerr and Jack Ryan are the latest additions to the NBC press staff. Miss Kerr was formerly with Tom Fizdale, and Ryan has been doing freelance publicity work. . . Harry Martin Enterprises are now western and midwestern representatives of Heffelfinger Publications of New York. . . Fibber McGee is again using the line "Goodnight Molly" to tag his radio broadcast. NBC once banned the line, but has since allowed it to be reinstated as "Molly" is the name of a character in the broadcast instead of a real person. . . Harold Fellows of WEEI, Boston; Merle S. Jones of KMOX; W. J. Williamson and Wendell J. Campbell of WKRC were visitors last week at the WBBM-CBS offices here. . . Boris Karloff is in town for his five-week engagement on the "Lights Out" programs. . . WJJD is broadcasting daily from the gymnasium where Joe Louis is preparing for the Harry Thomas fight. . . Truman Bradley is in New York for a series of screen tests for M-G-M. . . Tom Foy and Harold Stokes of WGN are back from Florida vacations. . . Margot Napier is in Florida for a month's vacation. . . The Morris B. Sachs Amateur Hour will continue over WENR for another year as a result of contracts just signed.

Radio Companies Formed

DOVER, DEL., March 25.—Telemusic, Inc., has been formed to furnish programs by wire, phonograph, records and radio, with a capital of 10,000 shares, no par. The incorporators are John Schuyler, William Anderson and John Segadean, New York. Radio Service Laboratories, Inc., has been formed to broadcast news and entertainment with a capital of 500 shares, no par.

Renews WQXR Program

The American Tobacco Co. has renewed its contract with WQXR for two half-hour musical programs a week for Herbert Tareyton cigarettes. The original contract for 13 weeks began in January. The new term will start April 11 and was closed through L. H. Hartman Co.

Sponsor Irving Kaufman

Morton Salt Co. will sponsor Irving Kaufman for six 15-minute periods a week over WHN starting Monday. The programs will be broadcast from 1:15 to 1:30 P. M. Blackett-Sample-Hummert of Chicago placed the account.

Kraft Show Adds Three

The Kraft-Phenix Cheese Co., sponsors of the Kraft "Music Hall," will add three stations, effective immediately. They are KGIR, KGHL and KPFA. The series is heard on the NBC-Red.

Music Leading Type Of NBC Show in '37

Music was the predominating feature of NBC's program schedule last year. The total of 19,400 program hours over NBC during 1937 was divided down as follows:

Music, 11,476; literature, 3,427 news and special events, 692; comedy, 705; sports, 293; women's programs, 404; children's, 623; religion, 237; talks, 1,543.

Transradio Extends Northwest Service

SEATTLE, March 25.—Transradio's leased teletype service in Washington and Oregon will be put on an 18-hour a day basis, effective April 1. Hitherto Transradio's Pacific Northwest circuits have operated only 16½ hours daily.

Simultaneously a shakeup of Transradio clientele in Washington is expected. Transradio is suspending service to KMO, Tacoma, in the next few weeks "because of divergencies in contract policy," according to Harold Parr, Seattle manager of the news service. Recently Transradio suspended service to KGY, Olympia, and KRKO, Everett, for "other reasons," according to Parr. Subsequently the delivery of service to KRKO was resumed on the basis of a new contract. Transradio is expected to revise its commitments in Spokane within the next 30 days.

Plan Celebration at New Studio Opening

MINNEAPOLIS, March 25.—To mark the opening April 7 of its new studios WCCO has planned a full day of festivities to be climaxed by a coast-to-coast broadcast over CBS.

Civic leaders throughout Minnesota have been invited to attend a preview of the new studios. Among the prominent personalities to be introduced by Earl H. Gammons, general manager of WCCO, will be Mefford R. Runyon, CBS vice-president; D. D. Davis, president of General Mills and the "father of radio in the northwest"; Gov. Elmer A. Benson of Minnesota; Mayor George E. Leach of Minneapolis, and Mayor Mark Gehan of St. Paul.

The space to be occupied by WCCO will include approximately 13,000 feet. 50 per cent more than WCCO's old studio. Each of the new studios will have its individual control room. More than $100,000 has been spent on the new layout.

Joins Ives Sponsors

Maxon's Fashion Shop, through the Hicks agency, has contracted for participation in the Anice Ives program over WMCA.

Blanks Go Out For Financing Probe by FCC

(*Continued from page 1*)

considerations other than cash, such as newspaper space, and to show the value of such exchanges in dollars and cents.

Investment data called for by the commission will include, separately, the orginal cost, depreciated value, and replacement value new of all equipment, furniture and fixtures, real estate, etc.

All expenses of operation are to be reported separately, under 14 heads included in the questionnaire, and broadcasters must show their net revenue from broadcasting services, other income, gross income, income deductions, net before Federal income taxes, estimated Federal income taxes and net income for the year.

The financial survey, ordered at a meeting of the commission March 23, is designed to provide data both for the chain investigation ordered last week and to make up deficiencies in information possessed by the F. C. C. as pointed out by Commissioner T. A. M. Craven in January in his report on the social and economic aspects of broadcasting.

Expect Consolidated To Reelect Officers

(*Continued from page 1*)

7, has been reduced by $300,000 since the first of this year. The same report said that $669,842.92 was due on trade notes on Dec. 31 last and it was explained that this represented purchases of raw stock.

The company's properties and plants are carried on the books at $8,158,953, less $2,748,861 reserves for depreciation.

Profits thus far in the first quarter are somewhat below last year, it was said, but an increase is being shown this month. The company expects to do about the same total volume this year as last, when sales and royalties totaled $9,635,961. The volume, however, is no indication of profits, it was said, due to the higher cost of materials and a 35 per cent increase in labor costs. These factors reduced Consolidated's earnings to $605,755 in 1937, compared with a net of $919,515 in 1936.

Bob Burns a Father

HOLLYWOOD, March 25.—A daughter was born here today to Bob and Mrs. Burns. The baby weighed eight and one-half pounds. Mrs. Burns is the former Harriet Foster.

Talk to New Zealand

Cincinnati, March 25.—Amateur radio fans at the University of Cincinnati recently completed a 20-meter telephone transmitter with 300-watt power output, which has been heard in many foreign countries.

University officials also point out an even more remarkable achievement with a 75-meter telephone transmitter, which has been heard by station RA429, New Zealand. The lower frequency transmissions over such long distances are considered impossible, or, at least, rare, according to university authorities.

Cantor to Present ITOA Ball Trophie

Eddie Cantor will present th awards to the "king" and "queen" o the screen and the other trophies t be given at the I. T. O. A. ball at th Hotel Astor on April 2, it was sai at a membership meeting yesterday.

Paul Moss, commissioner c licenses, was a speaker, and reiterate his willingness to cooperate with ex hibitors in their problems. H Brandt presided.

Expunge Orpheum Clai

An order allowing the $8,015 clai of Theatrical Products Corp. of Cali fornia against Orpheum Circuit, Inc was reversed by Judge Robert T. Pat terson in the U. S. District Cour here yesterday, and the claim was ex punged. The claim was based upo the sale of a motion picture electri sign to Orpheum Theatre and Realt Corp.

Bankruptcy Referee Oscar W. Ehr horn had previously allowed the clai at $6,015.

End M. & R. Hearing

Depositions in the Morse & Rothen berg anti-trust suit, were conclude here yesterday after a two-day hear ing. George S. Ryan, Boston attor ney for the plaintiffs, returned to Bos ton last night.

Demonstrate New Scree

A demonstration of the new scree produced by the Flatlight Screen C on Thursday was conducted befor the Projection Practice Committee the S. M. P. E. by John Gentile, rep resentative of the company. Th screen was shown in the local projec tion room of Paramount.

Stars at "Jungle" Debu

SALT LAKE CITY, March 25.—Ra Milland and Lynne Overman wi make personal appearances at th Centre April 2 for the western pr miere of "Her Jungle Love." Mem bers of the studio staff will accom pany the stars.

Wall Street

Paramount Only Board Gain

	Open	High	Low	Close	Ne Chan
Col.	10	10⅛	10	10	—
Cons.	1⅛	1⅛	1⅛	1⅛	—
Cons., pfd.	5¼	5¼	4¾	4¾	—
E. K.	136	137	131½	131½	—5
G. T. E....	10	10	9	9	—
Loew	40¾	40⅞	36½	36½	—4
Para.	7	7⅛	6½	6½	—
Para. 1.....	71¼	71¼	71¼	71¼	+
Para. 2.....	7⅞	8	7¼	7¼	—
Pathe	4⅜	4½	4	4	—
RKO	2⅝	2⅝	2¼	2¼	—
20th Fox ..	18½	18½	17⅛	17½	—
20th pfd. ..	26	26	25⅛	25⅛	—
Univ. pfd...	32	32	30	30	...
W. B.	4¼	4⅜	3⅞	4	—
W. B. pfd.	28	28	21	21	—8

Recessions General on Curb

	Open	High	Low	Close	Ne Chan
G. N.	⅜	7/16	⅜	⅜	—1
Sentry	5/16	5/16	5/16	5/16	...
Sonotone ..	1½	1½	1⅜	1⅜	...
Tech.	17¼	17¾	16⅝	16⅝	—1
Trans-Lux	2½	2½	2½	2½	...

RKO Bonds in Small Rise

	High	Low	Close	Ne Chan
Loew 3½s '46....	96½	96⅛	96¼	...
RKO 6s '41.......	58	58	58	+1
W. B. 6s '39	66¼	66	66	—1

(Quotations at close of March 25)

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and
Indispensable
to the Motion
Picture
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Film and
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and
Impartial

. 43. NO. 71 NEW YORK, MONDAY, MARCH 28, 1938 TEN CENTS

New Series to Be Added for M-G-M Shorts

List to Total 92, Sales Meet Here Is Told

With the exception of a new series of 10 one-reelers to be called "The Passing Parade," M-G-M's shorts program for next season will be substantially the same as this year. The company has scheduled for release 92 shorts, all but 12 of which will be single reels. Ninety-four shorts are being distributed currently.

The new series will feature John Booth Nesbitt, radio commentator, and will give the background of semi-topical events. The subject matter will not be dated, however. M-G-M will, in addition, continue to release "News of the Day" on the basis of two issues weekly.

Announcement of the shorts schedule was made at the company's eastern and southern sales conference which

(Continued on page 4)

Para. Schedule of Shorts Nearly Set

Paramount's short subject production schedule for next season "is about complete," a high official of the company stated on Saturday. Numerically, the schedule will be approximately the same as for the current season, or approximately 100 subjects in all.

With most of the series on this season's schedule lined up for inclusion in the 1938-39 program there remain only one or two series to be either renewed or replaced, accounting

(Continued on page 10)

Sale of WINS to O'Brien Confirmed

Joseph V. Connolly, chairman of the board of Hearst Radio, Inc., stated Saturday that the sale of WINS, the Hearst station in New York, to Col. Arthur O'Brien, Seattle attorney, has been virtually completed. The price is $250,000.

Connolly said that the deal probably will be consummated within the next week or so, subject to the approval later of the Federal Communications Commission. Reports of the sale of WINS to O'Brien have been current for the past month.

More Radio Pp. 10-11

Report Asher Will Take Columbia Job

London, March 27.—Irving Asher, who resigned recently as head of Warners' British production activities, is negotiating with Columbia to assume charge of that company's British production requirements under the new Films Bill, it is reported in industry quarters here.

No verification of the London report could be obtained from Columbia home office officials over the weekend. Joseph Friedman, Columbia's European manager, who returned to New York recently after several days of conferences with Harry Cohn, Columbia president, in Hollywood, declined to comment on the report. It is not

(Continued on page 4)

PROFIT SHARING LATEST UA PLAN

Proposed Stock Change Is Aimed to Benefit Active Producers

A proposal for the redistribution of United Artists stock to permit active producers to obtain an increased share in the earnings of the company and to make it possible, as well, for non-stock owning producers releasing through the company to participate in the earnings of their individual pictures, is being proposed to company partners by Samuel Goldwyn, it was learned yesterday on good authority.

The Goldwyn proposal reportedly contemplates stabilization of the controlling ownership of United Artists as it is now constituted, that is, without any sale of the stock interests held by Charles Chaplin, Mary Pickford, Douglas Fairbanks, Alexander Korda and Goldwyn. The present inactive partners, however, are asked to exchange their present common stock for a new issue of preferred which would pay a fixed dividend rate. Active producers would exchange their present common stock for a new issue of common which would be entitled to participation in company earnings remaining after payment of dividends on the preferred.

For non-stock owning producers, percentage deals would be made on individual pictures and long term distribution deals between United Artists

(Continued on page 4)

Expect Quorum for Hays Meeting Today

Weekend indications were that a sufficient number of M.P.P.D.A. directors to provide a quorum for the organization's annual meeting will be on hand today, despite the absence from New York of several company heads who are members of the board.

Sidney R. Kent, 20th Century-Fox president, is scheduled to return from Hollywood today in time to attend the meeting, and Jack Cohn, Columbia

(Continued on page 4)

Total of "Chicago" Astor Run $140,570

The two-a-day engagement of "In Old Chicago" at the Astor ended last night with a gross of $140,570 for 11½ weeks. The run started on Thursday night, Jan. 6, and the first three days' take was $9,808.

Consecutive grosses for the 11 full

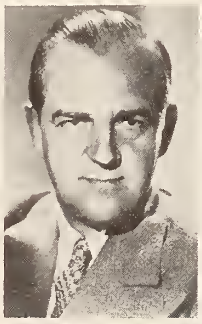
(Continued on page 10)

Mexican Record

Mexico City, March 27.—Universal hung up another long run record at one theatre in Mexico when its "100 Men and a Girl" played for eight consecutive weeks at the exclusive Cine Regis here. This is the longest run any picture has ever had at one theatre in Mexico.

Leaders of Industry Unite In Dallas Depinet Tribute

By JAMES P. CUNNINGHAM



Ned E. Depinet

Dallas, March 27.—"Depinet Day" came to Dallas yesterday with official Texas joining hands with film notables from the east and west coasts, honoring Ned E. Depinet, vice-president of RKO, Dallas "boy who made good." A guest list of 400 crowded the Baker Hotel crystal ball room for a dinner and entertainment lasting until early today.

When the Depinet party arrived, a motorcycle escort proclaimed the news to the natives. Dallas and all Texas were Depinet-minded. Escorts met every train and plane which poured film notables into the city.

Seated at the dais, and acting as toastmasters and speakers of the evening, were Gov. James V. Allred of Texas, Mayor George Sprague of Dallas, Jack Oakie, Jules Levy, Gradwell Sears, Frank Freeman, Harry Cohen, Karl Hoblitzelle and R. J. O'Donnell. Hoblitzelle and O'Donnell were the hosts of the day.

The New York contingent met the Hollywood crowd at the airport and both joined the parade into the city. On the New York train were Sears, Phil Reisman, H. J. Yates and about 40 others. The Hollywood plane brought Jesse Lasky, Cliff Reid, Bob Sisk, S. Barret McCormick, J. R. McDonough, H. B. Franklin and others. M. H. Aylesworth flew from New York in his private plane.

Honoring his 30th year in the in-

(Continued on page 10)

Hatch Heads Warner Ad Accessory Sales

Stanley W. Hatch has been named by Gradwell L. Sears as sales manager of the advertising accessories department at Warners. The appointment will take effect today.

Hatch formerly was a sales executive with Grand National, a position he occupied after long experience as newspaper man and film branch manager for various companies in St. Louis, Cincinnati, Kansas City and Detroit.

First Run Doubles Started in Chicago

Chicago, March 27.—First run double features made their bow in the Loop yesterday when Balaban & Katz inaugurated the policy at the Apollo.

The theatre will play "B" films mostly, with "A" product continuing as single features at the circuit's Loop houses, according to B. & K. executives.

The new policy was ascribed to a jam of "B" pictures which were unable to get a first run and is expected to speed up release of "B" films.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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JAMES A. CRON, *Advertising Manager*

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Legion Approves 10 Of 11 New Pictures

The National Legion of Decency has approved 10 of the 11 new pictures reviewed and classified for the current week, six for general patronage and four for adults, and classified one as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Cattle Raiders," "Judge Hardy's Children," "Merlusse" (French), "State Police," "This Marriage Business," "Wide Open Faces." Class A-2, Unobjectionable for Adults: "The Charm of La Boheme" (German), "Husaren Heraus" (German), "Island in the Sky," "Joy of Living." Class B, Objectionable in Part: "Bluebeard's Eighth Wife."

Ban Marijuana Picture

Philadelphia, March 27.—A film having for its subject the narcotic marijuana has been barred from exhibition here by the state board of censors.

Two Theatres Close

The Strand, Ocean Grove, N. J., has closed because of a fire. The Navarre, Coney Island Ave., Brooklyn, also closed last week.

Insiders' Outlook

SOME of the medical and welfare organizations which have been led into the campaign to obtain censor approval of "The Birth of a Baby" seem to have lost sight of one important fact—the picture can be shown privately before groups where no admission fee is charged.

If members of the Motion Picture Committee of the American Medical Association, the American Committee on Maternal Welfare, Inc., or the Parent-Teachers Association, or any other group, feel exhibition of the picture will serve some useful medical or social purpose they can obtain prints by paying the usual rental and can find places to exhibit it.

In their enthusiasm for a reversal of the censor ban in this state and elsewhere they forget that the picture was produced and is being distributed for one purpose—to make money. Its basic appeal to younger audiences will be mordid curiosity stirred by the title in spite of all the safeguards placed about advertising and exploitation.

People go to theatres to be entertained, and those who pay money to go to see this film will do so because they expect to have their emotions stirred in some way, not because they hope to obtain some educational benefit.

▼ ▼

P. J. Wood's latest bulletin to members of the Ohio Independent Theatre Owners' Association repeats that the Neely Bill will not prevent selling pictures in groups and insists producers will have no difficulty supplying synopses.

If the bill doesn't definitely prohibit any kind of block booking and if it doesn't make it possible for an exhibitor to cancel a picture that does not agree with a synopsis in detail, what does it do?

◂ Purely Personal ▸

W. RAY JOHNSTON, Monogram president, has deferred his return to the coast until after the sales convention in May. Details of the year book and the new program are keeping him in New York.

•

Evelyn Chandler and Bruce Mapes, ice skaters, will make a Vitaphone short this week. Henry Armetta will come in from the coast to make one in May. Harry Engel of Fanchon & Marco set both deals.

•

John H. Green, head of Motion Picture Corp. of America, has arrived on the coast where he has opened a Hollywood office. The company recently completed a film for the U. S. Department of Labor.

•

Charles W. Curran, formerly with Donahue & Coe, Inc., as an account executive, is now with the Los Angeles office of Buchanan & Co. in a similar capacity.

•

Grace Moore will return today from a country-wide concert tour. On Wednesday she will start a new series of radio broadcasts over CBS.

•

Harry Brandt is another who is contributing to the dentists' prosperity, having lost a couple of molars over the weekend.

•

J. J. Ryan, assistant to Morris Goodman, Republic vice-president in charge of foreign sales, has resigned.

•

Al Sherman has bought a candid camera and spends his weekends taking photos.

•

Allan Jones will arrive today from the coast to begin a series of personal appearances.

•

Lou and Bernard Brandt spent the weekend at Lakewood.

WILLIAM SUSSMAN, 20th Century-Fox division manager, and Mrs. Florence Sussman are still receiving congratulations on their 15th wedding anniversary.

•

Dorothy Haas, publicity manager here for Fanchon & Marco, is in Kansas City handling the personal appearance of the Al Pearce Gang and then will go to St. Louis with the unit.

•

Sam Epstein, assistant to Jack Bloom, 20th Century-Fox contract manager, has joined the Masons.

•

W. A. Wolfe of Western Electric is expected back at his office today after a three-week illness.

•

Ed Peskay, vice-president of Grand National, on Saturday returned from a business trip.

•

. . . Oklahoma City

Jack Shiverdaker, manager of the Helena in Helena, has been troubled with an eye infection.

Benn Scott of the Tivoli in Ardmore is recovering from an operation at the University Hospital.

Bob Photenhauer, manager of the State here, is recovering from a recent illness.

T. B. Noble, Jr., president of State Theatres, Inc., is building a trailer to carry the boat from which he plans to do a lot of fishing this summer.

•

. . . Omaha

Roy Palmquist has been appointed zone manager for the Will Rogers Memorial drive.

Will Singer, Brandeis manager, has gone to Chicago for a visit.

Seek Wage Cut from Milwaukee Operators

Milwaukee, March 27.—A request for a reduction in projectionists' wages by Milwaukee exhibitors has been met by a counter proposal from the projectionists' union, Local 164, that exhibitors first sign the master contract agreed to last November which provides for a 10 per cent increase over a two-year period.

Exhibitors maintain that their business has fallen off from 10 to 20 per cent during the past four-month period and that it is imperative that the union extend some relief in the form of a reduced wage scale. Indications are that exhibitors will agree to sign the November contract and then present a request for a definite reduction to the union.

Time, Life Feature "Jezebel" and Star

The front cover of *Time*, issue of March 28, and a double page inside spread in the March 28 issue of *Life*, as well as the feature review in each publication pay tribute to Warners' "Jezebel" and to the work of the film's star, Bette Davis. *Time's* cover and an inside page of *Life* contain a portrait of Miss Davis in natural color and the latter publication prints seven stills from the production.

Some time ago another Warner film was the subject of *Time's* front cover when it pictured Paul Muni in his role of Zola.

Parent Groups Drop Opposition to Duals

West Allis, Wis., March 27.—The fourth and fifth districts of the Wisconsin Congress of Parents and Teachers did an about face on the double feature question when by 31 to 29 they voted in favor of dual bills.

The group, which comprises P. T. A. associations outside the city of Milwaukee, also voted favorably on the Neely-Pettengill bill.

Files Bill in Trust Suit

Orange County Theatres, Inc., filed a bill of particulars in its anti-trust suit against Paramount Pictures, Inc., 20th Century-Fox, Big U Film Exchange, United Artists, RKO, Netco Theatres Corp., Eugene Levy, George Walsh and Joseph Lee in the U. S. District Court here on Saturday. The bill charges "a conspiracy formed between 1936 and July, 1937" and alleges that during those years "plaintiff was prevented from obtaining a sufficient supply of desirable motion pictures for the successful operation of the Academy Theatre by the refusal of the defendants to lease the product."

Monogram in New Lease

Monogram has leased the space formerly occupied by Grand National on the 23rd floor of the RKO Building and will move its home office from the 20th floor of the same building shortly.

Walt Disney's eastern office is negotiating to take over part of Monogram's present office space.

Tabackman Buys House

Springfield, Mass., March 27.—Barnett Tabackman has acquired the 800-seat Franklin, a subsequent run, from Morse & Rothenberg.

'JEZEBEL' JAMS EVERYWHERE!

Double opening starts with double record at Hollywood and Downtown, L. A. (*biggest thing on the books*)! Grabbing every record in sight in every other engagement to date (*Albany, Salt Lake City, New Haven, Bridgeport*)!

It's on the cover of TIME and in 4 pages of LIFE this week!

BETTE DAVIS
in "JEZEBEL" with
HENRY FONDA
GEORGE BRENT
MARGARET LINDSAY
DONALD CRISP • FAY BAINTER
Richard Cromwell • Henry O'Neill
Spring Byington • John Litel
A WILLIAM WYLER PRODUCTION
Screen Play by Clements Ripley, Abem Finkel and John Huston • From the Play by Owen Davis, Sr. • Music by Max Steiner

BEAUTIFUL BETTE! NEVER BETTER!

Just what you'd expect after that rousing Radio City holdover run!

Gentlemen, it's a pleasure!
Warner Bros.

Profit Shares Are Proposed In U.A. Plan

(*Continued from page 1*)

and individual producers would include options to purchase common stock, if desired by the producer.

Goldwyn's proposal is understood to have been tentatively approved by Chaplin, although Miss Pickford and Fairbanks are reported not to have committed themselves on it. Goldwyn is scheduled to submit the proposal to Korda within the next few days in London.

The plan is said to have been broached as an alternative adjustment method upon the recent discontinuance of negotiations by John Hay Whitney and Selznick International for the acquisition of a partnership stock interest in United Artists from either Miss Pickford, Fairbanks and Chaplin, or all of them. The discontinuance of these negotiations, following upon the collapse last fall of the Goldwyn-Korda option deal for purchase of three-fifths stock interest not held by them, is said to have impressed the five United Artists stock owners with the futility of attempting to consummate a deal for the sale of the controlling interest at this time. The obstacles to a deal encountered in the course of both negotiations are regarded by the five partners as insurmountable, it was said.

Would Attract Talent

In addition to stabilizing United Artists ownership, the Goldwyn proposal is believed to have the advantage of attracting outstanding production talent to the organization by virtue of the definite assurances of participation in the earnings of successful pictures which it holds out to individual producers.

Goldwyn's proposal is said to be modeled after a plan advocated for United Artists by Joseph M. Schenck and Darryl Zanuck in 1931. Their plan was regarded as a fair one by United Artists partners at the time. However, subsequent personal differences within the organization led to the withdrawal of Schenck and Zanuck from the company, which prevented their plan from being placed in operation.

Report Asher Will Take Columbia Job

(*Continued from page 1*)

known whether Columbia's British production plans were decided upon during these conferences, but it is believed more likely that no decision will be made by the company until the Films bill is in its final form and out of Parliament.

Jack Cohn, Columbia vice-president, who will return to New York today from a vacation in Bermuda, stated on his return from a visit at the studio recently that the company's British production plans had not been decided yet, but that it was highly probable that Columbia would send its own production units to England to make the required quota pictures. Friedman will confer further with the Columbia vice-president prior to his departure for London on the *Queen Mary* April 6.

New Series to Be Added for M-G-M Shorts

(*Continued from page 1*)

started here yesterday and is being attended by more than 40 home office executives, division and district heads and branch managers.

The program will feature subject groups that have been released in the last two years, including six "Crime Does Not Pay" two-reelers; six two-reel musicals; 13 Pete Smith releases; eight Robert Benchleys; 12 FitzPatrick "Traveltalks"; 10 Carey Wilson subjects; 12 "Our Gang" comedies and 15 cartoons. Innovations in story material are planned.

Jack Chertok will make 53 of the new season's shorts, not including the "Our Gang" comedies, which are produced by Hal Roach, the FitzPatrick subjects and the cartoons.

Meetings End Tonight

The New York meeting, being held at the Hotel Astor, will end tonight, winding up the series of four conferences which took the place of a national sales convention this year. Last night the delegates dined at the Casa Manana. Tonight they will attend a Broadway show after a full day of discussions on the new feature program of 52 films and sales policies. The out of town men will leave tomorrow morning.

The meeting is being attended by the following home office executives: W. F. Rodgers, general sales manager; T. J. Connors and E. M. Saunders, division managers; Howard Dietz, director of advertising and publicity: W. R. Ferguson, E. W. Aaron, A. F. Cummings, Jay Gove, M. L. Simons, H. Postman, Charles Deesen, I. Hirsch, C. K. Stern, C. J. Sonin, J. S. MacLeod, Arthur Lacks, Irving Helfont.

District managers include C. E. Kessnich, Atlanta; E. K. O'Shea, New York; Maurice N. Wolf, Boston; J. J. Maloney, Pittsburgh; J. E. Flynn, Chicago. W. F. Hayner of Regal Films, Toronto, M-G-M's Canadian distributor, is attending.

Branch managers include: Jack Bowen, New York, with D. A. Levy, sales manager for New Jersey; J. P. Byrne, Boston; R. Berger, Washington; Benn Rosenwald, Charlotte; F. J. Downey, Detroit; R. Pielow, Albany; R. W. Maw, Buffalo; Burtus Bishop, Jr., Pittsburgh; E. M. Booth, Cincinnati; Frank D. Drew, Cleveland; Roy Avey, Atlanta; L. Bickel, Dallas; J. F. Willingham, Memphis; C. J. Briant, New Orleans; W. B. Zoellner, Oklahoma City; Robert Lynch, Philadelphia; Tom Donaldson, New Haven.

No Showman, He

After three months of experience in all phases of theatre work, Y. Frank Freeman, Jr., son of the Paramount theatre head, decided that an exhibitor's career is not the life for him. Freeman is now studying plans for entering business on his own—but in other fields.

His sampling of exhibition before deciding on it as a career was done at the suggestion of his father, who started him in January as a barker at the New York Paramount with brief assignments in other theatre departments—all without pay—subsequently.

New Pact for Van Dyke

HOLLYWOOD, March 27.—W. S. Van Dyke has signed a new long-term contract with M-G-M. He is currently engaged on "Marie Antoinette."

Mexican Film Future Hangs On Labor, States Goodman

Whether American distributors withdraw from Mexico depends on the extent to which the labor unions in Mexico City press their demands, it was said here over the weekend by Morris Goodman, Republic vice-president in charge of foreign sales, who returned Saturaday from an eight-week tour of South and Central America.

He reported that conditions in the film business south of the Rio Grande are better than in this country for the reason that unemployment is less. The only difficult problem is the Mexican labor situation, he said.

Goodman foresees no great displacement of American product by Spanish language pictures, although, he said. native production is on the upsurge The American companies will have to take steps to meet this competition, he said, declaring that dubbing, once tried and discarded, is the solution. Films for the Spanish market now have superimposed titles.

He confirmed reports given by other foreign sales heads that while the interior towns, with large illiterate populations, favor the Spanish language product because they can understand it, filmgoers in the large cities are more discriminating and many speak English or want to learn the language.

Goodman said that some of the reports issuing from Mexico City regarding the future of production there are exaggerated, particularly as to costs and revenue.

Goodman covered Brazil, Venezuela, Colombia, Panama, Guatemala, Mexico City and Cuba. He concluded a deal with RKO in Rio de Janeiro to handle Republic's product in Brazil, terminating an arrangement with International Films. He also signed a contract for distribution of 20 to 24 films a year in Mexico by Dada-Dada, a producing and distributing organization. Contracts with distributors in the other countries of the continent were renewed.

Republic's westerns are popular in South America, Goodman said, and Gene Autry has become a favorite due to a very intensive campaign in his behalf.

Expect Quorum for Hays Meeting Today

(*Continued from page 1*)

vice-president, is expected back from Bermuda today. It was reported that Nicholas M. Schenck, Loew's president, might come to New York from Florida for the meeting, but if he was unable to do so that company would be represented by J. Robert Rubin.

Nate J. Blumberg, Universal pr[illegible]dent, who is scheduled to be elected to the M.P.P.D.A. board as his company's representative, succeeding R. H. Cochrane, former Universal president, is engaged in production conferences at the Universal studio. Other directors who will be unable to attend include E. B. Hatrick, Cecil B. DeMille, Sol Lesser, Hal Roach and H. M. Warner. Those expected to be on hand in addition to Kent and Cohn are Barney Balaban, E. W. Hammons, Harry D. Buckley, David Sarnoff, Albert Warner and Matthew J. Fox, vice-president and director of Universal, as alternate for Blumberg.

All officers of the association are scheduled to be reelected. The annual report of Will H. Hays, president, will be presented to the meeting.

To Screen "Chicago"

WASHINGTON, March 27.—Twentieth Century-Fox will stage a pre-release showing of "In Old Chicago" at the National Press Club here on the evening of March 30 for approximately 1,000 invited Government officials, members of the diplomatic corps and newspaper correspondents.

"Call" Opens Tonight

"The Call," a religious film based on the life of Charles de Foucauld, will open tonight at the Astor. The picture will have a five-week run, proceeds going to Daughters of Mary, Health of the Sick, a charitable organization.

Chanslor Gets "Reno"

HOLLYWOOD, March 27. — Roy Chanslor has been signed by Universal to complete the script of "The Road to Reno." Austin Parker, who died Sunday, had been working on it.

Wall Street

Board Decline Continues

	Open	High	Low	Close	Net Change
Col.	9¾	10	9½	9½	— ½
Cons.	1	1	1	1	— ⅛
Cons., pfd...	4¾	4¾	4½	4½	— ¼
E. K........	130¾	133½	130¾	131½	.....
G. T. E.....	8⅞	9¼	8⅞	8⅞	— ⅛
Loew	36¾	38	36½	36½	.....
Para.	6½	6⅞	6½	6⅝	+ ⅛
Para. 1.....	70½	70½	65	65	—6¼
Para. 2.....	7¼	7½	7¼	7⅜	+ ⅛
Pathe	4	4	3⅞	3⅞	— ⅛
R. K. O....	2¼	2½	2¼	2¼	.....
20th Fox....	17½	18	17	17	— ½
20th pfd....	26	26	26	26	+ ⅞
W. B.......	3⅞	4	3¾	4	.....
W. B., pfd..	20¼	20¼	20	20	—1

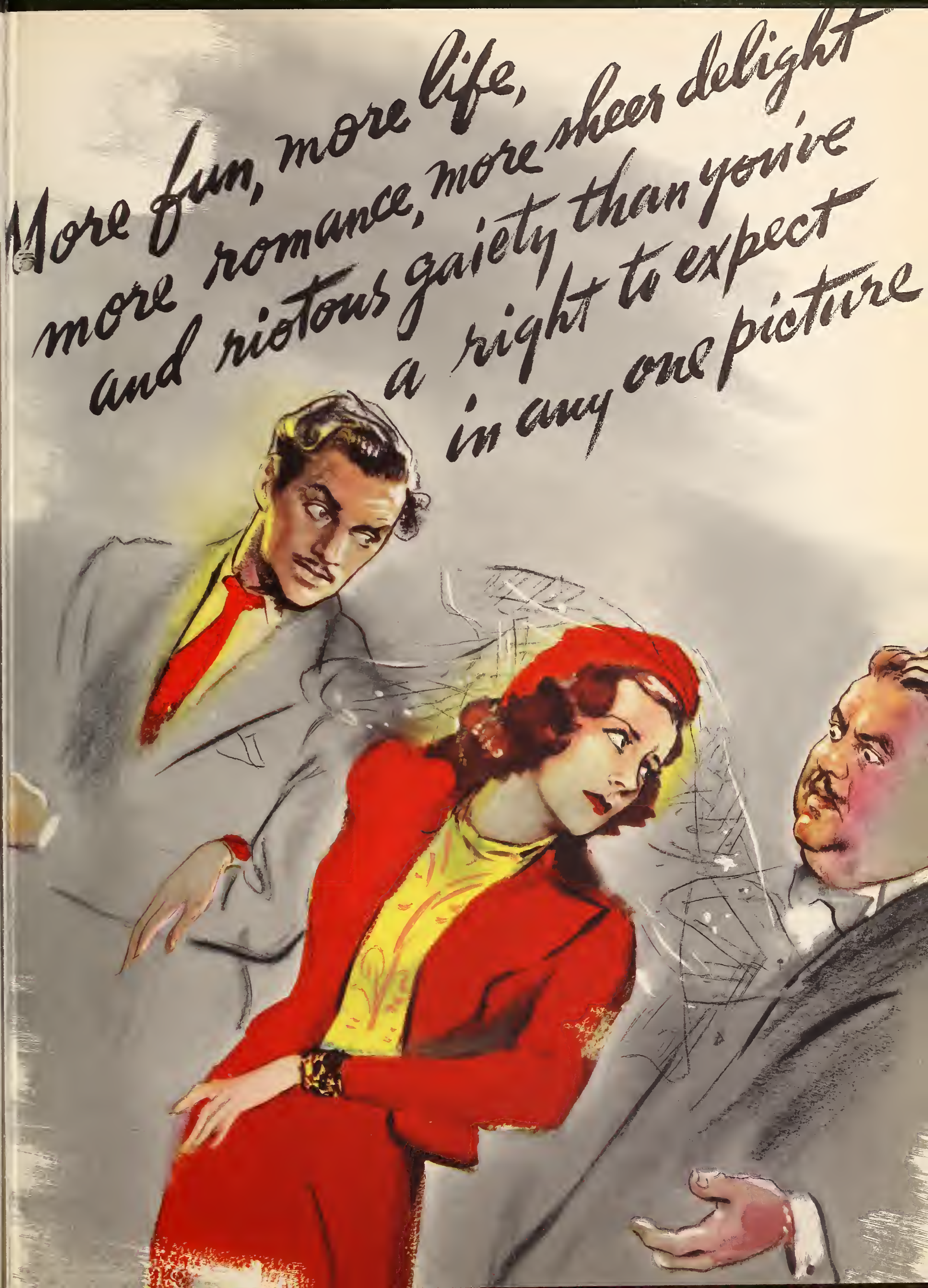
Light Curb Activity

	Open	High	Low	Close	Net Change
G. N........	¼	5/16	¼	5/16	.....
Monogram..	1⅜	1½	1⅜	1½	.....
Sonotone...	1¼	1¼	1¼	1¼	— ⅛
Technicolor.	16⅛	16½	16⅛	16¼	+ ⅛
Trans-Lux..	2⅝	2⅜	2⅜	2⅜	— ⅛

Warner Bonds Off

	High	Low	Close	Net Change
W. B. 6s '39......	64½	64	64	—1¼

(Quotations at close of March 26.)

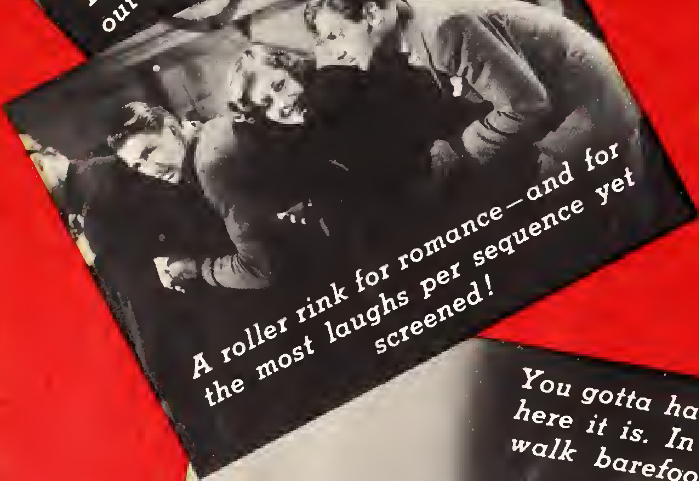

More fun, more life,
more romance, more sheer delight
and riotous gaiety than you've
a right to expect
in any one picture

EASTER WEEK ATTRACTION AT LEADING FIRST RUNS EVERYWHERE

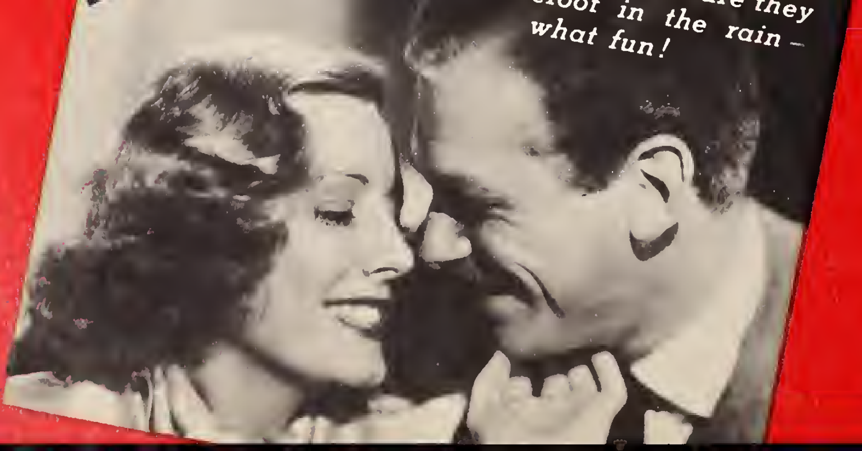
Irene's family is the menace. They show her how to spend her star salary of $10,000 a week.

The dashing adventurer and the family-bound star stage a wild party on $1.85.

You'll get the kick of your life out of that party of theirs in the beer garden!



A roller rink for romance—and for the most laughs per sequence yet screened!



You gotta have a clutch—and here it is. In the picture they walk barefoot in the rain—what fun!

This one is IN!... It's big!... It's worth preferred time and extra time in any man's theatre, and will pay a profit for every day you give it!.. Because it's got what it takes—names to draw you biggest crowds, entertainment values to send those crowds away glowing with satisfaction! There it is, a simple showman's proposition: BIG ATTRACTION VALUE... BIG SATISFACTION VALUE... OUTSTANDING BOX OFFICE POSSIBILITY!

IRENE DUNNE

Joy of Living

DOUGLAS FAIRBANKS JR.

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ALICE BRADY

GUY KIBBEE • JEAN DIXON • ERIC BLORE
LUCILLE BALL • WARREN HYMER
Music by JEROME KERN
Lyrics by DOROTHY FIELDS
DIRECTED BY TAY GARNETT
PRODUCED BY FELIX YOUNG
A TAY GARNETT PRODUCTION
SCREEN PLAY BY GENE TOWNE, GRAHAM BAKER, ALLAN SCOTT
BASED ON AN ORIGINAL STORY BY DOROTHY AND HERBERT FIELDS

RKO RADIO PICTURES

"Chicago" Is Frisco Smash With $25,000

San Francisco, March 27.—Despite continued wet weather which cut most grosses "In Old Chicago" drew $25,000 in its first week at the Paramount. This beat par by $12,000. The house was kept open all night Saturday for the first time.

"Snow White and the Seven Dwarfs" was still strong in its third week at the Golden Gate with a take of $20,000.

"Mad About Music" and "Midnight Intruder" had a good third week at the Orpheum, with $7,500.

Total first run business was $88,400. Average is $87,800.

Estimated takings:

Week Ending March 22:

"SNOW WHITE" (RKO)
GOLDEN GATE—(2,850), 25c-40c-55c, 7 days, 3rd week. Stage: vaudeville. **Gross:** $20,000. (Average, $16,000)

Week Ending March 23:

"GOLDWYN FOLLIES" (U.A.)
"BREATHLESS MOMENTS" (Univ.)
EMBASSY — (1,400), 15c-35c-40c-55c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000)

"SLIGHT CASE OF MURDER" (W.B.)
"LOVE, HONOR AND BEHAVE" (W.B.)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $7,500. (Average, $17,000)

"MAD ABOUT MUSIC" (Univ.)
"MIDNIGHT INTRUDER" (Univ.)
ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days, 3rd week. **Gross:** $7,500. (Average, $8,500)

"IN OLD CHICAGO" (20th-Fox)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c. 7 days. **Gross:** $25,000. (Average, $13,000)

"SALLY, IRENE AND MARY" (20th-Fox)
"CHECKERS" (20th-Fox)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 3rd week (moved over from Warfield). **Gross:** $4,000. (Average, $7,000)

"GOLDWYN FOLLIES" (U.A.)
"BREATHLESS MOMENTS" (Univ.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 2nd week. **Gross:** $8,000. (Average, $7,000)

Week Ending March 24:

"MERRILY WE LIVE" (M-G-M)
"BLONDES AT WORK" (W.B.)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $10,500. (Average, $13,000)

Week Ending March 25:

"AVE MARIA" (Itala)
CLAY—(400), 15c-35c-40c, 7 days, 2nd week. **Gross:** $900. (Average, $1,300)

Sherman Shifts Studio

Hollywood, March 27. — Harry Sherman has moved from the Grand National lot to General Service studios, formerly occupied by Emanuel Cohen and his Major Pictures Co. Paramount has taken over the Cohen lease of a portion of General Service space, under terms of the settlement of the contract between Cohen and Paramount.

Buy Bromfield Novel

Hollywood, March 27.—Twentieth Century-Fox has purchased Louis Bromfield's novel, "The Rains Came," for the announced price of $52,000. The studio has set a budget of $2,000,000 for it.

Cut More Detroit Scales

Detroit, March 27.—More than 100 have reduced evening prices from 50 to 40 cents in keeping with a similar reduction made last week by United Detroit Theatres in the State.

"Snow White" High in 5th Boston Week

Boston, March 27.—"Snow White and the Seven Dwarfs" remained in the local spotlight last week, its fifth in Boston, drawing $21,000 at the RKO Boston as against a $20,000 first-week normal. Sylvia Froos was featured on the stage.

"Bringing Up Baby" also was over par at the RKO Memorial. It took $24,000, $2,000 over average. "Mannequin" and "Penitentiary" were strong at Loew's State and Loew's Orpheum, bringing in $12,500 at the former and $14,000 at the latter.

Total first run business was $94,000. Average is $89,500.

Estimated takings for the week ending March 19:

"GOLD IS WHERE YOU FIND IT" (F.N.)
"PENROD AND HIS TWIN BROTHER" (W.B.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $4,000. (Average, $4,500)

"MANNEQUIN" (M-G-M)
"PENITENTIARY" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-35c-40c-55c, 7 days. **Gross:** $14,000. (Average, $12,000)

"MANNEQUIN" (M-G-M)
"PENITENTIARY" (Col.)
LOEW'S STATE—(3,537), 25c-30c-40c-55c, 7 days. **Gross:** $12,500. (Average, $11,000)

"A SLIGHT CASE OF MURDER" (W.B.)
"ROMANCE IN THE DARK" (Para.)
METROPOLITAN—(4,332), 25c-35c-55c, 7 days. **Gross:** $11,500. (Average, $22,000)

"GOLD IS WHERE YOU FIND IT" (F.N.)
"PENROD AND HIS TWIN BROTHER" (W.B.)
PARAMOUNT — (1,793), 30c-40c-55c, 7 days. **Gross:** $7,000. (Average, $8,000)

"BRINGING UP BABY" (RKO)
RKO MEMORIAL—(2,907), 35c-50c-65c, 7 days. Stage: Sybil Bowman. **Gross:** $24,000. (Average, $22,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
RKO BOSTON—(3,246), 35c-40c-55c, 7 days. Stage: Sylvia Froos. **Gross:** $21,000. (Average, $20,000)

"Music" Dual Best At Omaha, $10,300

Omaha, March 27.—"Mad About Music" and "Arsene Lupin Returns" at the Orpheum took $10,300 in seven days to top the weekly average by $3,100.

"A Yank at Oxford" and "Scandal Street" finished strong at the Omaha for $9,400 in seven days to beat weekly par by $3,900.

The Brandeis was well satisfied with $5,000 for the third week of "Snow White and the Seven Dwarfs." This gross topped weekly average by $1,000. The total take on this film in the three weeks has been $24,000, exactly double average for the period.

Total first run business was $24,700. Average is $16,700.

Estimated takings:

Week Ending March 23:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
BRANDEIS—(1,200), 25c-40c, 7 days, 3rd week. **Gross:** $5,000. (Average, $4,000)

"A YANK AT OXFORD" (M-G-M)
"SCANDAL STREET" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $9,400. (Average, $5,500)

Week Ending March 24:

"MAD ABOUT MUSIC" (Univ.)
"ARSENE LUPIN RETURNS" (M-G-M)
ORPHEUM — (3,000), 25c-40c, 7 days. **Gross:** $10,300. (Average, $7,200)

"Sawyer" $16,500 Hit at Cincinnati

Cincinnati, March 27.—"The Adventures of Tom Sawyer" went $6,500 over the $10,000 RKO Palace figure last week, and was moved to the RKO Capitol.

"Mad About Music" pulled $15,000, or $3,000 above par, at the RKO Albee, and was moved to Keith's. "Bringing Up Baby" broke even on a repeat engagement at the RKO Grand on a $2,750 take. "The Shadow," "Double Danger" and "Crashing Hollywood," playing separately at the RKO Family, also balanced the combined figure of $2,450 at that house. Business was fair at the other spots.

Total first run business was $59,700. Average is $58,700.

Estimated takings for the week ending March 24:

"MAD ABOUT MUSIC" (Univ.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $15,000. (Average, $12,000)

"ADVENTURES OF TOM SAWYER" (U. A.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $16,500. (Average, $10,000)

"WALKING DOWN BROADWAY" (20th-Fox)
RKO SHUBERT—2,150), 40c-60c, 7 days. Stage: Dave Apollon and vaudeville. **Gross:** $11,000. (Average, $12,000)

"SALLY, IRENE AND MARY" (20th-Fox)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,500. (Average, $6,500)

"A SLIGHT CASE OF MURDER" (F. N.)
RKO LYRIC—(1,400), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,300. (Average, $6,500)

"BRINGING UP BABY" (RKO)
RKO GRAND—(1,200), 25c-40c, 7 days. Repeat run. **Gross:** $2,750. (Average, $2,750)

"THE SHADOW" (Col.)
(2 days)
"DOUBLE DANGER" (Radio)
(2 days)
"CRASHING HOLLYWOOD" (Radio)
(3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,450. (Average, $2,450)

"START CHEERING" (Col.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $3,200. (Average, $6,500)

"Snow White" Sets Fast Lincoln Pace

Lincoln, March 27.—"Snow White went stepping this week and gathered $8,200 on 10 days at the Stuart. It got another week, as a result, at the Orpheum. "Love and Hisses" grabbed off $3,000 at the Lincoln, which was good.

Total first run business was $13,400. Average is $6,300.

Estimated takings:

Week Ending March 10:

"LOVE AND HISSES" (20th-Fox)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $3,000. (Average, $2,200)

Week Ending March 11:

"THE LAST GANGSTER" (M-G-M)
ORPHEUM — (1,350), 10c-15c-20c-25c, 7 days. **Gross:** $2,200. (Average, $1,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
STUART—(1,900), 10c-25c-40c, 10 days. **Gross:** $8,200. (Average, 7 days, $3,100)

Celebrate 10th Birthday

Columbus, March 27.—With Mayor Myron B. Gessaman presiding, Loew's Ohio here celebrated the completion of its first decade as a local amusement center with a ceremony which was broadcast over WCOL. Honored during the celebration were the woman who purchased the first ticket when the theatre opened 10 years ago and the five employes who have served continuously since the new house was built.

"Golden West" Philadelphia Top, $18,000

Philadelphia, March 27.—In spite of the mid-Lenten season, first runs had a good week. "Girl of the Golden West" went to $18,000 at the Boyd. This was $4,000 over par. The film stays a second week.

The Earle stage and screen combination, "Love, Honor and Behave" and the Wheeler-Dorothy Lee stage team took in a profitable $18,000.

The same amount was garnered for the third week of "Snow White" at the Stanley. The film will get another week (maybe more) and then will go for a second downtown run in a central city theatre.

Total first run business was $102,200. Average is $85,960.

Estimated takings for the week ending March 24:

"ADVENTURES OF TOM SAWYER" (U.A.)
ALDINE—(1,300), 40c-55c-75c, 7 days, 2nd week. **Gross:** $7,000. (Average, $8,160)

"BIG BROADCAST OF 1938" (Para.)
(2nd run)
ARCADIA—(600), 25c-40c-55c, 7 days. **Gross:** $1,800. (Average, $2,800)

"GIRL OF THE GOLDEN WEST" (M-G-M)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $18,000. (Average, $14,000)

"LOVE, HONOR AND BEHAVE" (W.B.)
EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Bert Wheeler, Dorothy Lee, Henry Youngman, Aunt Jemima. **Gross:** $18,000. (Average, $14,000)

"IN OLD CHICAGO" (20th-Fox)
ERLANGER—(2,000), 57c-86c-$1.14c$1.71, 7 days, 6th week. **Gross:** $6,000.

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 9 days. **Gross:** $18,500. (Average, 7 days, $14,000)

"SALLY, IRENE AND MARY" (20th-Fox)
(2nd run)
KARLTON—(1,000), 25c-40c-55c, 7 days. **Gross:** $3,900. (Average, $4,000)

"BRINGING UP BABY" (RKO)
(2nd run)
KEITH'S—(2,000), 30c-40c-55c, 7 days. **Gross:** $4,000. (Average, $4,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
STANLEY—(3,700), 40c-55c-65c, 7 days, 3rd week. **Gross:** $18,000. (Average, $14,000)

"THE FIRST 100 YEARS" (M-G-M)
STANTON—(1,700), 30c-40c-55c, 7 days. **Gross:** $7,000. (Average, $7,000)

Retitle Fields' Film

Hollywood, March 27. — "Behind the Eight Ball" was selected today as the release title on W. C. Fields' next Paramount vehicle, formerly called "Things Began to Happen." Ken Englund and Monte Brice are preparing the screenplay which Theodore Reed will direct. Paul M. Jones will produce.

New Titles for Three

Hollywood, March 27. — Walter Wanger has changed the title of "The River Is Blue" to "The Adventuress."

Warners has changed the title of "Footsteps in the Dark," back to "Blondie White," name of the play on which the picture is to be based. "The Chump" is now "Mr. Chump."

"U" Title Is Changed

Hollywood, March 27.—Universal has changed the title of "Half Way to Shanghai" to "Sinners in Paradise." The film will be released May 6.

Short Subjects

"What Do You Think?" No. 3

(*M-G-M*)

Highly interesting excursion into the inexplicable. It is as good, perhaps better, than previous numbers. Story concerns the young widow of a famous violinist who is about to commit suicide. A weird occurrence as she prepares for death changes the course of her life. Tastefully handled. Running time, 11 mins. "G."

"Stranger Than Fiction No. 47"

(*Universal*)

Here is another collection of reliable curiosities. The highlights of the reel are the shots of bathers swimming in water that is covered with pumice. Varied and entertaining. Running time, 9 mins. "G."

"Time Out for Trouble"

(*Columbia*)

Charley Chase gets into romantic difficulties with his sweetie. He tries suicide. It backfires. Gangster complications and plenty of slapstick. It has many laughs and will satisfy. Running time, 16½ mins. "G."

"Paramount Pictorial P 7-8"

(*Paramount*)

Three tastefully handled topics; feminine beach wear, a metropolis at night and beauty treatments for dogs. Well photographed, entertainingly presented. Good subject. Running time, 10 mins. "G."

"Auto Clinic"

(*Mintz-Columbia*)

There is a good imaginative idea in this cartoon that should be received as novel amusement by practically every audience. It is one of the Krazy Kat series. Krazy runs a scientific auto treatment establishment where the cars are given medical, dental and sanitary care. A tough character interrupts business by using counterfeit money in robot gas jumps and the usual bedlam breaks loose with Krazy coming out on top. Running time, 6½ mins. "G."

"Tears of an Onion"

(*Fleischer-Paramount*)

Many new animation tricks lift this one out of the routine, but the story sets it back again. It's fair stuff about vegetables. In Technicolor. Running time, 7 mins. "G."

"Feed the Kitty"

(*Universal*)

A fairly entertaining cartoon. It is the usual cat and dog affair where the former eventually befriends the latter over a pan of milk. The action is good. Running time, 7 mins. "G."

"Captain Kidd's Treasure"

(*M-G-M*)

A handsomely produced vignette dealing with the mystery of where the famous pirate buried his treasure, the possibilities of finding it and the historical background. First rate. Running time, 10 mins. "G."

Hollywood Preview

"King of the Newsboys"

(*Republic*)

Hollywood, March 27.—Solid entertainment behind a vapid title, "King of the Newsboys" is an able welding of action, romance, comedy and suspense, built on the fight of a youth of the slums to obtain riches and win his childhood sweetheart, whose early spurning of him for the favors of a wealthy man provide his incentive. The most trying job showmen playing this picture will have is to sell the title, which, while having some exploitation value may prove more hindrance than help.

Patrons drawn in to see "King of the Newsboys" certainly won't go away disappointed. The cast is topped by Lew Ayres, Helen Mack, Alison Skipworth, Victor Varconi, Sheila Bromley and Alice White, all of whom deliver seasoned performances and several of whom may find themselves elevated in the cinematic world by virtue of their characterizations. The screen play by Louis Weitzenkorn and Peggy Thompson from the original story by Samuel Ornitz and Horace McCoy is a work replete with interest-holding elements. This, his first American picture, augurs well for the future of Bernard Vorhaus, who produced and directed. His previous experience has been in England.

Ayres, an irresponsible youth of the slums, is spurred by Miss Mack's spurning of his marriage proposal to enrich himself. He does so by increasing the circulation of a New York newspaper. Miss Mack, having received the favors of Varconi, wealthy horserace tip sheet publisher, is reunited with Ayres, but the romance fades, when he becomes enamored of Sheila Bromley. Ayres, anxious for revenge on Varconi, publishes a rival tip sheet. His business failing suddenly because of his carelessness, Ayres again finds Miss Mack receptive, and all ends happily.

Running time, 68 minutes. "G."

New York Preview

"Sailing Along"

(*G. B.*)

Here is another neatly handled musical which should give a good account of itself at the box-office. It has an interesting story, a number of swingy song numbers, colorful atmosphere, comedy and the attractive personality and talents of Jessie Matthews. The story is diverting, in spite of its similarity to other variations. It is refreshingly played. Besides Miss Matthews there is the expert trouping of Roland Young, as an eccentric millionaire; Jack Whiting, Noel Madison, Barry Mackay and Athene Seyler. The musical interludes are well-executed.

Miss Matthews plays a girl on a barge whose singing and dancing talents are discovered by Young, who fancies himself a judge of genius. He introduces her to Whiting, a musical comedy star. She runs off to London, and, through Young, she obtains an audition before Whiting. She fails to convince him of her talents. But Young and Miss Seyler, his sister, provide the girl with a home, clothing, musical training and dance instruction. She turns out to be a first rate performer and Young backs a show in which she and Whiting star. Intermixed in all this there are romantic goings-on between Miss Matthews, Whiting and Mackay. She is torn between the two. But, following the opening performance of the show, she decides it's Mackay she loves and forthwith departs with him on his yacht for a world cruise. Mackay, Miss Matthews' fellow mate on the barge, in the meantime has become another of Young's friends. He is something of a financial wizard. Young is good-naturedly left holding the bag when Miss Matthews deserts the show, but he is taking an interest in her understudy.

The action crowds much incident and movement. Sonnie Hale directed. Miss Matthews' singing and dancing are in her familiar, pleasant style. The backgrounds and settings were admirably conceived.

Running time, 80 minutes. "G."

Making Historical Short

Oklahoma City, March 27.—James Burge, downtown exploitation manager for Standard Theatres, is making a short subject, "Movie Memories," which will contrast the early days of this city with the present. The short will be shown here at the Criterion during the week of April 22, the 50th anniversary of the 1889 rush into Indian Territory. Later the subject will be shown in other cities in the state.

20th-Fox Borrows Niven

Hollywood, March 27.—Samuel Goldwyn has loaned David Niven to 20th Century-Fox for a role in "Three Blind Mice." Niven will return shortly from a Sun Valley vacation.

E. M. Loew Gets National

Boston, March 27.—E. M. Loew now owns the National which he has been running under lease.

Variety Club

Indianapolis

Indianapolis, March 27.—Tent No. 10 has named four delegates to the national convention in Cincinnati, April 17 and 18. They are A. C. Zaring, chief barker; Carl Niesse, Guy Craig and Curtis Butler.

Joe Cantor, Marc Wolf and Ca[illegible] Niesse, chief barkers in 1934, 1935-[illegible] and 1937, respectively, were honored at a past presidential party, attended by local and out-of-town film people.

Kansas City

Kansas City, March 27.—Saturday night "kings for a night" parties have been inaugurated. The first one was put over by Les Durland, Edd Haas and Bob Withers. Jerry Zigmond of the Newman sent down three acts from his current Major Bowes' stage show.

An even larger crowd is expected to attend the "first annual Variety barbecue" Rube Finkelstein, Sam Abend and Earl Jameson will stage March 26 in the clubrooms. Senn Lawler is arranging entertainment.

Minneapolis

Minneapolis, March 27.—Plans for the Twin City Variety Club to take over the 12th floor of the Nicollet Hotel for enlarged quarters that would have provided for Turkish baths, a large bar, small gymnasium, sleeping quarters and other facilities, have been abandoned, W. A. Steffes says. The high cost of the proposed change is given as the reason. The club continues on at the Nicollet.

Omaha

Omaha, March 27.—More than 150 wives of Omaha Variety Club members and women employes in film exchanges attended a "ladies' stag" party in the club rooms. Mrs. Marie Thortsen was in charge, assisted by Joe Jacobs, entertainment chairman.

The annual stag party for members only will be held April 8.

The committee in charge includes Joe Jacobs, D. V. McLucas, E. R. Cummings, Jack Epstein, Bill Miskell, I. M. Weiner, Ted Emerson, Al Hill and A. M. Avery.

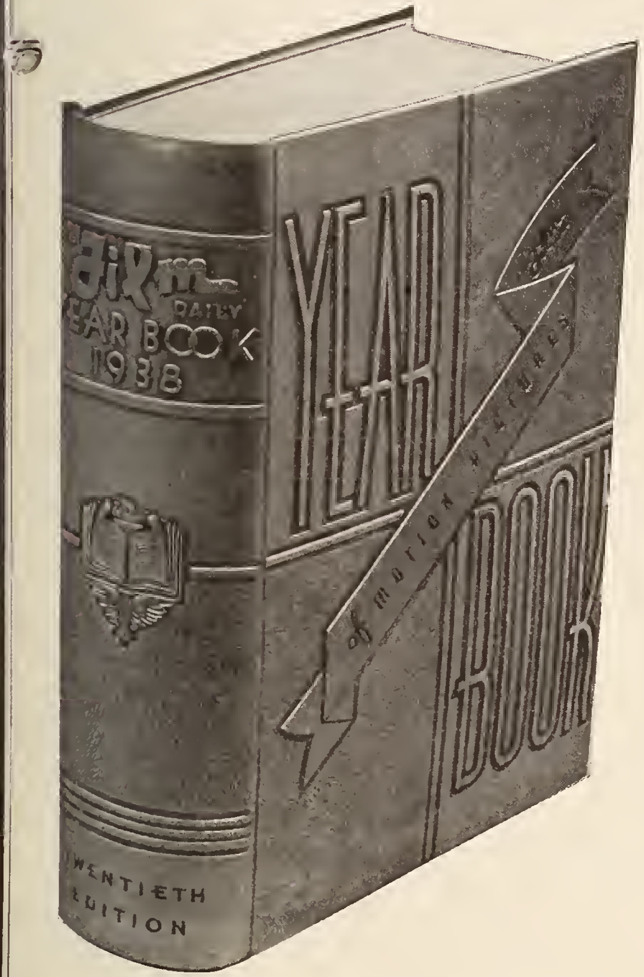
Shift Branch Personnel

Denver, March 27.—George Tawson, booker at the 20th Century-Fox exchange, has been advanced to salesman by R. J. Morrison, manager. Tawson has taken the northern territory, succeeding Eddie Loy, who left to go with Universal, replacing J. S. Hommell, resigned. Morrison has advanced Keith Elhart to Tawson's job and has brought in George Bailey, formerly with the Union Pacific, for Elhart's post as assistant to the head booker.

Keefe Warner Manager

Pittsburgh, March 27. — James Keefe of Milwaukee has been added to the Warner management staff under Harry Kalmine in the Pittsburgh zone and assigned to the Ritz in Clarksburg, W. Va. He has replaced Harry Gantz, transferred to the Capitol in Stubenville, where he has succeeded Tory Cavello, resigned.

IT'S OUT!



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NAME........................

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CITY ....

STATE ....

Leaders of Industry Unite In Dallas Depinet Tribute

(*Continued from page* 1)

dustry, Depinet was presented a scroll by his hosts of Interstate Circuit, while Governor Allred commissioned him Texas commissioner at the New York World's Fair. Mayor George Sprague of Dallas presented an elaborate proclamation which told the world Saturday was "Depinet Day" in Dallas.

The keynote of the dinner was one of general ribbing. Large standing cutouts appeared showing Depinet as Snow White surrounded by seven dwarfs: Levy, Reid, Leo Spitz, Reisman, Sisk, Howard Benedict and Lee Marcus. Both March of Time and Pathe News contributed to the gayety with special Depinet newsreels. Scores of congratulatory telegrams were flashed on a screen.

Depinet's first "high pressure" sales letter to exhibitors on the old "Heart of Humanity" was facsimiled at each plate. Depinet was flabbergasted.

Magazine as Souvenir

A striking souvenir was an eight-page copy of *Life,* in a special Depinet edition. The front cover bore a picture of the guest of honor, the inside front cover indicated decoratively that the editors of *Life, Time* and the March of Time, which is distributed by RKO, join with Hoblitzelle and O'Donnell in celebrating the occasion.

Inside were highlight pictures in the career of Depinet, from the time he had his picture taken with very little clothes at the age of one, through his boyhood and his business career, as well as a page of cartoons by Hap Hadley. Entirely incidentally, the "magazine" mentions the fact that there is such a film product as March of Time.

Those attending the dinner from New York were: Sears, Carl Leserman, Neil Agnew, Arthur Lee, Nate Blumberg, Bill Saal, Herman Robbins, Herbert J. Yates, John Wood, Sam Dembow, Jack Pegler, George Skouras, Willard McKay, Al Barlow, Red Kann, Jay Emanuel, Chick Lewis, Hal Horne, Kay Kamen, Charles Berns, Frank Buchanan, Charles L. Casanave, W. A. Scully, George Dembow, Y. Frank Freeman, Irving Mills, Phil Reisman, John O'Connor, Fred Ullman, Major L. E. Thompson, A. H. McCausland, Cresson E. Smith, Ed McEvoy, Ralph Rolan, William Mallard, Ben Cammack, Harry Michalson, Walter Branson and Harry Gittleson.

Many from Studio

Other executives, who came to Dallas from the coast, included: Levy, McDonough, McCormick, Harry Cohen, Marcus, Sisk, Reid, Lou Lusty, Benedict, Milton Berle, Ricardo Cortez, Oakie, Charles Skouras, Mike Rosenberg, Billy Wilkerson and Arthur Ungar.

The dinner guests also included I. M. Rappaport, John F. Henegan, J. J. Fitzgibbons, Eph Charninsky, Louis Charninsky, R. F. Cornes, Ted DeBoer, Myron Evert, John Franconi, L. C. Griffith, J. S. Groves, S. Koenigsberg, Clarence E. Linz, J. E. Luckett, Louis Novy, Oscar S. Oldknow, George P. O'Rourke, Hugh Owen, Eli Sanger, Rae E. Skillern, R. G. Soper, John Stiles, Ralph Talbot, Jack Underwood and Horace Falls.

Total of "Chicago" Astor Run $140,570

(*Continued from page* 1)

weeks were reported by 20th Century-Fox as follows: $17,734; $16,474; $16,390; $14,800; $14,211; $10,770; $10,990; $7,959; $7,347; $7,137; $6,950.

The price scale ranged from 55 cents to $1.10 matinees and $2.20 top at night, including tax, with the Saturday and Sunday matinee top at $1.65. The Astor seats 1,142. All seats were reserved.

"In Old Chicago" will be nationally released April 15, Good Friday. Whether it will open at the Roxy on that date is indefinite. Prior engagements may result in delaying the opening a week.

"Proxy" Pickets Irk Exhibitors at Ogden

OGDEN, Utah, March 27.—Theatre managers were startled to find local showhouses being picketed "by proxy." The striking Ogden newspaper typesetters and compositors were telling the public that the theatres and merchants were being "unfair" by advertising in the "unfair Ogden *Standard Examiner.*" After a huddle, the pickets were called off, but the managers are still a little amazed.

Para. Schedule of Shorts Nearly Set

(*Continued from page* 1)

for only about 15 to 22 of the total. Decisions on these will be made by Lou Diamond, in charge of the short subjects, within the next few days, it was said. The usual 104 newsreel releases are planned for next season.

Circuit Closes RCA Deal

The Wilmer & Vincent circuit has signed a sound service and maintenance contract with RCA, according to Edward C. Cahill, RCA Photophone service manager. The circuit's 21 houses in Pennsylvania and Virginia are included.

Austin Gets New Post

DENVER, March 27.—Bud Austin has been made assistant booker at the Warner exchange, following the resignation of Sam Dunevitz. Paul Gundy will handle Austin's former job as salesmanager with Howard Campbell as assistant.

Is Cast by Paramount

HOLLYWOOD, March 27.—Erin Drew, formerly Terry Ray, has been given the feminine lead opposite Bing Crosby and Fred MacMurray in "Sing, You Sinners" at Paramount.

Radio Personals

LUCY MONROE will begin short series of personal appearances at the Earle, Philadelphia, Apri 1. . . Lawson Zerbe, radio actor, i making one-minute transcriptio fo Walter Craig. . . Fred G. Ru i taking bows for rounding the half century mark with the Hicks Advertising Agency. . . J. R. Poppele, chie engineer at WOR, will leave April on a seven-week European tour. . Roy Smeck will do a guest spot wit Pat Barnes and his Barnstormers o WOR April 2. . . Charles Ruggles wil be Al Jolson's guest on the latter' CBS program April 5. . . Tony Won and Rico Marcelli have prepared program which is to be auditioned fo Vicks Chemical Co.

✚

Una Merkel, Lionel Barrymore an Maureen O'Sullivan will appear o the "Good News" program Thursday . . Irving Caeser and his "Songs o Safety" will be a feature of the Valle broadcast for some time to come. . Anna May Wong and Warren William will swap banter with Bing Crosby on the "Music Hall" Thursday. . . Melvyn Douglas will be Barbara Stanwyck's leading man on the Lux "Radio Theatre" April 4. . Rochelle Hudson will make a guest appearance on the Kate Smith CBS hour on Thursday. . . Jane Froman will be heard on the "Watch the Fun Go By" program from St. Louis April 5. . . Gladys Swarthout will be Eddie Cantor's guest on the new Caravan show which will start tonight.

WFIL Gets Big Hall For Its Auditions

PHILADELPHIA, March 27.—The idea of putting open auditions on the air in a half-hour show has clicked so well at WFIL that the program has been moved to the 1,600-seat auditorium of the Manufacturers' Club. The whole thing got its start a few months back, when the station, in a search for new programs, invited all comers to auditions. Shortly afterward they began airing the auditions and now so many spectators clamor for a view that the station's ordinary studios can no longer handle the crowd. Jack Steck of WFIL's production department chooses talent on the show.

Fox Takes WNEW Time

WNEW has sold time to the I. J. Fox Fur Co. for 12 programs a week. The deal includes "Mirror Man About Town" for six quarter-hours and six spot announcements. The programs will start April 5 and will continue for 52 weeks. The Peck Advertising Agency handled the negotiations.

Police to Use Radio

MEXICO CITY, March 27.—The local police department is instituting a radio patrol service similar to that used by American police. A broadcast station is to be installed at police headquarters and patrol cars, station houses and other units are to be fitted with receiving and sending sets.

FCC Hearings Are Set for This Week

WASHINGTON, March 27.—The Federal Communications Commission has made public its calendar of hearings on broadcasting applications for the current week, as follows:

March 28, before an examiner: Applications of P. W. Spencer for a new 1,500-kilocycle, 100-watt daytime station at Rock Hill, S. C., and WTAD, Quincy, Ill., for increase of time from day to unlimited.

March 29, before an examiner: Application of McComb Broadcasting Corp. for a new 1,200-kilocycle, 100-watt daytime station at McComb, Miss.

March 30, before an examiner: Application of WDAE, Tampa, for change of frequency from 1,220 to 780 kilocycles.

March 31, before the commission: Applications of KSIM, Salem, Ore., for change of frequency from 1,370 to 1,360 kilocycles and increase of power from 100 to 500 watts; WMFJ, Daytona Beach, for change of frequency from 1,420 to 1,240 kilocycles and increase of power from 100 to 1,000 watts; WGRC, New Albany, Ind., for change of frequency from 1,370 to 880 kilocycles, and increase of time from day to unlimited and application of Curtis Radiocasting Corp. for a new 1,420-kilocycle station at Richmond, Ind., with 100 watts night, 250 watts day.

April 1, before an examiner: Application of KEEN, Seattle, for change of frequency from 1,370 to 1,420 kilocycles and increase of day power from 100 to 250 watts.

Seeks South Carolina Station

WASHINGTON, March 27.—Application for a new station at Sumter, S. C., to operate daytime only on 1,420 kilocycles with 250 watts power, has been filed with the Federal Communications Commission by the Sumter Radio Broadcasting Co.

The commission also received applications from WJEJ, Hagerstown, Md., for an increase of night power from 50 to 100 watts, and KPAC, Port Arthur, Texas, for change of frequency from 1,260 to 1,220 kilocycles and increase of time from day to unlimited.

United Theatres, Inc., San Juan, P. R., whose application for a new station to operate on 570 kilocycles with 1,000 watts is pending, filed an amendment to change the frequency from 570 to 580 kilocycles.

Set "Hotel" Program

Alice Brady and Charles Winninger will offer a radio preview of "Goodbye, Broadway," on the "Hollywood Hotel" program over CBS April 1.

Righter Joins WOR

Volney F. Righter, formerly with Young & Rubicam, has joined the WOR sales department. Righter at one time was vice-president of Outdoor Service, Inc.

Waldron Replaces Flippen

Jack Waldron will replace Jay C. Flippen on the WHN "Original Amateur Hour" starting with the broadcast of April 1. The series is now in its fifth year.

Radio Rescue

Montreal, March 27.—Local radio stations went into swift action recently in an effort to save one or several lives. Throughout the evening, at the request of police, they broadcast warning to the person or persons who stole four pounds of meat from a parked car.

The meat had been intended for a fumigation firm and was soaked in cyanide. When police learned of the theft Inspector Brodeur phoned CBF, CBM, CFCF, CHLP and CKAC and they all took to the air immediately with warnings.

Independent Owners To Talk on AFM Pact

Independent broadcasters will meet at the Hotel New Yorker today for the purpose of negotiating a pact with the American Federation of Musicians similar to the one recently concluded by the network affiliates.

The meeting has been called because the non-network station owners object to signing the same agreement as the network affiliated stations, now paying 5½ per cent of their gross to the A. F. of M. Following compilation of data at the sessions here, the non-network station owners hope to be able to convince the Federation that they are entitled to milder terms than have been accorded to the network stations.

Name Hearst Coast Head

Lesley Fox, director of sales for KMBC, Kansas City, has been named Pacific coast manager of International Radio Sales, the Hearst national radio organization, according to the home office here.

Fox succeeds John Livingstone, who has been transferred to KEHE as national sales manager. Livingstone, however, will continue to represent International Radio Sales in southern California.

Keasler in KGKO Post

FORT WORTH, March 27.—Jack Keasler has been named merchandising and publicity director of KGKO by D. A. Kahn, business manager, and has assigned Philip G. Griffith to the sales department.

Battery Sets Exempt From Radio Tax Rise

TORONTO, March 27.—A first concession has been granted by the Dominion Government in the step providing for the increase of annual license fees for radio receiving sets from $2 to $2.50 by the exemption of the 150,000 battery sets in use in Canada from the license increase. Owners of these sets will continue to pay $2.

Further, free use of receiving sets is granted for hospitals, schools, asylums and charitable institutions whether the latter are operated by the Government or not. It has also been ruled that an exception will be made in the case of tourists visiting Canada in automobiles in which radios are installed but all residents of the Dominion must pay an additional license fee for any automobile radio. Under the previous law no additional license was required for an automobile radio when the owner had a licensed radio in his home.

Farley Talks on Discs

Over 700 pressings of talks by Postmaster General James A. Farley and Col. Edgar C. Gorrell for National Air Mail Week have been made from the master recording by the WOR recording division for a nationwide campaign which will begin May 15.

Close Bakers' Deals

BOSTON, March 27.—Bakers Broadcasting Service has closed deals with the Worcester Baking Co. for a transcription series and Caskey's Baking Co. of Maryland and West Virginia for 26 half-hour live programs.

Sponsors WOR Program

The Maiden Form Brassiere Co. will begin sponsorship of "Console and Keyboard," a WOR sustaining feature, on Thursday. The program offers Pauline Alpert, pianist and Louise Wilcher, organist.

Renew WOR Contract

My-T-Fine Products has renewed its contract for participation announcements on Uncle Don's programs over WOR for 13 weeks. Batten, Barton, Durstine & Osborne is the agency.

Renew Ross 13 Weeks

Don Ross, the "Rhyming Minstrel" on WOR, has been renewed for 13 weeks by his current sponsor, Bosco Products Co.

Paley to Air CBS Annual Report Over His Network

William S. Paley will address his annual report as president of the Columbia Broadcasting System, Inc., to the listening public as well as to the company's own stockholders in a special broadcast over CBS April 5.

In explanation for the unusual procedure, Paley explained that he had decided to put his report on the air because of the widespread general interest in broadcasting, adding that he hoped to stimulate public thinking about broadcasting by discussing industry problems with the audience just as frankly as he does with the actual stockholders of the company itself. He will deliver his report at 10 P.M., E.S.T., over the entire CBS network.

The broadcast will mark the first time in air history that an executive of a nationwide radio network has addressed a general audience on the subject of his own company's business. However, there have been a few instances, especially during the past year or so, wherein industrial companies have chartered regional networks for the purposes of making sales and general progress reports.

New Shows On the Air

"What's My Name?"

"What's My Name?" new audience participation program for Philip Morris cigarettes on Mutual is a rather drab show, although ably conducted by Bud Hulick and Arlene Francis.

The program got off to a bad start in that the participants, for the most part, were unable to guess the identities of the characters asked for in the game until long after the listeners got the drift of the proceedings. This served to slow up the program badly. As an example, one participant was unable to guess the identity of Walt Disney, even after she had been informed that he was the creator of "Snow White and the Seven Dwarfs."

Participants are given five chances to name each character, after as many clues are supplied by the "em cees," Hulick and Francis. First guess rates them a prize of $10. The other prizes are $1 less progressively.

"What's My Name?" is broadcast Fridays on Mutual from 8 to 8:30 P.M.

BANNER

KGO Instead of KYA May Air Ball Games

SAN FRANCISCO, March 27.—KGO may air the daily baseball games for General Mills (Wheaties) this season instead of KYA. The latter station is reported as unwilling to enter into a long term contract, due to the uncertainty of Hearst's radio plans. Whether Ernie Smith, veteran announcer, will continue at the microphone, is uncertain.

Herb Allen of Mutual has been chosen by the same sponsor again to announce the home games of the Oakland baseball club over KROW.

Bank Renews Program

PROVIDENCE, March 27.—The Citizens Savings Bank of Providence has renewed its contract for a continuation of the "Captains of Industry" series over WEAN. Financial Broadcasting Service of Boston handles the program.

Guest Series Shortly

A new Edgar A. Guest series will start over CBS on April 6. The period will be heard from 10:30 to 11 P.M. Frankie Masters will supply music with Marian Francis as vocalist.

WCKY to Cut Newscasts

CINCINNATI, March 27.—Except in special cases, all WCKY news broadcasts hereafter will be cut down to five minutes, according to Mendel Jones, recently appointed program and production director.

Crosley Promotion Head

CINCINNATI, March 27.—John S. Garceau, Indianapolis, has been appointed manager of advertising and sales promotion for the Crosley Radio Corp.

Small Wonder...

This young lady hasn't a tooth in her head. Yet she insists on eating five times a day! And this one thing we can be sure of. Whatever else she may ask of life, *food* will be first and most often on her list.

Small wonder, then, the Food Industry is advertising's greatest client—*and greatest challenge.* Here is a market which knows no pause in time or space. A market as varied as *all* the people any advertising medium can reach. A market which goes beyond and *includes* every other market for the goods of man.

How brilliantly radio has met the challenge of this market for the food advertiser can best be told, perhaps, by the following facts. More "food" dollars are now spent on radio networks than in *all* general magazines. Twice as many "food" dollars are spent in radio as in *all* women's magazines. *And the increase in food advertising on Columbia outstrips every other industry-increase in radio. A 290% increase in the last five years—made by the country's largest food advertisers.*

The explanation for this Columbia record is simple. Everybody eats. *And everybody likes to listen.* This is how the largest network in the world welds the two together:

✓ In 1934, the largest manufacturer of canned soups in the world turned to Columbia—took to the air with an hour a week of deft selling and sparkling entertainment. Sales *soared* from coast to coast. Tomato Soup—*up* 30%. Vegetable Soup—*up* 35%. Chicken Soup—*up* 100%! And Chicken Soup was advertised *only* by Columbia. In the client's own words, "Sales took an astounding jump to a *well-over-double* basis, despite the fact that our Chicken Soup business was already large."

✓ As of January, 1938, a national baker has signed his *eighth consecutive 52-week contract with Columbia.* In the last seven years, he has not missed a single weekly broadcast—using the Columbia Broadcasting System exclusively on the air.

✓ The largest food company in the world has put five different programs on Columbia in the last five months.

The Columbia Broadcasting System

Count Me In "Two"

If you're an exhibitor and you run a theatre . . . count us in "two" . . . prevues on your screen . . . National Screen accessories in your lobby ★ ★

Count us in "two" . . . with the eighteen-year record of National Screen Service backing National Screen Accessories in every way that could possibly be of interest to any exhibitor

Count us in "two" . . . with sincerity on your screen . . . selling conviction on your screen . . . and a real thought to your playing time ★ ★

Count us in "two" . . . with new ideas in your lobby displays . . . new technique in color reproductions . . . new glamour . . . new life . . . new eye-stopping appeal ★ ★

Count us in "two" . . . with a brand of service that has made the word famous in this industry . . . count us in "two" with an eye to your advertising problems ★ ★

Count us in "two" . . . with

National Screen Service
. . . prize baby of the Industry!

National Screen Accessories
. . . the magic touch of showmanship

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 72 NEW YORK, TUESDAY, MARCH 29, 1938 TEN CENTS

Independents Vote to Deal With A. F. M.

To Seek Pact Similar to That of Networks

The Independent Broadcasters of ne National Association of Broadasters, in a special meeting held here esterday, voted to begin direct negoiations with the American Federation f Musicians with a view toward neotiating a pact for themselves simiar to the one recently concluded beween the union and their fellow opeators of network affiliated stations.

Additional developments in radio yesterday on page 6.

By their action the independent roadcasters for the first time offiially recognized the union's demand hat more musicians be put to work in roadcasting stations. Prior to yeserday's meeting the independents had lected to ignore the union's demands.

The decision by the independents to

(*Continued on page 6*)

Government Texas Case Brief Filed

WASHINGTON, March 28.—The Government brief in the Texas case was filed with the Supreme Court toay in anticipation of the hearing of rgument on the appeal of the distribtors early next month.

The brief asserted that three quesons are involved, (1) whether the

(*Continued on page 8*)

Reject Amendments

London, March 28.—The House of Commons today rejected the increases in the distributor and exhibitor quotas as voted in amendments to the Films Bill in the House of Lords.

It was voted in Commons to return the bill to the House of Lords with a request for removal of the offending amendments, and to restore the schedules to the levels determined by the Commons. Oliver Stanley, Board of Trade president, presented the Government's case against the Lords' amendments.

Hays' Report Champions Films' Self-Regulation

HIGHLIGHTS OF HAYS' REPORT

Scores attempts to invade the commercial theatre with "social hygiene" and other "bootleg" pictures.

Declares against the use of commercial advertising on the screen even when disguised as entertainment.

Reiterates the industry's contention that films "should pass freely between nations without quota barriers" or other "artificial restrictions."

Points to the potential millions of theatre customers in America who still are not regular patrons.

20th-Fox Advance Sales Are 11.5% Above Last Year

With an unprecedented volume of pre-convention contracts already rolled up by the sales force, 20th Century-Fox delegations will leave tonight for the annual sales conference to be held Friday and Saturday in Kansas City. John D. Clark, vice-president in charge of distribution, will be the ranking company executive present, and will preside.

The combined total of 1938-'39 contracts and long-term franchises already sold is 11.5 per cent ahead of the 1936-'37 volume at this time last year, it was said by the sales department. This, it was said, indicates an earlier buying trend.

Twentieth Century-Fox sales forces have been selling the 1938-'39 lineup since January. So far, the eastern division, headed by William Sussman; the southern district, managed by

(*Continued on page 4*)

Broadway Sees $20 Per Seat Opening

Broadway had a rare phenomenon last night—an opening at $20 per seat for an imported film. And a crowd turned out at the Astor. The picture was "The Call." The picture is reviewed on another page of today's MOTION PICTURE DAILY.

The proceeds went to the Daughters of Mary, Health of the Sick, a charitable organization.

Judge Alfred J. Talley delivered an address in which he described the

(*Continued on page 3*)

RKO to Announce 48 Features for Next Year's List

By JAMES P. CUNNINGHAM

Aboard Southwestern Limited, En Route to New York, March 28.—RKO will hold its national sales convention either the last week of May or the first week in June, probably in Chicago, company officials stated today.

The company plans to produce 48 features for 1938-'39, the same number scheduled this season. This was decided during a seven-day discussion of new production plans at the studio last week, participated in by Leo Spitz, president; Pandro S. Berman, production head; Ned E. Depinet, distribution head; J. R. McDonough, vice-president; Jules Levy, sales manager, and S. Barret McCormick, advertising and publicity director.

Details of the new season's program are still in the making, being worked

(*Continued on page 8*)

F.&M. Will Center Work at St. Louis

With an expansion program under way by Fanchon & Marco theatres, all circuit activities are to be concentrated in St. Louis under Harry Arthur. Other departments of F. & M. operations will not be affected.

The circuit plans five new neighborhood theatres in St. Louis where it now is the dominant operator. The theatre auditing and bookkeeping departments will be moved from New York to St. Louis and arrangements

(*Continued on page 4*)

Annual Statement Also Hits Use of Screen For Propaganda

Industry self-regulation is championed by Will H. Hays in his annual report presented yesterday to the M.P.P.D.A. board of directors. The report lists seven specific accomplishments attributed by Hays to industry self-rule and declares that, "There can be no permanent progress for a creative industry controlled in the interest of economic regimentation or political dictatorship."

Of industrial self-regulation Hays states "there is no real substitute for it." He warns, however, that "industrial democracy can no longer be taken for granted anywhere in the world. It must be defended. . . . Our own industry is an important and significant case study of the economic, artistic and social achievement of self-government in industry."

Hays listed this industry's gains through self-regulation as the development of moral and artistic standards of production through the Production Code Administration; maintenance of "the highest possible advertising standards" by the Advertising Advisory Council; educational campaigns to win new patronage for the theatre and support for the better pictures; establishment of self-government and

(*Continued on page 8*)

Hays Is Reelected For His 17th Term

Will H. Hays was reelected president of the M.P.P.D.A. for the 17th consecutive year at the annual meeting of the board of directors of the organization yesterday.

Nate J. Blumberg, Universal president, was elected a member of the organization and of the board of directors at the session. All other officers and directors were reelected.

Officers in addition to Hays are Carl Milliken secretary; Frederick L. Herron, treasurer, and George Borthwick, assistant treasurer. Directors are, Barney Balaban, Blumberg, Harry D. Buckley, Jack Cohn, Cecil B. De Mille, E. W. Hammons, Sidney R. Kent, Sol Lesser, Hal Roach, David Sarnoff, Nicholas M. Schenck, Leo Spitz, H. M. and Albert Warner. Blumberg replaces R. H. Cochrane, former president of Universal.

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MELBOURNE: Regent Theatre Buildings, 191 Collins St.; Cliff Holt, Representative.
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RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg. Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54, Vienna VII; Hans Lorant, Representative.

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J. H. Michael Rites Are Held at Buffalo

Buffalo, March 28.—Funeral services were held today at Temple Beth Zion for Jules H. Michael, member of the board of the M.P.T.O.A. and a veteran exhibitor here, who died of heart disease late Saturday. Rabbi Dr. Joseph L. Fink officiated.

Michael was 68. He had spent nearly 40 years in exhibition.

A native of New York City, he started in 1901 as manager of a Boston theatre owner by B. F. Keith. He was with the Keith organization for 10 years. Later he managed several New York houses for Mitchell H. Mark. He came to Buffalo in 1918 as a partner of the late Henry Brock, with whom he operated the Regent and Academy. Thirteen years ago he became an official of the M. P. T.O.A. and in 1933 he gave up active work as an exhibitor.

Michael's widow, Augusta, and a daughter, Mrs. Marvin H. Davis, survive.

Comedy Starting Today

The latest in the "Gags and Gals" series of Educational shorts will go into work today at the Astoria studio under the direction of Al Christie.

"Bigness" Means Nothing Without Stories—Mannix

The public today wants more realistic stories, "a page of life as it is lived, life as it is played from a humorous angle," and that may be the next trend in films, declared E. J. Mannix, M-G-M vice-president and production executive, before returning to the coast yesterday.

"Bigness" in itself means nothing if it has no story value—the story always being the thing—and a film spread on a large canvas must still have an idea behind it to possess appeal, he believes.

Musicals are now on the crest of the wave, Mannix declared, and this type of film also must contain "good, substantial story ingredients" to strike a popular chord. M-G-M has never gone overboard on musicals, other than the annual "Broadway Melodies" series, he pointed out, but for next year plans no decrease in this classification.

"The musical's vogue is indefinite," he continued. "If you have a worthwhile story and combine it with good songs and a good orchestration, you'll have something the public wants, but above all the story must be substantial."

While M-G-M has scheduled six Technicolor films for the next three years, Mannix is skeptical as to what color means at the box-office. "The painting must still have an idea behind it," was the way he described his viewpoint. "The only sure element that means box-office is star value. A good story well told will also bring them in, but to begin with you have the stars."

While on the subject of "big pictures," Mannix pointed to "Snow White and the Seven Dwarfs," which, he said, is truly a big picture "because it is a thorough, well-rounded job, perfect in all of its particulars," and because it is real entertainment for everyone. "But, of course," he added, "a genius made it."

"The Big Parade" was another film that was "big," this despite the fact that it was not made on a large scale, but because its basic idea found wide public response, Mannix said. The same appeal was contained in the Will Rogers pictures, which were not "big" in the usual meaning of the term but "big" in the sense that the humorist's philosophy had universal appeal which pleased every type of audience.

Greta Garbo, he said, will return in September to start her next picture, a continental comedy which Bernard Hyman will produce.

Mannix was here five days following a southern cruise.

Record Claimed for Paramount Weekend

"Bluebeard's Eighth Wife" established a new weekend attendance record at the Paramount, according to Robert M. Weitman, manager, who said that the film played to 47,000 persons over Saturday and Sunday. On Saturday there were 24,800 tickets sold, topping any previous Saturday in the theatre's history. The film will stay three weeks. Guy Lombardo and his band is the stage attraction.

"Storm in a Teacup" grossed $5,408 in its first week at the Little Carnegie to break the all-time house record for cash and admissions, according to the management. On Sunday 2,800 tickets were sold at the 400-seat house. The film is in for an indefinite run.

"Radio City Revels" did $7,500 at the Globe in its first week and is being held for seven days more.

Warners Sign Up 30

Hollywood, March 28.—Warners have placed some 30 players under contract within the past four months, the studio states. Among those contracted are Peggy Moran, Susan Hayward, Anthony Averill, Bruce Lester, Jeffrey Lynn, Bobby Jordan, Bonita Granville, Jack Moore, Jimmy Nolan, Gale Page, John Ridgeley, Eric Stanley, Janet Shaw, Larry Williams, Gabriel Dell, Jan Holm, Penny Singleton and James Stephenson.

Muni to Study 2 Scripts

Hollywood, March 2.—Warners have assigned two scripts for the attention of Paul Muni when he returns to the studio this week. One is "Maximilian and Juarez," based on the life of the ill-fated Emperor of Mexico, and the second the well known Jack London novel, "The Sea Wolf."

Metro Staff Hears Dietz and Kiesling

Howard Dietz, M-G-M advertising and publicity director, and Barrett Kiesling, studio publicity representative, discussed new season advertising and publicity campaigns at the regional sales conference at the Hotel Astor yesterday.

The meeting wound up last night, following which the eastern and southern division and branch managers attended Broadway shows and a party at the International Casino.

William F. Rodgers, general sales manager, and T. J. Connors and E. M. Saunders, division managers, discussed this season's product and outlined the new program. It was stressed that the current selling season is not yet over.

Dietz told the meeting that a book presenting a picture of the company's scope and operations has been prepared for distribution among the sales staff. Some of the delegates departed last night and the others are due to leave today.

Tracy, Six Others Re-Signed by M-G-M

Hollywood, March 28.—Getting ready for new season product, M-G-M this week extended contracts of seven persons, including players, writers and a music arranger.

Spencer Tracy has been given a contract extension, but, more important to him at least, was also given a vacation. He has left for New York via the Panama Canal, to meet Mrs. Tracy in the east, then to sail on the *Rex* to Genoa, later visiting England.

The other player retained by M-G-M is Claudia Morgan, who will leave New York in two weeks after appearing in the Theatre Guild's "Wine of Choice."

Anita Loos, pioneer film writer, also was given a new pact. The other writers retained are Phil Rapp, Martin Berkeley and Jack Singer.

Leonid Raab, orchestrator and arranger in the music department, continues with the studio under a new contract.

Purely Personal

Leopold Friedman, M-G-M general attorney, returned from a Florida and Havana vacation yesterday. He spent a week with Nicholas M. Schenck at the latter's home at Miami Beach.

•

Eddie LeBaron, head of Eddie LeBaron Productions, plans to arrive here from the coast April 1 to arrange for a release for "Castillos in El Aire," the first on the company's program of all-Spanish talking films.

•

Jeanette MacDonald and Gene Raymond are motoring east from the coast and are expected here in two weeks. The trip is a belated honeymoon.

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Stanton Griffis, chairman of the Paramount executive committee, is expected back from a Florida vacation on Thursday.

•

Howard Dietz got some pointers on forthcoming product from Eddie Mannix at lunch yesterday.

•

Allan and Mrs. Jones, the latter better known as Irene Hervey, arrived yesterday from the coast.

•

Arthur A. Lee, G. B. vice-president, will arrive in Hollywood today by plane from Dallas.

•

Sigrid Gurie, Goldwyn player, left yesterday on the Century en route to the coast.

•

John G. Paine, general manager of Ascap, left for St. Louis yesterday, to be gone about a week.

•

Lou Krouse, general secretary-treasurer of the I.A.T.S.E., is in town.

•

Ramon Novarro is due to arrive on the coast from New York today.

Rail Story for DeMille

Hollywood, March 28.—Cecil B. DeMille today stated that his 65th production will be "Union Pacific," a story based upon the building of the railroad. Jack Cunningham and Jesse Lasky, Jr., are working on the screenplay. DeMille will have the cooperation of the Union Pacific in preparation and production. Shooting will start in the fall. The film will supplant the planned "Hudson's Bay Company."

Quarberg Loew Ad Head

Hollywood, March 28.—Lincoln Quarberg today was named advertising and publicity director for David L. Loew Productions, Inc.

Broadway Sees $20 Per Seat Opening

(Continued from page 1)

ctivities of the Catholic Charities of he Archdiocese of New York. Preeding the opening of the feature picure there was shown a short entitled Catholic Charities."

ebrities turned out in force with n ray of evening clothes and furs hat would have done credit to one of hose big parties where bright lights nd free tickets start the long run pecials on their way.

Among those who attended were: udge Talley, William F. Bleakley, ohn A. Byrnes, John J. Bennett, Jr., Major Edward Bowes, Philip A. Brennan, James Byrne, John J. Cavanaugh, John W. Clancy, Daniel F. Cohalan, Salvatore A. Cotillo, Eddie Dowling, Joseph J. Early, Henry Heide, Jr., Leo J. Hickey, J. F. O'Brien, J. P. O'Brien, John H. O'Connor, Martin Quigley, Alfred E. Smith, Bishop Stephen S. Donahue, Bishop Thomas E. Molloy, Monsignor Keegan, Monsignor Michael J. Lavelle, Irene Dunne, Hope Hampton, Sylvia Sidney, Rutgers Neilson, Spyros Skouras, Walter Reade, C. C. Moskowitz and Clayton Bond.

Century Case Review Is Refused by Court

Washington, March 28. — The U. S. Supreme Court today refused to review a decision of the Circuit Court of Appeals holding Century Productions, Inc., had infringed a copyright held by Frederick Beck Patterson, president of the National Cash Register Co., on pictures the latter had made during a hunting expedition.

Patterson had sued on the ground Century Productions had "lifted" material from his film for use in "The Jungle Killer," and the company had contended that the cash register magnate had obtained a copyright for an unpublished work which was vitiated when he made showings of his film before certain groups and had failed to protect himself thereafter by obtaining copyright for a published work.

Dismisses "Races" Suit

Ruling that he could not find the "slightest evidence of copying," Federal Judge Arthur C. Coxe dismissed the infringement suit brought by Philip T. Clancy against Metro-Goldwyn Pictures Corp. and Robert Pirosh in the U. S. District Court here.

Clancy sought $250,000 damages, charging infringement of his uncopyrighted play, "Nuts to You," in "A Day at the Races."

Refuses Testimony Order

Federal Judge Robert T. Patterson yesterday denied the application of Films Sonores Tobis, Societe Anonyme for permission to examine Harry Buckley, Arthur Kelly and Harry Muller before trial, in connection with its suit against Charlie Chaplin, Charles Chaplin Films Corp. and United Artists, charging plagiarism of their picture "A Nous La Liberte" in "Modern Times." The judge, however, ordered United Artists to serve a copy of the scenario of "Modern Times" on the plaintiff.

New York Preview

"The Call"

(*Best Film Co.*)

This French production purports to offer a screen biography of Charles de Foucauld (1858-1916), a soldier and something of a scapegrace, who found himself drawn toward the desert and became in effect the Sahara missionary, who was at the same time of inestimable value to France in pacifying and winning the friendship of the generally recalcitrant desert tribes.

The subject matter has all the elements of drama, and at the same time rests upon a theme of high service to mankind and humanity, making for a potentially powerful screen document which might even have had a strong element of entertainment.

It is rather unfortunate that the production is technically inadequate to properly do justice to the basic material. It may be that the strong impression of inexpert technical treatment is the result of the fact that the film has been dubbed into English, and that the English is very stilted. The English words from the screen often do not coincide with the lip movements of the French cast, while the players are for the most part less than satisfactory.

The picture was produced, directed and written by Leon Poirier, who, it is explained, was attracted to the story of de Foucauld during a visit to the Sahara, and many years later, after the producing cast was assured through subscription solicited by himself, "The Call" was produced. Many of the scenes were taken on the desert, and purely from pictorial standpoint they are interesting and convey a true feeling of the sweep and silence of that arid waste. But Poirier has not made his people live, with the possible exception of the portrayal of de Foucauld.

The film tells the story of the arrogant and spoiled youth who entered the army, took a mistress to an African post, and then resigned his commission. The glimpse of the desert led him back, and in disguise, he traversed the country, opening the way for French occupation. Later he returned, became a missionary, built a chapel and was of vast assistance in pacifying the tribesmen of Hoggar. When the World War broke out, and uprisings began, he sought refuge in a fort, until, through treachery, he finally was overpowered and killed in December, 1916.

Running time, 75 minutes. "G."

Hollywood Preview

"Rose of the Rio Grande"

(*Monogram*)

Hollywood, March 28.—Monogram has a high class picture for the trade in "Rose of the Rio Grande." It contains entertainment and commercial values that are often lacking in more costly films featuring more famous names. Fictionalized historical romance is used and the treatment applied and the quality of production support give the show a novel and freshly interesting appeal. The entertainment quality of the feature entitles it to a place on any program.

The soundly contrived story is packed with romance, melodrama, excitement, action, suspense and comedy. The musical content is of a similar type and class as that which first thrust Nelson Eddy into the spotlight of popular favor. Sung mainly by John Carroll and a male chorus, with a number or two by Movita, it has an audience-pleasing quality that should win commendation.

Posing as a rebel general, Carroll determines to wipe out rebels who, a century ago, devastated northern Mexico. Brought into direct conflict with Antonio Moreno, bandit leader, with refugee Movita as the pawn, Carroll kills his enemy in a saber duel, action of which is comparable to the melee in "The Prisoner of Zenda." It is not until her brother, Martin Garralaga, identifies him as the hero savior of his country that Movita gives her love to the man whom she long had worshipped.

Performances delivered by Carroll, Movita, Moreno, George Cleveland (the comedy relief) and Lina Basquette are of high caliber, and the efforts of the supporting cast are equally meritorious. The story by Johnston McCulley and screenplay by Dorothy Reid and Ralph Warrenton neatly combine romance, action and melody. William Nigh's direction was pointed to extract the best values from his materials. People who like real entertainment should appreciate "Rose of the Rio Grande."

Running time, 60 minutes. "G."

Asks Court Writ in William Fox Action

Washington, March 28.—Hiram Steelman, trustee for William Fox, today petitioned the U. S. Supreme Court for a writ of mandamus directing the Third Circuit Court of Appeals immediately to render its decision as to the validity of the long-contested order issued by the referee appointed by the New Jersey court, directing All-Continent Corp. to make available its books and records for examination by the trustee.

All-Continent, the trustee told the court, was created by Fox and to it was turned over all the property of Fox and his wife. The present appeal originated when Eva Fox, wife of William Fox, refused to testify regarding property formerly held by her.

Steelman told the court in his brief that in 1936 he sought the order to allow him to examine All-Continent's books, and that the order has since been before several courts, being last heard by the Third Circuit Court last December, the decision in that case not yet having been rendered.

He told the court it is important to have a quick decision since examination of the Fox estate indicates that Fox and All-Continent "are one and the same" and that the trustee cannot complete his examination until All-Continent records have been studied. Unless quick decision is given, he said, the estate may suffer irreparable loss because assets of All-Continent have been materially injured by the recent decline in stock values.

Ampa Studying Awards

There will be no meeting of Ampa on Thursday. The next meeting will be held on April 7. The awards committee is making final consideration of the changes in the awards plan and a report will be given to the membership shortly.

Blatt Heads New Firm

Edward A. Blatt, New York test director for Paramount, has resigned to head the new American Pictures Corp., independent producer.

Wall Street

Warner, Para. Lead Stock Gains

	Open	High	Low	Close	Net Change
Col.	9⅝	9¾	9⅝	9⅝	+ ⅛
Cons.	1⅛	1⅛	1⅛	1⅛	+ ⅛
Cons. pfd...	4⅝	4¾	4½	4¾	+ ¼
E. K.	132	133¾	132	133¼	+1¾
G. T. E....	9½	9½	9¼	9½	+ ⅞
Loew	36⅝	37½	36½	36½	.....
Loew, pfd..	104½	104½	104½	104½	— ½
Para.	6½	7	6½	6⅞	+ ¼
Para. 1.....	65	68	65	68	+3
Para. 2.....	7½	7½	7¼	7½	+ ⅛
Pathe	4	4¼	4	4⅛	+ ¼
RKO	2⅜	2⅜	2¼	2¼	.....
20th Fox...	17½	17¾	17¼	17¾	+ ¾
Univ., pfd..	30	30	30	30	.....
W. B.	4	4⅛	3⅞	4	.....
W. B. pfd..	22¾	23	22¾	23	+3

Little Curb Change

	Open	High	Low	Close	Net Change
G. N.	⅜	7/16	5/16	⅜	+1/16
Monogram	1⅝	1⅝	1⅜	1⅜	.....
Sentry	5/16	5/16	5/16	5/16	.....
Sonotone ..	1⅜	1⅜	1⅜	1⅜	— ⅛
Tech.	16¼	16⅜	16	16	.....
Trans-Lux	2½	2½	2⅜	2⅜	.....

Loew Bond Up Lightly

	High	Low	Close	Net Change
Loew 3½s '46	96	96	96	+ ¼
W. B. 6s '39......	64	63¾	64	.....

(Quotations at close of March 28)

20th-Fox New Season Sales Top Last Year

(*Continued from page 1*)

Harry G. Ballance at Atlanta, and the Dallas branch, managed by H. R. Beiersdorf, are the leaders in their respective classifications in new season contract volume. Seven-eighths of the contracts obtained by the Dallas branch represent franchises. Southern and eastern branches were prominent in early selling also last year. The distribution department anticipates that more than a third of the company's total of 11,800 possibilities will be sold by mid-April.

For 1938-'39 the company is expected to announce a minimum of 56 to 58 features, to be supplemented by pictures made in England and possibly others. Fifty-two of the features on the current program are from the Movietone studio, and it is understood this number will be increased to balance Sol Lesser's "Tarzan" and "Outdoor" films, which total six currently.

Expect 100 at Meeting

Close to 100 will attend the Kansas City sessions, which will be held at the Muehlebach Hotel. Clark and Charles E. McCarthy, advertising and publicity director, who have been attending studio conferences, will arrive from the coast. The studio will be represented by Harry Brand, publicity manager, and Mike Leshing.

There will be no screenings, the entire time being scheduled for meetings. The conference will open Friday morning and that night there will be a banquet. Business sessions will be held all day Saturday.

The home office and eastern group, comprising 50, will leave at 11:35 o'clock tonight from Grand Central Station and will be joined by 16 others at Chicago. Delegates will leave Kansas City Saturday night, returning to their offices on Monday.

Local Men to Attend

In addition to those who will come from the coast, home office representatives at the conference will include: Felix A. Jenkins, secretary and general counsel; Division Managers William Sussman, William C. Gehring and W. J. Kupper; William J. Clark, short subjects manager; Dan Michalove, Jack Sichelman, Martin Moskowitz, Edwin H. Collins, Clarence A. Hill, Ted A. Shaw, Jack Bloom, Harry Mersay, George Sussman, Sam Epstein, Eugene McEvoy, Isadore Lincer, E. W. Holmberg.

Arch Reeve, advertising manager; Earl Wingart, publicity manager; Morris Kinzler, Rodney Bush, Truman H. Talley, producer of Movietone News; Lew Lehr, Paul Terry, producer of Terry-Toons; Harvey Day, Lee Balsly, manager of ad sales; Edward Hollander, W. W. Caldwell, Jerry Novat, Don Reed; Walter J. Hutchinson, foreign manager; Edward F. Lomba, assistant to Hutchinson; Irving A. Maas, foreign service manager; Leslie Whalen, foreign publicity manager, and Charles Mayer, Batavia (Java, Netherlands East Indies) branch manager.

Division delegates are the following:

Eastern division: District managers—Edgar Moss, George A. Roberts and Tom H. Bailey; Branch managers—Harry H. Buxbaum, New York; Edward X. Callahan, Boston; Moe Grassgreen, Albany; Benjamin A. Simon, New Haven; Sam Gross, Philadelphia; Ira H. Cohn, Pittsburgh; Samuel N. Wheeler, Washington; Sydney Samson, Buffalo; I. J. Schmertz, Cleveland; James J. Grady, Cincinnati; Sales managers—Harry S. Alexander, Boston; Joseph J. Lee, New York, and Alfred J. Davis, Philadelphia.

O'Loghlin, Levy Coming

Central Division: District managers—James P. O'Loghlin and M. A. Levy; branch managers—Clyde W. Eckhardt, Chicago; Lester Sturm, Detroit; Joseph M. Podoloff, Minneapolis; Stanley J. Mayer, Des Moines; Jack H. Lorentz, Minneapolis; George T. Landis, Indianapolis; Harry J. Bailey, Toronto; Edward English, Montreal; James E. Patterson, Vancouver; Verne M. Skorey, Calgary; Joseph H. Huber, Winnipeg; Reginald G. March, St. John, and A. M. Van Dyke, Chicago, office manager.

Western division: District managers—Herman Wobber, Harry C. Ballance and Ward E. Scott; Branch managers—George W. Fuller, Kansas City; Charles W. Clark, Oklahoma City; Benjamin B. Reingold, St. Louis; Paul N. Wilson, Atlanta; Phil Longdon, Charlotte; Ernest V. Landaiche, New Orleans; Thomas W. Young, Memphis; Herman R. Beiersdorf, Dallas; R. James Morrison, Denver; Charles L. Walker, Salt Lake City; Herndon Edmond, Seattle; Charles F. Powers, Portland; George M. Ballentine, San Francisco; John N. Dillon, Los Angeles.

Heads Drive Again

James P. O'Loghlin, Canadian district manager for 20th Century-Fox, will again lead the S. R. Kent Drive in 1938. He had the double distinction of leading the 1937 drive and winning the president's prize, a platinum watch, for having placed his district in first position in the last drive. O'Loghlin will receive his prize at the Kansas City sales conference on Friday and will pass out checks to managers of the branches that won prizes in the campaign.

National Theatres Men Will Meet Here

Division heads of National Theatres will meet here Thursday and Friday to make plans for the 1938-'39 film buying season and to discuss business prospects, box-office drives and matters of general operation. The conferences will be held with Spyros Skouras and S. R. Kent, president of 20th Century-Fox.

Attending the meeting will be Charles Skouras, head of West Coast operations; Arch Bowles, San Francisco; E. C. Rhoden, Kansas City; Rick Ricketson, Denver; H. J. Fitzgerald, Milwaukee, and Frank Newman, Seattle. J. J. Sullivan, West Coast film buyer, is already here and will also sit-in, as will William Powers, National Theatre's film buyer.

Treasurers' Union After Film Houses

With the signing of a closed shop contract with the League of New York Theatres covering employes at legitimate houses, the Theatrical Managers, Agents and Treasurers Union has organized groups in Boston, Baltimore, Cincinnati and Cleveland areas, in addition to the branch recently established in Philadelphia.

In New York, the union plans to get a campaign under way shortly for closed shop agreements with film houses, covering managers, assistant managers, press agents and box-office cashiers. A number of theatres are said to be unionized.

The out-of-town groups intend to organize film and legitimate theatres, circuses and sports arenas. Thomas Roche is chairman of the Boston group, with Edward Spellman vice-chairman and Thomas Spillane treasurer. Edward Keller is temporary chairman of the Baltimore branch which takes in Washington and surrounding territory. For the Cincinnati area, which includes Dayton, Springfield, Louisville and Indianapolis, Morris Zaidins is temporary chairman. Daniel Brin is temporary head of the Cleveland branch, which embraces Akron, Toledo and Youngstown.

Will Organize Chicago

Chicago, St. Louis and Detroit are next on the list where branches are to be set up, with organizing also in Los Angeles and San Francisco.

Wage agreements are being signed by individual stage producers in New York following ratification of the closed shop agreement by the League's labor committee, which is said to have power of attorney for a majority of the producers. Negotiations with the League started in January after a strike at a number of houses.

Under the minimum wage agreement, company managers will receive $100 a week, chief treasurers $75 and assistant treasurers $50. A graduated scale for press agents provides a guaranteed weekly minimum of $150 if they handle one show. If there is a second show, an assistant must be added at $75 weekly. The assistant will receive $100 if the press agent handles a third show. If a press agent represents four shows, he must hire a second assistant, who, in turn, receives a $25 raise for a fifth show.

Warner Historical Shorts to Continue

Warners' series of historical shorts in color will be continued in 1938-'39 and the new season's shorts schedule will also include several musicals, it was said yesterday upon the return of Norman H. Moray, head of short subject sales, from a nine-week swing around the country.

Moray visited a number of exchanges en route to the coast and on his return trip to obtain exhibitor reaction on this season's shorts. His survey will form the basis for the new program. While at the studio he conferred with Jack L. Warner and Hal B. Wallis on the production of two-reelers in Technicolor.

Further plans on the new lienup will be discussed this week in conferences between Moray and Sam Sax, head of the Vitaphone studio.

F.&M. Will Center Work at St. Louis

(*Continued from page 1*)

are being made to transfer five employes, centralizing this work under Grover Kirley, comptroller, who has always made his headquarters in St. Louis. Arthur will continue to make periodic trips to New York for film buying.

Jack Partington will remain as head of the eastern offices which will continue to handle the agency and road-show operations and others now centered here. In addition, there is a west coast division which handles production.

The circuit's offices in the Fox Theatre Building, St. Louis, are being enlarged and air conditioned.

In addition to 32 theatres in St. Louis, the circuit operates the Paramount, Los Angeles; Orpheum, San Francisco; Palace, Worcester, under an arrangement with E. M. Loew, and the Art, Springfield, Mass., under a lease from Fox.

Sennett to Be Honored

HOLLYWOOD, March 28.—The Masquers will pay tribute to Mack Sennett at a testimonial dinner, March 30. William Collier, Sr., a former Mack Sennett feature comedy star, will act as toastmaster. Invitations have been extended to all former male Sennett comedy stars.

Guests will include Jesse L. Lasky, Frank Capra, W. C. Fields, Herbert Mundin, Judge LeRoy R. Dawson, Hal Roach, Pat O'Brien, Gene Fowler, Mark Hellinger, Harold Lloyd, Edward Arnold, Joe Cunningham, Edward Everett Horton, Adolphe Menjou and Andy Devine.

Eureka Seeks Review

WASHINGTON, March 28.—In another effort to obtain a determination of the validity of the New York censorship law Eureka Productions, Inc., has petitioned the U. S. Supreme Court for review of a decision of the District Court for Southern New York upholding orders against "Ecstasy." Briefs in the case have not yet been filed.

Erpi Licensed by Dyer

Erpi, on behalf of itself and Western Electric, has been licensed by Frank L. Dyer to use the latter's patents on long-playing records, the inventor stated yesterday. Dyer is a former associate of Thomas A. Edison and was once president of General Films.

No Cuts in 100 Reels

CINCINNATI, March 28.—A new all-time low for eliminations was reached by the Ohio division of film censorship at Columbus for the week of March 25, when a total of 100 reels was reviewed without a single elimination.

Livingston-Cooper Split

LINCOLN, March 28.—Bob Livingston, who has been getting second run product through an arrangement with J. H. Cooper for the past 57 weeks, has severed relations with Cooper and has closed a contract with Paramount.

"Sally" with Band $38,000 Chicago Lead

Chicago, March 28.—"Sally, Irene n Mary," with Kay Kyser and his an, was outstanding in the Loop ast week with a gross of $38,000 at he Chicago. This was $6,000 over verage and the best gross the house as had in three weeks.

"Snow White and the Seven Dwarfs" continued strong at the Palace in its third week, getting $27,-00, which was the biggest third week n the history of the house. Average s $19,000. "Girl of the Golden West" t the United Artists took $18,500 which was $3,500 above normal. Other attractions were fair. "Dangerous to Know" was jerked at the Oriental after one day and "The First 00 Years" was rushed in for the alance of the week.

Total first run business was $135,-00. Average is $121,000.

Estimated takings:

Week Ending March 24:

"MERRILY WE LIVE" (M-G-M)
APOLLO—(1,400), 35c-55c-65c, 7 days. Gross: $6,200. (Average, $6,500)

"SALLY, IRENE AND MARY" (20th-Fox)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Kay Kyser and band. **Gross:** $38,-00. (Average, $32,000)

"A SLIGHT CASE OF MURDER" (W. B.)
GARRICK—(900), 35c-55c-65c, 7 days. Gross: $6,400. (Average, $6,500)

"THE FIRST 100 YEARS" (M-G-M)
ORIENTAL—(3,490), 35c-55c-75c, 6 days. Stage: Vaudeville Revue. **Gross:** $17,200. (Average, $18,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days, 3rd week. Stage: Vaudeville Revue. **Gross:** $27,000. (Average, $19,000)

"CHARLIE CHAN AT MONTE CARLO" (F. N.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $12,800. (Average, $13,000)

Week Ending March 25:

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
ROOSEVELT—(1,300), 35c-55c-75c, 7 days, 2nd week. **Gross:** $9,000. (Average, $11,000)

"GIRL OF GOLDEN WEST" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $18,500. (Average, $15,000)

End Para. Strike Action

Philadelphia, March 28.—All Paramount court actions against local exhibitors arising out of the buyers' strike against the company last summer were formally ended here today with the signing of Federal court orders authorizing withdrawal of the actions. The termination of the suits was agreed upon as part of the conditions to the settlement of the "strike" arrived at last fall.

H. A. Post Has New Firm

Harry A. Post, formerly associated with P. A. Powers, has organized Post Pictures Corp. The new company will distribute 16 and 35mm films. Offices have been taken at 723 Seventh Ave.

Schine Adds Another

Delaware, O., March 28.—The Schine Circuit has taken over the Star from J. Buchman. This gives the circuit a total of approximately 30 houses in the northern Ohio area.

"Snow White" Seattle 2nd Week Winner

Seattle, March 28.—"Snow White and the Seven Dwarfs" set the pace in its second week at the Fifth Avenue, rolling up $9,800 and topping normal by $2,800 in the face of a general lull.

"Mad About Music," on a dual with "Walking Down Broadway," held up to $6,150 in its second week at the Paramount. This was $150 over the first week average.

Total first run business was $34,100. Average is $36,500.

Estimated takings for the week ending March 21:

"THE BIG BROADCAST OF 1938" (Para.)
"SERGEANT MURPHY" (W. B.)
BLUE MOUSE—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Paramount. **Gross:** $3,100. (Average, $4,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days, 2nd week. **Gross:** $9,800. (Average, $7,000)

"START CHEERING" (Col.)
"SHE MARRIED AN ARTIST" (Col.)
LIBERTY—(1,700), 30c-40c-55c, 5 days. **Gross:** $2,900. (Average, $5,000)

"BRINGING UP BABY" (RKO)
"LOVE ON A BUDGET" (20th-Fox)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Fifth Avenue. **Gross:** $2,950. (Average, $4,000)

"A SLIGHT CASE OF MURDER" (F. N.)
"TARZAN'S REVENGE" (20th-Fox)
ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $5,350. (Average, $6,000)

"BREAKFAST FOR TWO" (RKO)
"OUTSIDE OF PARADISE" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Perry Twins. **Gross:** $3,850. (Average, $4,500)

"MAD ABOUT MUSIC" (Univ.)
"WALKING DOWN BROADWAY" (20th-Fox)
PARAMOUNT—(3,050), 30c-40c, 7 days, 2nd week. **Gross:** $6,150. (Average, $6,000)

"Music" Is $4,300 Hit at Milwaukee

Milwaukee, March 28.—The moneymaker in an uneventful week was "Mad About Music," with "A Slight Case of Murder," which collected $9,300 in eight days at the Warner. This was $4,300 to the good.

At the Riverside, "The Shadow" and Benny Davis on the stage played to just average business, grossing $5,000. The house has hiked its top from 30c to 35c. Sunday admissions are now 25c, 30c and 35c.

Total first run business was $31,300. Average is $26,500.

Estimated takings:

Week Ending March 23:

"THE FIRST 100 YEARS" (M-G-M)
"PENITENTIARY" (Col.)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"SALLY, IRENE AND MARY" (20th-Fox)
"TARZAN'S REVENGE" (20th-Fox)
STRAND—(1,400), 35c-50c, 7 days. **Gross:** $4,000. (Average, $4,500)

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
"WALKING DOWN BROADWAY" (20th-Fox)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $8,000. (Average, $8,000)

Week Ending March 24:

"THE SHADOW" (Col.)
RIVERSIDE—(2,300), 25c-35c, 7 days. Stage: Benny Davis' Stardust Revue. **Gross:** $5,000. (Average, $5,000)

"MAD ABOUT MUSIC" (Univ.)
"A SLIGHT CASE OF MURDER" (W.B.)
WARNER — (2,400), 35c-50c, 8 days. **Gross:** $9,300. (Average, $5,000)

"Snow" New Haven Leader at $13,500

New Haven, March 28.—"Snow White and the Seven Dwarfs," single feature at the Loew-Poli, led the week's business with $13,500, over par by $5,500. The box-office was opened two hours earlier than usual daily and three hours on the weekend. Following the Loew-Poli run the College took the bill for a second week.

"Mad About Music" and "Spy Ring" were held at the Paramount for nine days to a $7,000 gross, over the line for seven days by $2,200.

Total first run business was $26,600. Average is $20,300.

Estimated takings for the week ending March 25:

"STAND-IN" (U.A.)
"RENFREW OF THE ROYAL MOUNTED" (G.N.)
COLLEGE — (1,499), 25c-35c, 7 days. **Gross:** $2,300. (Average, $2,800)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
LOEW-POLI—(3,040), 35c-50c, 7 days. **Gross:** $13,500. (Average, $8,000)

"MAD ABOUT MUSIC" (Univ.)
"SPY RING" (Univ.)
PARAMOUNT—(2,348), 35c-50c, 9 days. **Gross:** $7,000. (Average, $4,800)

"LOVE, HONOR AND BEHAVE" (W.B.)
"PRESCRIPTION FOR ROMANCE" (Univ.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $3,800. (Average, $4,600)

"Chicago" to Press Club

Washington, March 28.—"In Old Chicago" will be screened at the National Press Club here on Wednesday evening for an invited audience of approximately 1,000, including members of Congress, Government officials and newspapermen.

"Romance" $8,500 Indianapolis Draw

Indianapolis, March 28.—"Romance in the Dark," with Shep Fields's orchestra on the stage, brought the Circle $8,500, over par by $4,000, in a week that saw a recovery from the doldrums.

"Mad About Music" went $2,000 over the line at the Indiana, where $8,000 was taken. "Black Doll" was dualed with it. Both went to the Apollo for a second week. At Loew's "Adventures of Tom Sawyer" on a dual with "Start Cheering" was $500 to the good with $7,500. "Snow White" returned to the Apollo for a fifth (not consecutive) week, held up well with $4,000, which was $1,000 upstairs.

Total first run business was $34,500. Average is $28,500.

Estimated takings for the week ending March 25:

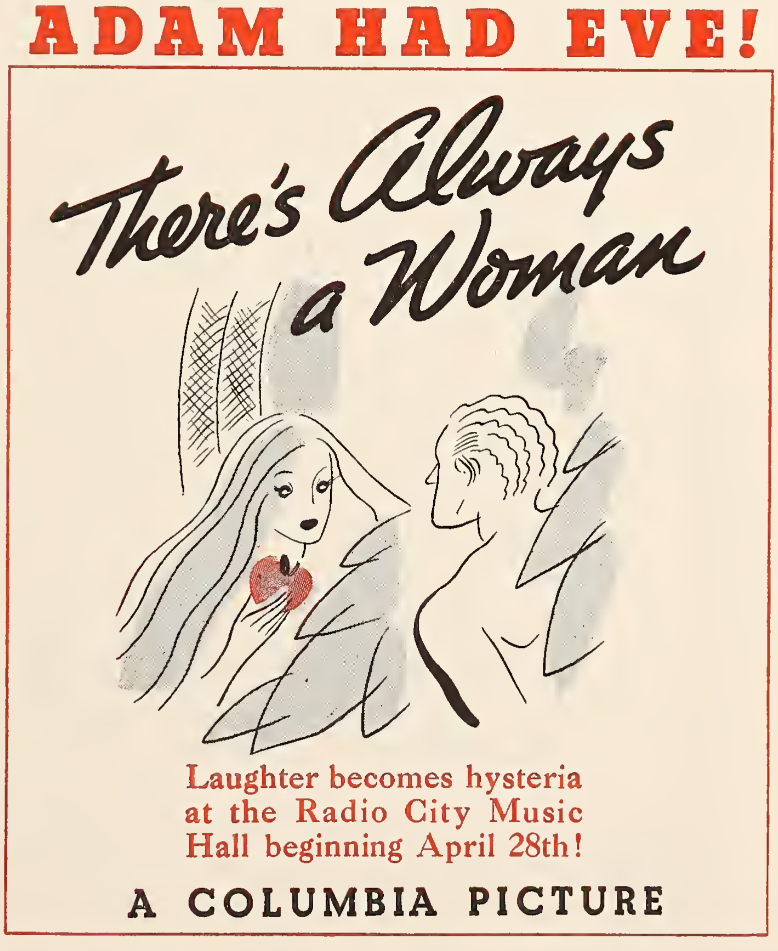
"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
APOLLO—(1,100), 25c-40c, 7 days, 5th week. **Gross:** $4,000. (Average, $3,000)

"ROMANCE IN THE DARK" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. Stage: Shep Fields and his Rippling Rhythm orchestra. **Gross:** $8,500. (Average, $4,500)

"MAD ABOUT MUSIC" (Univ.)
"BLACK DOLL" (Univ.)
INDIANA—(3,200), 25c-40c, 7 days. **Gross:** $8,000. (Average, $6,000)

"ADVENTURES OF TOM SAWYER" (U.A.)
"START CHEERING" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)

"WALKING DOWN BROADWAY" (20th-Fox)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Borrah Minevich and his Harmonica Rascals; vaudeville acts. **Gross:** $6,500. (Average, $8,000)


ADAM HAD EVE!

There's Always a Woman

Laughter becomes hysteria
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A COLUMBIA PICTURE

Independents Vote to Deal With A. F. M.

(*Continued from page 1*)

take official cognizance of the union's demands was accomplished after an all-day stormy session, with many of the members holding out toward the end that it would be best to continue to ignore the union's ultimatum, on the grounds that the union would not take action against them.

The committee which will begin negotiations today with Joseph N. Weber, president of the A. F. of M., comprises nine members. They are: Stanley Schultz, WLAW; Henry McNaughton, WTBO; Lloyd Thomas, WROK; Gregory Gentling, KROC; Harold La Fonte, WELI, WORC, WCOP and WMBC; Frank R. Smith, WWSW; C. Alden Baker, WRNL; Edgar Schutz, WIL, and Jack R. Howard, WCPO. Thomas and La Fonte will serve as chairman and vice-chairman, respectively.

Plan Plea to N. A. B.

The independent broadcasters also resolved to call upon the governing body of the N.A.B. with a view toward receiving legal and financial aid from the parent organization.

Approximately 50 stations were represented at yesterday's meeting. The committte has been instructed to take up the following vital points with the A. F. of M.:

1. Do stations which use juvenile, non-union or amateur musicians have to continue to employ regular union musicians as stand-bys. At present this is enforced on many stations.

2. Obtain an A, B, and C rate for the independent stations, the rates to be determined upon by the wattage strength of each station. The independents contend that the union wants them to pay as much as the 50,000 watt stations. This they claim is unfair.

3. Prevail upon the union to obtain a greater exemption than the $20,000 annual figure. (The A. F. of M. has exempted from its demands all stations grossing $20,000 or less annually.)

Cite Strike Danger

The decision to negotiate with the union was influenced by talks made at the meeting by representatives of the transcription and recording companies, who said that an avoidance of the problem was no longer possible. These speakers included Stuart Sprague of World Broadcasting System and Lawrence B. Morris, vice-president and chief legal counsel for RCA-Victor Recording Co. Sprague warned that in the event of a strike all spot and transcribed program service to the independents probably would be stopped through action by the union. Morris said that the musicians had every legal right to refuse to work if they so elected, meaning that if the union ordered its members to cease making transcriptions and records, automatic cessation of such service would necessarily follow.

Phil Loucks, special N.A.B. counsel, reported conversations he has had with Weber regarding the independent broadcasters.

On the Spot

Toronto, March 28.—Major Gladstone Murray, general manager of the Canadian Broadcasting Corp., is having difficulty placating varied interests over the nature of programs aired by the Government network, the bargain contracts with broadcasting chains in the United States and the regulation of independent stations in the Dominion.

Still another roar has been received from the Ancient Order of Hibernians because the CBC did not carry a recent speech by Eamon de Valera, President of the Irish Free State. Copies of the complaint also have been sent to members of the Canadian Parliament.

Licenses Are Issued For 2 New Stations

WASHINGTON, March 28.—The Federal Communications Commission has issued operating licenses to two new broadcasting stations. The two are WTOL, operated by the Community Broadcasting Co., Toledo, on 1,200 kilocycles with 100 watts power, day only, and WOMI, constructed by the Owensboro Broadcast Co., at Owensboro, Ky., to operate on 1,500 kilocycles with 100 watts power night, 250 watts day.

The commission also issued a license to WGL, Fort Wayne, authorizing an increase in day power from 100 to 250 watts. An application for authority to construct a new station was filed by the Radio Service Co., Inc., Brunswick, Ga., seeking use of the 1,420-kilocycle channel with 100 watts power night, 250 watts day, and an amended application was submitted by WBIG, Greensboro, N. C., seeking an increase in both night and day power from 1,000 to 5,000 watts instead of merely in day power, as originally asked.

High Court Upholds Commission's Ruling

WASHINGTON, March 28.—The U. S. Supreme Court today refused to review a decision of the District of Columbia Court of Appeals affirming a ruling of the Federal Communications Commission denying the application of the Missouri Broadcasting Corp. for improved facilities for its broadcasting station WIL in St. Louis and granting an application of the Star-Times Publishing Co. for a new station in that city.

The Missouri Broadcasting Corp. contended the commission's decision was invalid because it was entered without any findings of fact announced on the date it was rendered.

Meanwhile, Mark Ethridge, temporary chairman of the N.A.B., was in New York yesterday to set the dues budget with the networks. He conferred with NBC officials yesterday, and following negotiations with CBS today, he will leave for Washington where the N.A.B. board of directors will meet on Wednesday to consider the appointment of a paid president for the organization.

Lord Sets Pension Plan for Employes

Phil Lord, producer of "Gang Busters" and "We, the People," has evolved a pension plan for all employes of Phillips H. Lord, Inc. This is believed to be the first move by an independent producer to set up a permanent organization of radio writers and producers outside the broadcasting companies.

Under Lord's pension plan, a year's salary will be credited to each employe every seven years. If an employe leaves before the seven years, the bonus is pro-rated. A loan clause is also a part of the plan, whereby employes may draw upon this fund. Although the plan is financed by Lord, he will hold no office in the administration of the trust fund. Trustees are Lloyd G. Wilson and Donald O. Lincoln. Thirty members of the Lord staff are eligible at the present time.

Denies Petition to Reopen Philco Case

WILMINGTON, March 28.—Chancellor Josiah O. Wolcott has denied a petition for a rehearing and reopening of the action in which Philco Storage Battery Co. was complainant and cross defendant, and Radio Corp. of America was defendant and cross complainant.

The action involved a disagreement over computation of royalties through a licensing agreement between RCA and Philco. Chancellor Wolcott last September denied a motion to cancel the licensing agreement and directed the companies to adjust their differences on royalties.

Communists on WABY

ALBANY, March 28.—The Communist Party of Troy is sponsoring a series of paid programs over WABY Sundays from 5:30 to 5:45 P. M. Professor Granville Hicks, whose dismissal a few years ago from Rensselaer Polytechnic Institute caused a widespread stir, is the commentator. The Communist program is spotted 15 minutes after the weekly program sponsored by *The Evangelist*, Albany Diocesan Catholic paper.

To Judge Radio Contest

Three commercial radio writers have been named judges of the Drake University second annual radio playwriting contest which closed March 15. The judges are Burke Boyce, former continuity editor for NBC and now script supervisor for Star Radio Programs, Inc.; Lyle Flannigan, continuity chief for WHO, Des Moines, and David Nowinson, continuity editor for KRNT and KSO, Des Moines.

Form Florida Company

TALLAHASSEE, March 28. — The Peninsular Broadcasting Corp., Jacksonville, has been formed here, with capital of 100 shares, no par value. E. R. Vordermark, E. J. Tillman and F. W. Weinberg are directors.

Renew "Hit Parade"

The Lucky Strike "Hit Parade" on CBS has been renewed for 13 weeks starting May 7. The series is heard Saturdays. American Tobacco Co. sponsors through Lord & Thomas.

Radio Personals

RICHARD L. MEYER, general manager of the International Broadcasting Co., London, will arrive here aboard the *Normandie* today . . . Frances O'Brien, accountant and cashier for the Tom Fizdale [illegible]ce in Chicago, has resigned, effectiv[illegible]oday . . . Don Bestor's orchestra has been set to play a week at Loew's State here by CRA, opening May 5 . . . Josef Hoffman will be the guest soloist with the Philadelphia Orchestra, April 4, his only appearance this year in a sponsored program.

+

The Orson Welles now have a baby daughter, arrived Sunday . . . Robert Taylor will return as "em cee" for Thursday's M-G-M "Good News" show . . . Gregory Ratoff has been booked on the Rudy Vallee program Thursday night by Herman Bernie of Myron Selznick, Ltd.

+

Hollywood

Charles Vanda, program director for the Pacific division of CBS, has invited aspiring radio program writers to send him their ideas, written in a prescribed manner, for the perusal of his staff. . . . James Stephenson and Gale Page will be starred in "I Found Stella Parish" for the third "Warner Academy of Acting" program.

"The River King" has replaced "Louisana Hayride" on the Don Lee chain Sundays as the Federal Theatre Project offering. The new show is written by Benet Costa and produced by J. C. Lewis. . . . Christopher Candy Co. through the A. A. Bert Butterworth agency will sponsor "Two Writers in Search of an Idea," 15-minute sketch, for 13 weeks over KECA. . . . The Federal Theatre Project is offering a new show on KFWB—"Shout Hallelujah" Friday nights. It is an all Negro presentation of Biblical stories. . . . KFWB has been signed for exclusive broadcasts of the San Bernardino Orange Show. . . . "Chevrolet Musical Moments," quarter-hour transcriptions, has been renewed on KNX for 13 weeks. The programs are presented Mondays and Fridays. . . . Beginning March 30, a rebroadcast of the Ben Bernie program will bring the show to the Pacific Coast listeners from 8:30 to 9 P.M., P.S.T. . . .

Starting April 3, "Hollywood Showcase," now heard Thursday from 7:30 to 8 P.M., P.S.T. over CBS, will shift to Sundays from 7 to 7:30 P.M., P.S.T. . . . "Pretty Kitty Kelly," Continental Baking Co. serial heard Mondays through Fridays has been renewed for 52 weeks, starting April 11 and ending April 7, 1939.

The summer replacement program for Jack Benny on NBC will be "What Would You Have Done?" a CBS developed show purchased by Young & Rubicam for General Foods. . . . George Irwin has started a new program, "Close-Ups," on KEHE. . . . Lud Gluskin's contract as west coast musical director of CBS has been renewed for one year.

Heads KSFO Announcers

SAN FRANCISCO, March 28.—Keith Kerby, KSFO announcer-producer, has been appointed supervisor of announcers by Philip G. Lasky, KSFO manager.

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Industry Self Regulation Is Hays' Demand

(Continued from page 1)

arbitration for employer-employe relations; a trade practice structure which, "whatever additional implementation it may still require," functions in the interest of more than 16,000 theatres in bringing the most expensive pictures within reach of the smallest theatre and the largest number of patrons; the functioning of fire prevention and conservation measures in the distribution system, and the building of a new "economic foundation" for the industry through product of universal appeal.

"Propaganda," the report declares, "has no place on the entertainment screen. The industry has resisted and must continue to resist the lure of propaganda in a sinister sense persistently urged upon it by extremist groups. The function of the entertainment screen is to entertain. Only those who have a selfish purpose to serve can cry out against such a policy."

Defends Entertainment *Per Se*

"The movie theatre," Hays says, "can afford the soft impeachment that most pictures reflect no higher purpose than to entertain, with 'escapist' entertainment, if you please."

Hays declared that despite the fact that "only a mere fraction of American picture footage is outside the code of self-regulation, exhibitors, nevertheless, share with distributors a joint responsibility to protect American screens from those few 'bootleg' films.

"The Association," he says, "has sought to give every encouragement to the development of the motion picture as a distinct educational medium. Public interest may well demand the production of films directed toward the elimination of disease or the tragic results of ignorance." But, Hays declares, such films should not be "exploited unscrupulously and sensationally for a commercial purpose."

Opposes Screen Publicity

Of screen advertising, he says, "The policy of the industry continues firm against any general use of the screen for advertising purposes. Tendencies toward the extension of advertising to the entertainment program itself invite public ill will for the industry. This is equally true whether the effort be by direct presentation of outright advertising films or by some indirect effort to present advertising films under the guise of entertainment."

Referring to film exports, the Hays report declares that "American pictures, which still lead in universal popularity, are meeting with increasing difficulties of distribution in certain markets that have become more quota-ridden during the year, while in other countries there was some check to the policy of restriction. We believe it (the motion picture) should pass freely between nations without artificial restrictions or quota barriers . . . and have constantly discouraged any form of restriction which would impede the distribution of exhibition of foreign motion pictures in this country."

Discussing the potential patronage for films Hays observes that "It should be noted that we are far from the saturation point in attendance. During the closing months of 1937 an experimental poll indicated that there are still 26,000,000 persons over 12 years of age in this country who do not go more than five times a year, and there are millions more who cannot be considered regular patrons of the movies. In this fact lies the importance of our work in bringing new customers to the film theatre."

The report also relates that the industry is continuing its cooperative work with educators endeavoring to obtain increased film footage for classroom use. It credits film criticism with extending public interest in pictures and, thereby, aiding in increasing potential theatre patronage.

Now It's Lots

Toronto, March 28.—Toronto exhibitors have used all sorts of china, silverware and toilet requisites as admission gifts but the ultimate premium has developed in the offer through the Hastings County Council of free building lots for summer homes on the shores of northern lakes in Ontario in a move to popularize summer colony areas. Through the suggestion of Kyle Calver, member of the Hastings County Council, the summer cottage sites have been placed at the disposal of theatre proprietors in Toronto for use as patronage inducements.

Government Texas Case Briefs Filed

(Continued from page 1)

evidence taken in the trial at Dallas shows conspiracy to require subsequent run houses to charge minimum admissions and abandon double bills; (2) whether restraint of commerce through the conspiracy is covered by the Copyright Act and (3) whether, if the evidence shows merely a series of isolated agreements to restrain trade, they still are covered by the copyright law.

Declaring that "there can be no doubt" that the evidence shows there was a conspiracy to impose restrictions on exhibitors, the Government contends the copyright laws give no immunity against prosecution for violation of the anti-trust statutes.

"Such unanimity requires the conclusion that the distributors acted pursuant to agreement and were parties to a common plan and undertaking, constituting conspiracy," it was argued.

The Government brief attacked the contention of the distributors that they held exclusive rights under the copyright law and were able to agree with the first licensees as to the terms of subsequent licenses, alleging that if such an agreement restrained trade the practice cannot be defended. It is held that the copyright law merely confers upon the owner a monopoly in the use which he makes of his copyright and gives him no authority illegally to restrain trade.

RKO to Have 48 Features In 1938-'39

(Continued from page 1)

out at the studio by Spitz and Berman, who were unable to attend the testimonial dinner in observance of Depinet's 20th anniversary in the industry at the Baker Hotel, Dallas, on Saturday night. It is definite, however, that the company will continue its policy of flexible budgets for individual productions.

RKO has 24 features remaining to be delivered this season, with eight set for release between now and June already completed. Some of the company's biggest pictures of the season are among these, such as "Joy of Living," "Vivacious Lady" and "Having Wonderful Time," which have been completed, and a Fred Astaire-Ginger Rogers-Irving Berlin musical ready to start.

No important changes in the company's sales policy are being considered for next season, it was stated.

Of the 40 New York film executives who entrained for Dallas last Thursday, only 17 are returning on this train, which is due in New York early Tuesday morning. Depinet remained in Dallas, planning to leave there for New York on Wednesday. Levy and Edward L. McEvoy will spend a week in the field visiting exchanges before returning to New York. McCormick is aboard the train. H. J. Yates continued on to Hollywood from Dallas to confer on Republic's new season production plans. Gradwell Sears and Carl Leserman also proceeded to Hollywood.

Cliff Reid, RKO producer, is en route to New York to attend the funeral of his father-in-law.

Saenger Is Reported Taking Over C. & C.

Shreveport, March 28.—Unconfirmed reports here tonight are to the effect that the 11 theatres of C. & C. Enterprises will be taken over by Saenger Theatres, Inc. Four of the C. & C. houses are located here and seven are in out-of-town sections.

Canadians Lead Dr[illegible]

First and second places in the Ned E. Depinet Drive of RKO are occupied by Canadian exchanges, M. Plottel's Montreal branch being the leader, followed by Vancouver, directed by W. S. Jones. Branches holding third to eighth place, respectively, together with their managers, are: Buffalo, C. Boasberg; Cleveland, H. Greenblatt; San Francisco, G. William Wolf; Indianapolis, R. E. Churchill; Denver, J. H. Ashby; Washington, R. C. Folliard.

Nat Wolf Going Abroad

Cleveland, March 28.—Nat Wolf, Warner zone manager, and Mrs. Wolf, will sail Wednesday on the *Normandie* for a vacation trip to France and England.

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Canada Policy Ownership of Big Stations

Parliament Group Hears CBC Aims Explained

OTTAWA, March 29.—Ultimate control of all high power broadcasting in Canada is the policy of Canadian Broadcasting Corp., the Parliamentary Committee on Radio was told today by L. W. Brockington, chairman of the board of governors.

Some permits have been granted for private stations with power up to 1,000 watts, but no increases will be permitted above that maximum, Brockington said. Eventually it is intentioned to restrict private stations to "purely local functions."

Additional developments in radio yesterday on page 9.

C. E. Johnston said he thought this policy very unfair to private broadcasting that it should not be permitted

(*Continued on page* 9)

Miller Appointed "U" District Chief

Dave Miller, former Universal branch manager in Cleveland, yesterday was named district manager for that territory by William A. Scully, Universal general sales manager. The appointment gives him supervision over Albany, Buffalo, Cincinnati and Pittsburgh branches in addition to Cleveland, where he will make his headquarters.

At the same time, Scully completed a realignment of the eastern district under which A. J. Herman, district manager, will transfer his headquarters from Boston to the home office and will supervise a new district which includes the Boston, New York, New Haven, Philadelphia and Washington branches.

Alperson Planning 26 Feature Films

HOLLYWOOD, March 29.—In accordance with plans for its reorganization under 77B of the bankruptcy act, Grand National will have for the next twelve months 26 features and 16 westerns, according to Co-trustees Edward Alperson and Loyd Wright.

Federal Judge William P. James

(*Continued on page* 8)

Wasted Effort

London, March 29.—As a part of its feverish lobbying in the House of Commons for support of the increased quota schedules voted by the House of Lords, the Film Group of the Federation of British Industries sent 20-line telegrams to every member of Commons last night, appealing for support.

Chief beneficiary was the telegraph company, because the great majority of the wires remained unsorted and undistributed until after the debate had ended and the decision reached.

Mary Pickford Will Sail for Talks on U.A.

Conferences to determine United Artists policies for next season, now under way in London, will enter their final stage with the arrival there next week of Mary Pickford, who will sail from New York tomorrow on the *Normandie*.

Miss Pickford will join Samuel Goldwyn, Alexander Korda and Douglas Fairbanks in the discussion of the company's new season plans and policies which was begun in London with the arrival there on Monday of Goldwyn and Fairbanks. Thus, all of the United Artists partners except Charles Chaplin will participate in the London conferences.

Miss Pickford stated yesterday that she had received a cabled request from Goldwyn to go to London to join in the conferences and that she had consented. She said that there was no

(*Continued on page* 8)

Court Extends Copyright to All Pictures

Motion pictures other than photoplays are entitled to the same Federal copyright protection as dramatic productions as a result of the refusal this week of the U. S. Supreme Court to review the copyright infringement judgment against Samuel Cummins, Century Productions and other defendants, which was rendered by the U. S. District Court here last May in favor of Frederick Beck Patterson, it was stated yesterday by Gabriel L. Hess, general attorney of the M. P. P. D. A.

The Supreme Court's action in denying Cummins' petition for a review is of special importance to producers and distributors of newsreels, cartoons, travelogues, specialty film acts, and educational and scientific subjects, Hess declared. The subjects enumerated are registered in the Copyright Office under Class M as "motion pictures other than photoplays."

"Approximately 10,000 such Class M registrations have been made during the past 10 years, and they exceed in volume the Class L registrations for photoplay films," Hess said. "The court's opinion holds that property rights, in the form of exclusive right of exhibition, exist for a Class M film on the ground that unauthorized projection thereof violates the exclusive right 'to copy' granted by the Copyright Law. All previous court

(*Continued on page* 7)

Improved Australian Trade Relations Sought by Snider

Improvement of exhibitor-distributor relations in Australia will be the subject of conferences with foreign sales managers during the four-week visit here of Leon S. Snider, joint managing director of the Snider & Dean Circuit, operating some 65 theatres. As official spokesman for the New South Wales Motion Picture Exhibitors' Association, Snider will attempt to obtain a reconciliation of differences looking to stabilization of the industry on the Australian Continent.

Speaking for exhibitors in his home country generally, Snider said the chief grievance revolves around the demands of distributors for increasing rentals. By distributors he means American companies, which predominate in the Australian field.

"In the interests of the industry generally, a closer understanding should

(*Continued on page* 8)

U.S. FILMS HOLD POSITION ABROAD

Golden Foreign Market Study Points Out New Opposition

WASHINGTON, March 29.—Government restrictions, high taxes, exchange controls, tightening censorship and growing tendencies to "coddle" feeble native film industries were strongly evident in the foreign motion picture scene during 1937, yet American films retained a gratifying popularity with nearly all foreign audiences, it was declared today by Nathan D. Golden, chief of the Motion Picture Division of the Department of Commerce, in his annual review of foreign film markets.

"The problems of rising nationalism, of quotas, discrimination, subsidy and tariff barriers will have to be adjusted if American business is to operate on as wide a scale as heretofore," Golden said.

"To be really sound and legitimate, a motion picture industry in any country must stand upon its own feet and cannot look to its Government to legislate it into vigorous existence, either through laws limiting its competitors from freely marketing their products

(*Continued on page* 8)

Legion Says 'Baby' Not for Theatres

The Legion of Decency deems "Birth of a Baby," the film now before the Board of Regents on appeal from the New York state censors' ban, as "unsuited for entertainment and inappropriate for general theatrical exhibition."

"Some time ago, the Legion of Decency placed itself on record as commending the action of the Commissioner of the New York State Department of Education—Frank P. Graves—who upheld the rejection of

(*Continued on page* 7)

Expect Silver Break To Lower Film Price

WASHINGTON, March 29.—Raw stock producers and other consumers of "free" silver stand to benefit materially by the break in the world price of silver which has resulted from announcement by the Washington Government of its intention to discontinue the purchase of Mexican metal.

The announcement resulted in a drop of one cent per ounce in the New

(*Continued on page* 8)

MOTION PICTURE
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Dinerman Winner of Award on "Firefly"

E. V. Dinerman, director of advertising and publicity for RKO Midwest Theatres, Cincinnati, has been awarded first prize of $60 in an exploitation contest on "The Firefly," conducted under the supervision of W. R. Ferguson, exploitation manager for M-G-M. Bill Bishop, M-G-M exploitation representative, assisted Dinerman. Ted Gamble of the J. J. Parker Circuit, Portland, Ore., won second prize of $25 and Guy Martin, manager, Colfax Theatre, South Bend, drew third money, $15. More than 1,200 campaigns were submitted.

Ferguson said that because of the interest shown in this contest, M-G-M will sponsor a similar competition on "Test Pilot."

M-G-M Meeting Ends

Individual meetings were held yesterday by M-G-M division, district and branch managers following the two-day eastern and southern sales conference. The branch managers will outline the new season information obtained here to their sales staffs in the field. All the out of town men will have left for their home cities by this morning.

Insiders' Outlook

THAT Atlas Corp. eventually will conclude arrangements for the acquisition by RKO of M. J. Meehan's 27,000 shares of Keith-Albee-Orpheum preferred, carrying with it control of the company, is pretty much taken for granted among important factors in the reorganization of RKO. That no deal has been set yet is definite. The reason, first, is that the wherewithal, that is to say, about $3,000,000, is to be raised by subscription to a new issue of RKO debentures. Reserving the only secured note issue of the reorganized company for cash raising purposes has disappointed large numbers of holders of old RKO debentures, who had hoped to get equally well secured paper through the reorganization for their present holdings. They are opposing the modification to the RKO reorganization plan which would give them preferred and common stock, instead of new debentures, in exchange for their old debentures.

Until this opposition has been reconciled and approval has been obtained for a new issue of debentures, there is no reorganization cash available for purchase of Meehan's K-A-O stock. Meehan and his advisers are not ones to close a deal at such a stage of the game, but they are prepared to sell if and when the "right terms" are offered. Presumably, this cannot be before the RKO reorganization is much father along than it now is.

▼

The desirability of RKO's obtaining full control of its most important and profitable theatre subsidiary hardly needs explanation. Controlling more than 90 per cent of the common stock of K-A-O, RKO lost board representation and voting majority in 1932 when K-A-O passed its third successive dividend on its preferred stock. This gave the preferred the voting rights formerly vested in the common. Control went to Meehan, who holds a majority of the preferred. Complications over management ensued and persisted for three years. Equally important, K-A-O's earnings, which in the last two years have increased to impressive figures ($1,300,000 net for 1937) cannot be brought into RKO's general statement, because of the divided control. Of these healthy earnings, all that is reflected in RKO's statement are the past due dividends as they are paid on the minority block of K-A-O preferred owned by RKO.

▼

The same situation could be repeated at any time in the future if RKO did not acquire control of K-A-O preferred and the circuit's earnings were insufficient to pay preferred dividends three times running. It is to correct this situation that Atlas Corp., proponent of the RKO reorganization plan, regards acquisition of Meehan's holdings as something eminently desirable in connection with the reorganization of the company.

Meehan's shares are callable by K-A-O at $110 per share, plus accrued dividends of $21 per share, or a total of $3,537,000. A deal probably could be made if accrued dividends were to be eliminated, bringing the sales price down to $2,970,000.

Schine Circuit Asks Review of Tax Case

WASHINGTON, March 29.—Schine Chain Theatres, Inc., operating theatres in New York State, with headquarters at Gloversville, today petitioned the Board of Tax Appeals for review of an alleged deficiency of $78,157 in income and excess profits taxes for 1933.

The company previous to 1933 had accumulated money received from property rentals in a special fund. It challenges the Internal Revenue Bureau's contention that the accumulation became taxable in 1933, the year in which the leases terminated.

Para. Board to Meet

The monthly meeting of the Paramount board of directors will be held tomorrow. Barney Balaban, president, and Stanton Griffis, chairman of the executive committee, plan to leave for the studio to confer on new season's plans in the near future.

"Bluebeard" Grosses $56,000 First Week

The Paramount finished with $56,000 for the first week of "Bluebeard's Eighth Wife" with Guy Lombardo and his band on the stage, which included a record-breaking weekend. The bill is scheduled to go two more weeks.

The four days' holdover of "Romance in the Dark" at the Rivoli did about $4,000, which is in line with the previous full week's $8,400.

"Sailing Along" will open at the Criterion April 15.

Hays Plans Coast Trip

Will H. Hays plans to leave for Hollywood in about two weeks for a visit of indefinite duration. A second meeting of the M.P.P.D.A. board may be called early next week to complete business which remained unfinished at the time of adjournment of the annual meeting last Monday.

◂ Purely Personal ▸

HAROLD J. FITZGERALD, general manager of Wisconsin Amusement Enterprises, Milwaukee, will arrive here from a Florida vacation for the National Theatre divisional managers' meeting to be held here [illegible]morrow and Friday with Spyros Skouras.

●

Herb Berg has festooned his office at Paramount with color prints of Renoirs, Cezannes and Corots. The works of art liven up Room 1250 no end.

●

Charles Mayer, Netherlands East Indies manager for 20th Century-Fox, will attend the company's Kansas City sales conference on Friday and Saturday and then come east for a visit. He arrived on the coast late last week.

●

Nat Wolf, Warner Ohio zone manager, and Mrs. Wolf will sail for a European vacation on the *Normandie* tomorrow, the ship's sailing having been delayed one day.

●

Y. Frank Freeman, Paramount theatre head, returned to New York yesterday from Dallas and conferences with Paramount theatre associates in other sections of the south.

●

Arthur L. Lee, vice-president and general manager of G. B., will leave the coast tomorrow by plane and will stop at Denver and Chicago on the return trip.

●

Vyvyan Donner, fashion editor of *Movietone News*, will be guest-commentator at a lunch and fashion show to be held at the hotel New Yorker Friday.

●

Leo Spitz is expected back from the RKO studio on Monday. Ned E. Depinet is due here from Dallas on Friday.

●

Lothar Mendez, who has been at the Sherry-Netherland for several months, has left for Hollywood.

●

Fredric March is looking for a new play and is not in any hurry about returning to Hollywood.

●

Sigrid Gurie has returned to the coast. She came east with the Samuel Goldwyn party last week.

●

Dave Brill has gone to Chicago on distribution deals for "Mayerling."

●

Allan Jones and Mrs. Jones are stopping at the Waldorf-Astoria.

●

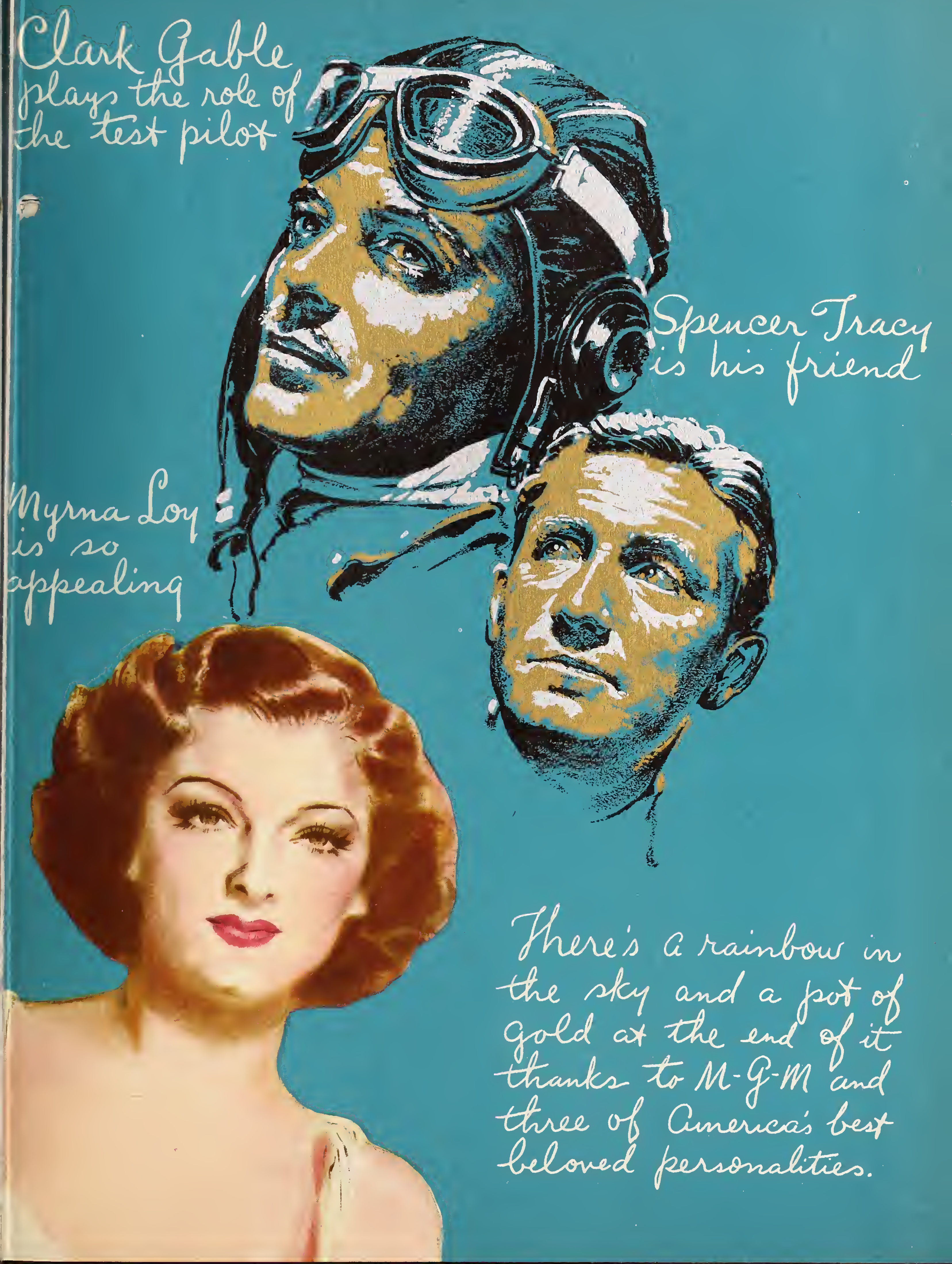
Albert Manheimer has been given a writing contract by M-G-M.

●

Walter Woolf King is in town from Hollywood.

DeMille Under Knife

HOLLYWOOD, March 29.—Cecil B. DeMille today underwent a minor operation at Good Samaritan Hospital. Dr. A. B. Cecil, his physician, said that the producer will be confined for two weeks.


Clark Gable plays the role of the test pilot
Spencer Tracy is his friend
Myrna Loy is so appealing
There's a rainbow in the sky and a pot of gold at the end of it thanks to M-G-M and three of America's best beloved personalities.

"Test Pilot" the season's flash!

If you bear in mind the bigness and thrill of M-G-M's "Hell Divers" you will realize what we set out to do in this great melodrama of men, women and ships of the sky. It is essentially the love story of a reckless, courageous chap who blasts his way through life endearing himself to women and gaining the admiration of men. The three stars, Gable, Loy and Tracy, plus Lionel Barrymore are born to their roles. The director, Victor Fleming and producer, Louis D. Lighton (they did "Captains Courageous") are a winning combination. They have turned out a big box-office attraction in M·G·M's "Test Pilot"

(Story by Vince + Lawrence & Waldemar Young)

Ascap to File Suit In Tennessee Soon

Ascap will file its action attacking the Tennessee statute prohibiting the society from operating within the state late this week or some time next week, according to E. C. Mills, chairman of the Ascap administrative committee, who left for Knoxville last night to confer there with resident attorneys for the society on the action.

The Ascap papers, being prepared here by Schwartz & Frohlich, Ascap counsel, will contest the constitutionality of the state law, as was once in Montana, Washington, Nebraska and Florida.

Ascap's annual membership meeting, which was postponed from March 24 because of illness in the family of Gene Buck, Ascap president, will be held about April 21.

Carolina MPTO Meet Is Set for June 19-21

CHARLOTTE, March 29.—The M. P. T. O. of North and South Carolina will hold its first summer convention in nine years at Ocean Forest Hotel, Myrtle Beach, S. C., June 26-28, according to Mrs. Walter Griffith, secretary.

The decision to hold a summer convention was made at a directors' meeting held recently in Charlotte and the dates set for June 19-21. The Ocean Forest Hotel, however, discovered it had another convention lined up for the same dates.

Until 1929 the organization held summer as well as winter conventions.

Mrs. Griffith predicts 200 or more will attend.

"Snow" May Get 6 Weeks

CHICAGO, March 29.—"Snow White and the Seven Dwarfs" is now in its fourth week at the Palace and will stay for six weeks, according to present indications. This will make it possible for the "A" week theatres to get the film during Easter week or the week following.

Balaban & Katz has not signed a deal for the picture as yet, but is expected to this week. B. & K. insists it will play the film on a double feature program, but RKO officials say they will not sell the picture on a dualling basis.

No Good Friday Closing

PITTSBURGH, March 29.—The Pittsburgh Theatre Managers' Association has decided to refuse the request of the Catholic diocese here to keep all theatres closed until 3 P.M. on Good Friday, April 15. It was the first time such an appeal had ever been made, but the showmen thought agreement would establish a bad precedent and were unwilling to make the move.

Ross Completes Survey

Ross Federal Research Corp. has completed a nationwide survey on newspaper advertising, incorporating the resulting material in a pamphlet titled "Space Buyers Look at Newspapers." The executives who answered the inquiry indicated that they were most interested in information relating to the readers of a newspaper in determining whether or not to use space in that paper.

The Newsreel Parade

Movietone News
Vol. 20, No. 57
(20th Century-Fox)

Three excellent features, representative of adventure, sport and humor, respectively, comprise all but one of the subjects making up this release. The fourth is a display of gardening clothes with 20th Century-Fox players serving as models.

The first of the features is the camera story of the rescue of the Soviet Polar expedition from its ice floe off Greenland. The pictures are unusual, highly interesting and of some dramatic worth. The second feature records a fishing trip in Australian waters ending with the arduous but sporty landing of a huge striped marlin. It is a picture that any sportsman will enjoy. The third feature is Lew Lehr's interviews with recent Sweepstakes winners. The unconscious comedy of those interviewed is certain to tickle any theatre audience.

The release is somewhat out of the ordinary for this newsreel, but as a departure from the customary it is a successful and highly acceptable one. Running time, 10 mins. K.

News of the Day
Vol. 9, No. 255
(M-G-M)

The rescue of the Soviet Polar expedition from the drifting ice floe on which it was encamped for nine months tops this release in interest and wins the lead position in the reel. The scenes aboard the icebreakers which effected the rescue, scenes of the camp itself and of the desolate surroundings are impressive. Other high spots in the release are the scoring plays of the recent N. Y. Rangers-Americans hockey game and interviews with winners of Irish Sweepstakes prizes.

Of secondary interest are shots of England's King and Queen on a visit to London slum sections; Ambassador Joseph P. Kennedy and family at the Embassy in London; dedication of a new chapel at Warm Springs, Ga., with President Roosevelt in attendance; Clyde Beatty in spring training inside a lion cage at Rochester, Ind., and Hollywood chorus girls in a new dance routine.

The excellence of the outstanding subjects and the variety of the subject matter as a whole makes this a diverting and fast-moving release. Running time, 9 mins. K.

Paramount News
Issue No. 68
(Paramount)

This is a well balanced issue of pictorial news events of the past few days that will maintain interest. The material is varied and there is a touch of humor at the conclusion.

A flower show in Toronto opens the reel. President Roosevelt is shown at Warm Springs, Ga.; an ocean-flying boat is explained by Major De Serversky, an "auto boat" is demonstrated in Colorado, the 15th Infantry returns from China, the Marines take over the policing of Tientsin, and the current trouble in Mexico is voiced as scenes of oil workers and other labor factions demonstrate against the American and British ownership of the country's oil resources. The final sequence is one of the dialectic things in which various winners of the Irish Sweepstakes prizes have their amusing say. Running time, 9 mins. P.

RKO Pathe News
Vol. 9, No. 72
(RKO)

The parade of news events assembled in this issue range from China to New York. Sport, politics and international events and affairs are all taken care of in good fashion. It is generally good stuff, exciting and sometimes spectacular.

The first position is given to scenes of a new, re-vitalized Chinese army drilling in Canton. Next comes a number of shots of an eastern gym meet at the Naval Academy in Annapolis. There are a number of scenes of the "rescue" of the Soviet floe drifters by an icebreaker and Dr. Arthur E. Morgan, ousted head of the T.V.A., speaks on his administration of the Federal project. The second half of the reel shows President Roosevelt dedicating a chapel at Warm Springs, Ga.; the demonstration of a device in Fort Wayne that photographs speeding drivers, and Clyde Beatty at Rochester, Ind., putting a cageful of lions and tigers through a number of tricks. Sweepstakes winners conclude the reel with humorous dialect touches. Running time, 9 mins. P.

Universal Newsreel
Vol. 10, No. 653
(Universal)

With a lack of good news material available for this midweek issue, the editors threw as much miscellaneous material into it as possible, for a total of 11 items, nine in the United States, one in Mexico and one in Greenland, and three which have amusement as their basis. The result is a reel which entertains and moves rapidly, but which has little substantial in it.

The humor: the usual Sweepstakes winners and their remarks; a cage for drunks, mounted on a wagon, in a Massachusetts town, and (questionable) a tobacco-chewers' spitting contest in Kentucky.

The rest of the reel includes, among other things, cherry blossoms in Washington, well photographed; Mexicans hailing the Government's expropriation of American and British properties, President Roosevelt at a southern chapel dedication, the rescue of Soviet explorers from an Arctic ice floe, an army unit arriving from China, a police camera which "shoots" speeders for photographic evidence and Clyde and Mrs. Beatty putting their "cats" through their paces. Running time, 9 mins. A.

W. G. Myers Engaged

BALTIMORE, March 29.—W. G. Myers, proprietor of the Echo and DeLux, and Esther Goodman are engaged to be married June 12.

Young, Annabella Cast

HOLLYWOOD, March 29.—Loretta Young and Annabella will be starred with Tyrone Power in "Suez" by 20th Century-Fox.

Joshua Smith Rites Are Held in Canada

TORONTO, March 29.—Funeral services were held yesterday for Joshua Smith, prominent artist and husband of Ray Lewis, publisher of *Canadian Moving Picture Digest.* Pallbearers included N. L. Nathanson, president of Famous Players Canadian Corp.; J. J. Allen, president of Premier Theatres Corp.; Hon. W. D. Ross, former lieutenant governor of Ontario, and J. P. Bickell, a director of Famous Players. Interment took place in Mount Hope Cemetery.

J. W. Beals Passes

MILFORD, Conn., March 29.—J. Whitney Beals, broker, 72, who as the result of a meeting with Lumiere in France in 1896, brought one of the first projection machines to the United States, died here yesterday.

Toronto Profits Gain

TORONTO, March 29.—Before payment of preferred and common dividends, the Imperial, ace house of Famous Players Canadian, showed net profit of $44,056 for the past calendar year, as compared with net profit of $5,731 for the previous 12 months. This was shown in the annual statement of Eastern Theatres, Ltd., the operating company.

Dividends totalling $16,000 were paid on the common stock, whereas none was paid in the preceding year. Current assets are figured at $246,321 while the company shows current liabilities of $27,067.

To Talk Ball Plans

Final arrangements for the I.T.O.A. annual banquet and ball at the Hotel Astor Saturday night will be set at a membership meeting at the hotel this afternoon. Film players who will be in town have been invited to the affair, which the *Daily Mirror* is helping to promote.

Wall Street

Board Still In Decline

	Open	High	Low	Close	Net Change
Col.	9½	9½	9¼	9¼	— ⅜
Col. pfd.....	28½	28½	28½	28½	—5½
Cons.	1	1	1	1	— ⅛
Cons. pfd...	4¾	4¾	4¾	4¾	.....
E. K.	132	133	130¼	130½	—2¾
G. T. E....	9	10	9	9¼	— ¼
K.A.O. pfd.	65	65	65	65	.....
Loew	35⅝	36	33⅝	34	—2½
Para.	6⅝	6⅝	6⅛	6⅛	— ¾
Para. 1.....	66	66⅛	66	66	—2
Para. 2.....	7¾	7¾	7¼	7¼	— ¼
Pathe	4	4	3¾	3¾	— ⅜
RKO	2⅜	2⅜	2¼	2¼	.....
20th Fox ...	17¼	17¼	16⅛	16⅛	—1⅝
20th pfd. ..	25½	25½	25¼	25¼	— ¾
Univ. pfd...	30	30	30	30	.....
W. B.	4	4	3⅞	3⅞	— ⅛
W. B. pfd..	23	24	23	23¼	+ ¼

Curb Generally Off

	Open	High	Low	Close	Net Change
Monogram	1½	1½	1½	1½	+ ⅛
Sonotone ..	1¼	1¼	1¼	1¼	— ⅛
Tech.	15¾	15¾	14⅝	15⅜	— ⅜
Trans-Lux	2¼	2¼	2⅛	2⅛	— ¼
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	— ⅛
Univ. Pict.	3⅝	3⅝	3½	3½	— ¼

Para. Bonds Drop

	High	Low	Close	Net Change
Keith 6s '46.......	82⅝	82½	82½	.....
Para. B'way 3s '55	58	58	58	.....
Para. Pict. '47....	61	60	60	—8
W. B. 6s '39......	64	63½	63½	—1

(Quotations at close of March 29)

"Follies" Big In Denver on $12,000 Take

DENVER, March 29.—"Goldwyn Follies" was outstanding in a week when other first runs had little to get enthusiastic about. The take at the Denver, $12,000, was $3,500 over par. The film was moved to the Aladdin for a second week.

"Adventures of Tom Sawyer" pulled $4,500, up by $1,000, at the Aladdin following a week each at the Denver and Broadway and was moved to the Denver for a fourth downtown week.

"Snow White and the Seven Dwarfs" was strong at $3,000 in the Rialto, following three weeks at the Orpheum and a week at the Aladdin, and it was held for another week.

Total first run business was $38,500. Average is $32,750.

Estimated takings for the week ending March 24:

"ADVENTURES OF TOM SAWYER" (U. A.)
ALADDIN—(1,400), 25c-40c, 7 days, following a week each at the Denver and Broadway. **Gross:** $4,500. (Average, $3,500)

"SALLY, IRENE AND MARY" (20th-Fox)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Denver. **Gross:** $2,500. (Average, $2,500)

"SCANDAL STREET" (Para.)
"BULLDOG DRUMMOND'S PERIL" (Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"GOLDWYN FOLLIES" (U. A.)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $12,000. (Average, $8,500)

"ARSENE LUPIN RETURNS" (RKO)
"MERRILY WE LIVE" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $8,500. (Average, $7,500)

"START CHEERING" (Col.)
"SHE MARRIED AN ARTIST" (Col.)
PARAMOUNT—(2,096), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
RIALTO—(878), 25c-40c, 7 days, following three weeks at the Orpheum, and a week at the Aladdin. **Gross:** $3,000. (Average, $1,750)

Patterson of NLRB Confers at Studios

HOLLYWOOD, March 29.—Refusing to deny or affirm that his visit here pertains to the National Labor Relations Board's consideration of the Screen Writers Guild petition to be declared the writers' collective bargaining agency, Garnet L. Patterson, assistant general counsel of the N.L.R.B., arrived here today to visit the film studios and confer with Pat Casey and his aide, Victor Clarke, of the producers' labor contact office.

Accompanied by William R. Walsh, regional board attorney, Patterson, Casey and Clarke visited M-G-M and held a conference with John Arnold, past president of the American Society of Cinematographers, whose jurisdiction over cinematography directors is the object of the battle with the I.A.T.S.E, although the A.S.C. holds a pact with the producers for its craft.

McConville to Gayety

BOSTON, March 29.—John McConville is now manager of the Gayety. He formerly managed the Davis Square. He replaces Grover Burkhardt, who is in poor health. It is an E. M. Loew house.

Hollywood Preview

"Invisible Enemy"

(Republic)

HOLLYWOOD, March 29.—Although much of its dialogue is spoken with a British accent, "Invisible Enemy" is a fairly interesting story of international intrigue. Good characterizations, a sufficient amount of action, much suspense, suggestions of mystery, the manner in which a three-cornered romance is treated and some potent comedy qualify the film to interest average audiences.

Plottings of international conspirators menace world peace when Alan Marshall, rescued from the slums of London, is assigned the task of breaking up the ring. Going about his job in light hearted fashion, Marshall becomes involved in a complicated romance in which modiste Mary Correll and Tala Birell, wife of his principal quarry, C. Henry Gordon, are implicated. Turning to melodrama, Marshall is pitted against Gordon, in whom he finds a suave, resourceful antagonist. Aided, however, by secret operative Herbert Mundin, who is the source of most of the straight comedy, Marshall outwits Gordon and his international allies to prevent the transfer of oil properties to nations which would use them for war-making purposes.

Based on a story by Albert J. Cohen, Alex Gottlieb and Norman Burnstine, the screenplay was done by Cohen and Robert T. Shannon. In directing, John H. Auer compensated for the possible dialect handicap by introducing plenty of action, strong suspense and production effects which give the film a novel atmosphere. Running time, 65 minutes. "G."

New York Previews

"Over the Wall"

(Warners)

There is sufficient variation of story in this prison melodrama to keep up interest and deliver a fair measure of entertainment. The story is credited to Warden Lewis E. Lawes. The atmosphere is properly realistic and the unfoldment evidences a knowledge of what it is all about.

When the yarn gets under way Dick Foran is presented in the role of a prizefighter who is railroaded to jail for a murder he has not committed. Foran is slugged in a bout. Seeking vengeance, he hits the responsible culprit, who, after Foran departs, gets his skull stove in by his other enemies. Foran takes a manslaughter rap of five years. In prison he is incorrigible and gets into difficulties with the officials. John Litel, the prison chaplain, in due time manages to get Foran to toe the line and with the aid of June Travis makes a model convict of him. Foran becames a well-known radio personage through singing on prison broadcasts. In the meantime Miss Travis unearths information about the guilty party. The climax arrives when Foran, now a trusty, makes a break and catches up with the real killer. It looks bad, but Litel arrives in time to save the situation. Foran returns to the Governor's mansion for a broadcast and is pardoned.

The supporting cast includes Veda Ann Borg, Dick Purcell, George E. Stone, John Hamilton, Jonathan Hale and Raymond Hatton. Frank McDonald directed. Crane Wilbur and George Bricker did the script.

Running time, 66 minutes. "G."

"The Painted Trail"

(Monogram)

"The Pecos Kid," that perenially appearing bad man of the Mexican border, puts in another appearance in "The Painted Trail." But at the conclusion he is killed. Otherwise this western is a fast-moving outdoor drama. Tom Keene is the featured player. It will satisfy.

Keene is called from a leave of absence to help run down a border gang that is causing trouble via cattle rustling, stagecoach holdups and smuggling. With two aides he poses as "The Pecos Kid" and works himself into the good graces of the outlaws. In due time he gets what evidence he needs and with a rousing gun fight he brings the culprits to justice. That is, he gets the ringleader. The rest of the gang is wiped out in the exchange of blank cartridge fire.

Eleanore Stewart plays the romantic interest, giving to the role all it requires. LeRoy Mason is the heavy. Walter Long plays the real desperado, who is killed in a grim shooting sequence. The support contributed by Jimmy Eagles, Forest Taylor, Harry Harvey, Ernie Adams, Bud Osborne and Glen Strange serve to give color and atmosphere to the story. Robert Hill directed. The photography is good.

Running time, 50 minutes. "G."

"Baby" Leads Detroit Gain With $7,100

DETROIT, March 29.—"Bringing Up Baby" started something at the St[illegible] by pushing the gross up to $7,100, a figure $2,100 above normal.

"Snow White and the Seven Dwarfs" continued in the big money division at both the United Artists and the Madison, with $12,000 at the former for the second week and $10,000 at the latter. "Mad About Music," with a stage show headed by Sheila Barrett, pulled $22,500 at the Fox.

Total first run business was $75,800. Average is $70,000.

Estimated takings for the week ending March 24:

"PENITENTIARY" (Col.)
"LOVE ON A BUDGET" (20th-Fox)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,600. (Average, $5,000)

"MAD ABOUT MUSIC" (Univ.)
FOX—(5,100), 15c-65c, 7 days. Stage: Sheila Barrett, Condos Bros., The Walkmirs. **Gross:** $22,500. (Average, $20,000)

"EVERYBODY SING" (M-G-M)
MICHIGAN—(4,100), 15c-65c, 7 days. Stage: July Garland, Harriss & Howell Four Franks, 5 Janzleys. **Gross:** $19,600. (Average, $20,000)

"BULLDOG DRUMMOND'S REVENGE" (Para.)
"BRINGING UP BABY" (RKO)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $7,100. (Average, $5,000)

'SNOW WHITE AND SEVEN DWARFS" (RKO)
UNITED ARTISTS—(2,070), 25c-65c, 7 days, 2nd week. **Gross:** $12,000. (Average, $10,000)

"SNOW WHITE AND SEVEN DWARFS" (RKO)
MADISON—(2,000), 25c-65c, 7 days, 2nd week. **Gross:** $10,000. (Average, $10,000)

All Ampa Officers Get Renominations

The regular slate of Ampa candidates for the coming year has been reported on favorably by the directors, and the nominees will be elected at the annual meeting April 21 unless an "independent" ticket is submitted, which is unlikely.

Officers slated for reelection are Ralph Rolan, president; Paul N. Lazarus, Jr., vice-president; Lester Thompson, secretary; Paul Benjamin, treasurer. Nominated as directors are Vincent Trotta, Martin Starr, Eli Sugarman, Gordon White, Mort Blumenstock; trustee, Rutgers Neilson; auditing committee, Herbert Berg, chairman, Al Sherman, Ralph Lund; counsellor, Hap Hadley.

Dickinson Adds Another

KANSAS CITY, March 29.—The Glen W. Dickinson Theatres, Inc., have taken over the Ritz at Bolivar, Mo., under a partnership arrangement with Jerry L. Drake. Drake will continue to manage the house. The theatre gives Dickinson 35 units in Kansas, Missouri and Iowa.

A. F. A. Meeting Is Set

An open meeting of the American Federation of Actors will be held at the Edison tomorrow afternoon. Ralph Whitehead, executive secretary, will report on plans for organizing night club and presentation house performers under the jurisdiction recently granted A. F. A. by the Four A's.

Court Extends Copyright to All Pictures

(*Continued from page 1*)

opinions in respect of exhibition rights were handed down in cases involving only photoplay films. The right there so recognized was based upon a copyrighted photoplay film being a species of 'dramatic work.'"

In the Cummins' case, District Judge Leibell originally held that the producer defendants, in making the film, "The Jungle Killer," pirated over 1,000 feet from Pattersons' copyrighted travelogue, "Shooting Big Game With a Camera," and that the other defendants further infringed on Patterson's copyright by exhibiting the Cummins' picture. The judgment was affirmed last December by the U. S. Circuit Court of Appeals here. No appeal was taken by the defendants from the finding of piracy, their contention being that Patterson's copyright not only became invalid but did not include exhibition rights.

"Loan" Not "Reproduction"

"Another point of interest resulting from the court's action," Hess observes, "is the sustaining of a Section II copyright, secured for an unpublished motion picture film other than a photoplay, as valid and infringed. The court further held that Patterson's distribution, after securing his Section II copyright, of 35 mm. and 16 mm. prints of his film to thousands of charitable, religious, and educational institutions, by way of loan for 'free showings' before hundreds of thousands of persons, was neither a 'reproduction in copies for sale' nor an act of publication indicating an intent to dedicate the work to the public; therefore plaintiff did not forfeit his rights by failing to deposit two complete copies of his film in the Copyright Office and to re-register the claim to his Section II copyright."

Hess further points out the holding of the court that "a statutory notice of copyright imprinted at the beginning of the first reel of Patterson's multi-reel film was a sufficient compliance with the statute in any event."

Kent, ITOA Feature Allied Discussions

An asserted "change in attitude" by S. R. Kent, president of 20th Century-Fox, on the Neely-Pettengill bill since his committee testimony on the measure and a similar change in viewpoint by the I.T.O.A. were subjects of discussion at a meeting of Allied of New Jersey at the Lincoln Hotel yesterday.

With Irving Dollinger, president, in the chair, it was charged that Kent "had changed his mind on block booking" since he told a House committee that he would have no objection to anti-block booking prohibition as practiced in England.

It was also said that the I.T.O.A. in 1936 favored the Neely-Pettengill bill and that Harry Brandt, president, had attacked block booking before Clarence Darrow's review board of the National Recovery Administration in 1934. Brandt currently is one of the most outspoken foes of the controversial measure.

20th-Fox Meet to Hear 12 Speakers

Twelve speakers are scheduled for the 20th Century-Fox general sales conference in Kansas City on Friday and Saturday, in addition to John D. Clark, general sales manager, who will preside.

Progress of current season's selling and the 1938-'39 sales campaign in their divisions will be discussed by William Sussman, William C. Gehring and William J. Kupper, eastern, central and western division managers, respectively. Clark will deal with the subjects generally and outline the new season's program.

A feature will be the announcement of the company's shorts schedule, to be presented by William J. Clark, news and short subject sales manager, and Truman H. Talley, Movietone News head, who will supervise the production of shorts, all one-reelers. Another speaker will be Lew Lehr, Movietone News commentator, who has been named short subjects editor.

Hutchinson to Talk

Charles E. McCarthy, advertising and publicity director, will outline next year's exploitation campaigns, and Walter J. Hutchinson, general foreign sales manager, will discuss his field. Others on the program are James P. O'Loghlin, Kent Drive leader, who will present the 1937 prizes; Herman Wobber, west coast district manager; Felix A. Jenkins, secretary and general counsel of the corporation, and Alan E. Freedman, of De Luxe Film Laboratories.

The 100 delegates will be told of the extension of the Movietone News Building to be constructed at 53rd St. and 10th Ave. for the production of shorts. Pending completion the shorts will be made in the main Movietone Building utilizing present stages. Construction is scheduled to start next week and be completed about Sept. 15.

Engel's Friends Pay Tribute at Banquet

PHILADELPHIA, March 29.—About 250 film men attended a testimonial dinner in honor of Joe Engel, Universal branch head, who has been shifted to Cleveland, at the Warwick Hotel last night. William A. Scully, general sales manager, and Frank J. A. McCarthy, eastern division manager, were present.

Frank McNamee, RKO branch manager, was toastmaster. Among the speakers were David E. Weshner, Jay Emanuel, Sig Wittman, Ray O'Rourke, Jack Beresin, Ben Amsterdam, Mike Landow, Lewen Pizor and others. Engel was presented a silver service.

To Honor Felix Mendelssohn

CHICAGO, March 29.—A testimonial dinner to Felix Mendelssohn, who retired as branch manager for M-G-M recently, will be held April 8 at the Congress Hotel in the Gold Room.

Plan Dinner for Gottlieb

CHICAGO, March 29.—M. M. Gottlieb took over the branch manager's job at Universal this week. Gottlieb will return to Detroit, his former home, April 5, where he will be the guest of honor at a banquet at the Book-Cadillac hotel.

Legion Says "Baby" Not for Theatres

(*Continued from page 1*)

the picture as entertainment by the Motion Picture Division of the Education Department," the statement reads. "In taking this action, the Legion felt that the picture was not suitable for general exhibition in the theatre.

"This production has considerable merit from the medical, educational, social and technical points of view; however, the film is not suited for general exhibition in the theatre, where audiences are composed of both sexes and various ages, backgrounds, mentalities and temperaments. Adequate and satisfactory audience control is very difficult to obtain in theatrical exhibitions. An attempt to procure such control may, despite precautions, insinuate sensationalism to many minds.

External Factors Stressed

"Intrinsically, the film is moral in theme. The Legion does not criticize the sincere ultimate purposes of the organizations which are listed as sponsoring this picture. The Legion is also aware of the exploitation safeguards which the distributors promise to use in contractual agreements and publicity.

"Nevertheless, in forming an integral evaluation of the film, external factors must be taken into consideration. The theatre, at the present time, is not popularly accepted as a clinic, consultation office or classroom. The theatre hardly provides the kind of environment necessary for a proper, dignified and reverential attitude toward this subject which is so sacred, private and personal."

S-O-S Wins Default Judgment in Action

A $5,000 default judgment was awarded by Justice Isidore Wasservogel to International Theatre Accessories Corp. and Sales-on-Sound Corp., against Alfred H. Weiss, Julius J. Bressler and Consolidated Theatre Supply Corp., after the defendants failed to appear when the case was called for trial in the N. Y. Supreme Court. At the same time a counter claim for $50,000 was dismissed by Justice Wasservogel.

The plaintiffs brought action in April, 1937, seeking $25,000 damages and charging that the defendants "conspired" to deprive the plaintiff of their business by wrongfully obtaining trade secrets from them. The plaintiffs further charged the defendants with "conspiring" to entice away employes of International and "simulating" advertisements and circulars of International. The defendants, in their answer, denied these charges and countered with a cross suit for $50,000 for alleged libel.

Plan "Mothers" Short

HOLLYWOOD, March 29.—M-G-M is embarking on a short subject, "That Mothers Might Live," a one-reel picture based on the life of Dr. I. P. Semmelweis, the scientist who discovered the germ which causes child-bed fever. Dr. Ryland Madison, research expert of Stanford University, wrote the original story, and Herman Boxer of the studio staff wrote the screenplay.

Shepperd Strudwick plays the role of Dr. Semmelweis, and Fred Zinneman directs under Jack Chertok's supervision.

ANTHONY HAD CLEOPATRA!

There's Always a Woman

The most exciting comedy of the season is coming to the Radio City Music Hall on April 28th!

A COLUMBIA PICTURE

U.S. Pictures Held Position Abroad in '37

(*Continued from page 1*)

or through subsidies to local producers made possible through devious methods at the expense of foreign distributors.

"American motion pictures are the life-blood of the theatres throughout the foreign markets of the world, because they are the best that man has created. Without them theatre operators would have difficulty in keeping their theatres open. Yet foreign countries are constantly harassing our American companies and making it more difficult for them to distribute our pictures, which may justly be called the 'bread and butter' of foreign exhibitors."

Comments on England

Because of the pending reciprocal trade agreement with the United Kingdom, Golden's comment on conditions in that market, one of more than 80 reviewed, is of special interest.

"As proof that an industry cannot be effectively legislated into being, one need only look at Great Britain," he said. "Ten years ago there was inaugurated a quota system designed to assist and promote a national industry. During the 10 years Great Britain has produced more films than ever before. But ordinarily they were not of the type enjoyed by the motion picture public of the world. Seemingly, they were not even enjoyed by the British public. The result was that theatres, to stay within the law and meet their quota footage, were obliged to show these pictures at hours during the day when patronage was either nil or at its minimum."

Warner Club to Bowl

The New York Warner Club tomorrow night will hold an open bowling tournament at the Capitol Bowling Alleys. Beginners and experts of both sexes may compete and prizes will be awarded for skill and by drawing. The committee in charge consists of R. M. Moss, R. P. Hagen, L. B. Griffin and Ann Levy.

THE FIRST
book describing in detail the complete story of the making of modern motion pictures.
WE MAKE THE MOVIES
Edited by NANCY NAUMBURG
Chapters on production, story, treatment, direction, supervision, set designing, casting, acting, lighting, shooting, scoring, recording, cutting, color, etc., by
JESSE LASKY . PAUL MUNI . BETTE DAVIS
SIDNEY HOWARD . JOHN CROMWELL
WALT DISNEY . AND MANY OTHERS
2nd Big Printing - Illus. $3.00
W. W. NORTON & CO., 70 Fifth Ave., New York

Expect Silver Break To Lower Film Price

(*Continued from page 1*)

York price yesterday and another cent today. This means a loss of up to $1,000,000 a month in Mexican income.

The United States Treasury, by agreement, has been buying to 5,000,000 ounces of Mexican silver monthly at 45 cents an ounce.

The film stock and jewelry industries are the two largest consumers of so-called free silver—the metal available on the London market where the price has practically been pegged by the Washington purchases. Predictions are rife that withdrawal of Treasury support may drive the world price down as low as 30 cents an ounce or less.

Alperson Planning 26 Feature Films

(*Continued from page 1*)

has approved a contract calling for the distribution of the Colony Pictures film, "The Shadow Murder Case," already produced, and a pact calling for Max Alexander to produce two westerns starring Ken Maynard within eight weeks. Colony Pictures is owned by Max and Arthur Alexander.

This gives Grand National a total of eight pictures already set, as Phil Goldstone's Criterion Pictures will produce three Renfrew of the Mounteds and Grand National has already acquired for distribution "Zamboanga" and "He Married an Actress."

Maryland Firm Elects

BALTIMORE, March 29.—Officers of the Carroll Amusement Co. operating the Carroll, Westminster, Md., just elected, are located in Baltimore and include G. A. Richardson, president; Mike Leventhal, vice-president; Robert M. Scheck, treasurer; Donald M. Delaney, secretary, and Alvin Dohme, assistant treasurer and manager.

Lords Will Consider Quota Measure Today

By AUBREY FLANAGAN

LONDON, March 29.—The House of Lords tomorrow will consider the action of the House of Commons yesterday in rejecting the Lord Moyne amendments increasing the exhibitor and distributor quotas above the levels stipulated in the Films Bill as originally passed by the Commons.

The industry generally anticipates that the House of Lords will accept the Government's plea for the Commons terms of the measure as presented by Oliver Stanley, president of the Board of Trade. It is known that Lord Strabolgi, member of the upper chamber of Parliament with Labor inclinations, will aid the Government.

It is believed in informed quarters that there is little likelihood of any amount of debate on the matter in the House of Lords and that formal acceptance of the Stanley Government proposals on quota figures is probable, despite the heavy lobbying campaign for the increased quotas waged by British producers.

Dahn Forming Circuit

TORONTO, March 29.—Harry S. Dahn, who has resigned as general manager of Hanson Theatres Corp., Ltd., is organizing a new group of theatres in eastern Canada under his personal ownership.

I. H. Allen Resigns

TORONTO, March 29.—I. H. Allen, general manager of Canadian Universal, which was taken over some time ago by Empire-Universal Films, Ltd., has resigned and has returned to his home in Winnipeg.

Gradwell Sears on Coast

HOLLYWOOD, March 29.—Gradwell Sears, head of Warner distribution, today arrived here from Dallas accompanied by Carl Leserman. He will determine during his stay here whether "The Adventures of Robin Hood" will be roadshown.

Improved Australian Trade Relations Sought by Snider

(*Continued from page 1*)

be created between the exhibitor and the distributor," Snider said. "Unless better relations are fostered, there is a danger that further inroads along the path of restrictive regulation may be made by the Government. We feel such a position should be avoided. However, the pressure on the exhibitor is great, and experience has shown that excess pressure always leads to Government intervention."

Overbuying, or overselling, is another serious problem, he said. Should the Neely-Pettengill bill pass in this country, Australian exhibitors will probably seek similar legislation, he predicted.

Snider came in yesterday from the coast where he arrived about three weeks ago. He plans to sail for England after completing his New York conferences and will return here on his way back to Australia.

In the larger centers Snider & Dean has a pooling affiliation with Hoyts, Australia's largest circuit, which virtually controls preferred playing time and product.

Snider said Australian producers are facing a difficult situation because of the exclusion of Dominion films from the British quota. In the past it has been possible for Australian studios—Cinesound, National Studios and Master Craft—to obtain about half their revenue in England, but, with reciprocity blocked, producing companies will find that market closed and will be unable to continue production. The three Australian studios have a capacity of 12 to 15 films a year.

Expansion plans of the Snider & Dean circuit are being held in abeyance pending stabilization of industry practices, said Snider. He said it was his understanding that M-G-M had not renewed its lease on the Liberty in Sydney since the 600-seat house had been offered to his circuit.

Mary Pickford Will Sail for Talks on U.A.

(*Continued from page 1*)

specific subject of an urgent na[illegible] to be decided, and described the ob[illegible] of the conferences as the settlement of general company plans and policies for the new season.

Miss Pickford admitted that the proposal for a redistribution of United Artists stock designed to permit active producer-partners to participate to a greater extent in company earnings had been discussed "from time to time," but asserted that she was not aware that it was being actively projected at this time. She said that she did not believe the proposal would come up for discussion at the London conferences.

The United Artists stock redistribution proposal, reportedly being advanced by Goldwyn, provides for the issuance of a new preferred stock on a fixed dividend basis to inactive partners in the company, and a common stock to share in all earnings after the preferred dividends have been paid to be issued to the producer-partners.

Denies Sale Plans

Miss Pickford reiterated that there is no present possibility of any one of the five United Artists partners disposing of his, or her, stockholdings.

"All deals for sale or purchase of a stock interest have been abandoned," Miss Pickford said. "Both the intent and the desire now is to maintain the ownership status quo."

To her denial that discussion of any deal of this kind prompted the request for her presence in London, Miss Pickford added the denial that there was any likelihood of Korda withdrawing from the company.

Miss Pickford said she expected the conferences would be concluded by the end of next week and that she might return immediately thereafter with Goldwyn and David Stone, vice-president of Samuel Goldwyn, Inc., if she decided not to spend a few days in Paris.

To Broadcast Harris Variety Club Speech

CINCINNATI, March 29.—WLW will feed to the NBC-Red network on a coast-to-coast hookup on April 24 the address of John H. Harris, national president, at the banquet of the national convention of Variety Clubs of America, to be held at the Netherland Plaza here.

Arrangements now are being made for the presence at the banquet of men high in political life at Washington, as well as some of the outstanding personalities of the stage, screen and radio, whose participation at the banquet likewise will be aired.

Peter Grant and Paul Sullivan, commentators on WLW and WASI, respectively, will be at the mike.

Grainger Due in May

James R. Grainger, former Universal general sales manager, who is to be elected president of Republic Pictures, is not expected here until the middle of May. He will start his duties with Republic on May 23.

Canada Policy Ownership of Big Stations

(Continued from page 1)

to expand its business while CBS which competed with it in the commercial field is increasing station power. Johnston also asked if it were possible that private stations would have their present air channels changed by the corporation. Brockington replied that when the Havana agreement has been completed there will be a reallocation of channels. It would be done "for the one purpose that Canadians get good listening." CBC, he said, did not recognize any final and continued ownership of any channels.

J. Earl Lawson, corporation critic, asked Brockington whether he could envisage any source for CBC revenue other than Government grants to replace $700,000 advertising revenue. The witness replied that revenue might come from increased license fees to broadcasting stations, an increase in the number of listeners and license fees from television and similar broadcasting.

New NBC Rate Card Is Effective April 15

The new NBC rate card—No. 24—has been completed, and will become effective April 15. The new card combines all NBC facilities on a single card, whereas separate cards were formerly issued for the Blue and Red networks.

A new feature is the removal of all identification of the various supplementary groups; henceforth they will be known by number, rather than as "Blue Mountain" or "Pacific Red," as formerly.

Rates remain generally the same as they were on the last card, except that WMBG, Richmond, takes a new rate of $140 per evening hour; WMPS, is reduced to $140 per evening hour, and KGU, Honolulu, is reduced to $160 per evening hour.

Discontinue Actions On Gibbons' Comment

Three suits, each for damages of $250,000, against Floyd Gibbons, Colgate-Palmolive-Peet and Benton & Bowles were discontinued yesterday with the withdrawal of action by the plaintiff, Charles O. Locke, script writer. No money was paid, according to Benton & Bowles.

Locke instituted the suits early in 1937, charging that his reputation as a script writer had been damaged by Gibbons during a broadcast over WLW in January of that year. The complaints alleged that Gibbons, in broadcasting a description of the Ohio River flood as written by Locke, had distorted and over-dramatized the scene.

Take "Thin to Music"

"Get Thin to Music," heard over WOR as a sustaining series, is now being sponsored by General Mills over Mutual stations WGN, Chicago, and WCAE, Philadelphia. Blackett-Sample-Hummert is the agency.

WCAU Explains Its Return to the NAB

PHILADELPHIA, March 29.—Leon and Isaac Levy of WCAU, who were bitterly at odds with the National Association of Broadcasters prior to its reorganization in February, yesterday in a statement explained their reasons for rejoining the N.A.B.

They said they had rejoined because they were convinced that the men now running the N.A.B. "are sincerely doing a good job," and because they felt that the N.A.B. now needs its greatest strength because of a desire for the renewal of the Ascap contract.

Commenting on a paragraph in a letter recently sent to all broadcasters by the N.A.B., Leon Levy, president of WCAU, said: "A paragraph in the circular asking broadcasters to join the N.A.B. advised them not to join if they were satisfied with the present Ascap contract. My brother and I believe that the author of that paragraph has not been fair with the broadcasters inasmuch as he fails to explain fully the meaning of 'satisfied with the present Ascap contract.' Perhaps its author is the one who urged the broadcasters to pay both Ascap and Warners for the same music. However, we have taken exception to that paragraph and feel that our main reason for rejoining the N.A.B. is the desire for the renewal of that contract with Ascap."

R. & R. Series Scheduled

Richardson & Robbins will start its first network program with a three-a-week series of 10-minute shows over six NBC-Blue stations April 18. The contract runs for one year. The Revelers Quartet will be featured. The broadcasts will be on Mondays, Wednesdays and Fridays from 6:15 to 6:25 P. M., over WJZ, WBZ-WBZA, WBAL, WRC and WGY. Charles H. Hoyt, Inc., New York, is the agency.

Markwell to Hartman

Norman Markwell has joined the L. H. Hartman Co., New York advertising agency, as an account executive and will specialize in radio and publicity work. Markwell was a founder and vice-president of the Paul Cornell Co., which later became Geyer, Cornell and Newell.

Deny CIO Claim as Sole Agent in CBS

The National Labor Relations Board has denied the petition of the American Radio Telegraphists' Association, C. I. O. affiliate, for recognition as the sole bargaining agent for CBS employes.

The decision recognizes the Associated Broadcast Technicians, which has no affiliation with the C. I. O. or A. F. of L., as the bargaining agent for the network technicians, a position which it has held for the past four years. The A. R. T. A. has charged that the independent organization was a company union.

To Honor Barbirolli

The Lotus Club will give a dinner tomorrow evening to John Barbirolli, conductor of the Philharmonic-Symphony on the occasion of the completion of his first year as permanent conductor of the orchestra. Among those who will be present are Mayor LaGuardia, Sir Gerald and Lady Campbell, Arthur and Mrs. Judson, Theodore and Mrs. Steinway, Mme. Olga Samaroff Stokowski and others prominent in social, civic and musical circles. CBS will air talks at the dinner at 10 P. M.

Mutual Offers Series

"The Lamplighter" series has been offered to clients on a participation basis by Mutual, and the series has been purchased by local sponsors in Cincinnati over WSAI and in Columbus, O., over WHKC. The series is sponsored over WOR by the Julius Grossman Shoe Co.

Renew "McGee" Program

S. C. Johnson Co. has renewed "Fibber McGee and Molly" for another 52 weeks of broadcasting, effective April 12. The program is broadcast Tuesdays from 9:30 to 10 P. M. on the NBC-Red. Needham Louis & Brorby is the agency.

Winner Joins WQXR

Percy Winner will go on the air for WQXR on Tuesdays and Fridays as a "news analyst" to answer questions of listeners based upon events in the news. Winner was formerly in charge of short wave broadcasting for NBC.

Postpone Talks Between Independents and AFM

The negotiating committee for the Independent Broadcasters met with the American Federation of Musicians executive board yesterday in the initial move toward the working out of a basic agreement with the union covering increased employment of union musicians.

Because of the fact that the necessary statistics covering the operations of independent stations was not available, further negotiations have been postponed until April 20.

In the interim the negotiating committee will prepare and send a questionnaire to the 384 non-affiliated stations throughout the country. Information sought is the number of musicians now employed by each station owner, the amount of money now spent for live music, gross income of each station and each station's rate card.

Following the close of yesterday's negotiations, the committee, comprising Lloyd Thomas, WROK, chairman; Henry McNaughton, WTBO; and C. Alden Baker, WRNL, entrained for Washington to contact the National Association of Broadcasters for legal and financial assistance.

Meanwhile, the A. F of M. yesterday continued conferences with representatives of the record manufacturers in an attempt to reach an agreement on the license form for the disc interests. These conferences will be continued tomorrow.

▸ Radio Personals ◂

LOWELL THOMAS has been renominated for president of the Advertising Club . . . Irving Caesar, the songwriter, has been engaged for an extended series of appearances on the Vallee show . . . Corinna Mura has been booked into the Chicago Theatre for one week beginning April 1 through Henry Frankel of the WOR artists bureau . . . Charles Capps of WMCA has been deluged with requests for jobs by announces, production men and others now that the new WMCA studios are almost finished . . . Victor vander Linde, NBC general sales counsel, is back at work after a month's absence due to a broken leg . . . Austin Crom-Johnson, of the NBC production department has been advanced to the post of assistant to Phil Carlin . . . "Slim and Slam." colored harmony team, have opened at the Park Central Lounge for an indefinite engagement.

Firm Plans Ads on Phonograph Records

The first open move to use phonograph records for advertising purposes has been undertaken by the Trans-Electra Corp., which has applied to the Music Publishers' Protective Association for a license to manufacture platters containing commercial blurbs. Rumors that such a movement was under way have been current for some time.

Plans of the Trans-Electra Corp. call for the waxing of name bands on 10-inch discs, with advertising matter to be inserted before and after each number. Charges to advertisers, it is understood, will be based on releases of between 1,000 and 30,000 records. While the attitude of Ascap, the A F.M. and the National Association of Performing Artists to a proposal such as this is not definitely known, it is believed that all will oppose the plan.

CRA Signs Ina Hutton

Ina Rav Hutton's all-girl orchestra has been signed to a management contract by Consolidated Radio Artists. The contract is for five years, covering location and tour bookings. Due to a previous contract, however, the Hutton theatre bookings will not come under Consolidated supervision until February, 1939.

Three Contracts Renewed

Morton Gould, Jimmy Shields and Raymond Gram Swing are among WOR artists just granted contract renewals by the station. Gould has been signed for an additional six months, Shields for 13 weeks and Gram Swing for 13 weeks.

DeMille Off Lux Show

HOLLYWOOD, March 29.—Cecil B. DeMille, confined to Good Samaritan Hospital here, will be off the Lux program for two weeks.

Plan Station Celebration

OKLAHOMA CITY, March 29.—Plans are being prepared now for celebration of the first birthday party of KTOK, key station of the Oklahoma Network, on April 1 and 2.

At Last-Sponsored Shorts You're Proud to Show and Paid to Play

A LOW BOW OF THANKS FOR THE *TIDAL WAVE* OF CRITICAL APPROVAL LAUNCHING *Boy Meets Dog* AND CARAVEL'S *Sponsored* FILM PLAN

One of the cleverest sponsored shorts ever produced. "Ad" element injected deftly and only a flash. Will set a standard for all future productions of sponsored films.
Jack Harrower — Film Daily

★

Picture is an ambitious effort, being 90% entertainment, with only about 30 seconds outright advertising.
Weir — Variety

★

Should be a welcome part of any program. Animation perfect. Songs catchy. Kids will love it. Grownups will get a great kick out of it, too.
Hank Linet — Showmen's Trade Review

★

Contains an entertainment emphasis and a minimum of advertising unique among sponsored reels.
James Cunningham — Motion Picture Herald

★

Finest example of sponsored film. Few cartoons contain production values inherent here. Packs a wallop throughout every inch. Grand cartoon in Technicolor.
Leonard Weisberg — Box Office

★

The actual presentation of the name of the sponsor doesn't last more than a few seconds. Without this, the film could probably be sold on the same basis as the best of the color animations.
J. M. Jerauld, Managing Editor — Motion Picture Daily

★

Pure entertainment. Fine musical background by Nathaniel Shilkret and Frank Churchill, composer of "Snow White." Has high appeal.
Paul Denis — Billboard

★

Clever animation and color effects. Should find ready audience acceptance.
Harry Blair — Film Curb

★

Very entertaining. Ranks in front division of color cartoons. Commercial angle brief ten second flash.
Philadelphia Exhibitor

CARAVEL DISTRIBUTING CORPORATION
730 Fifth Avenue • New York

With pardonable pride, justified by the tidal wave of unanimous trade press praise of "Boy Meets Dog," Caravel now offers to discriminating exhibitors everywhere, including the finest motion picture theatres in the country, an opportunity to substantially increase their revenue and delight their patrons by availing themselves of our Sponsored Film Plan.

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"Boy Meets Dog," . . . Produced by Caravel . . . based on Gene Byrnes' world famous syndicated newspaper feature . . . "Reg'lar Fellers," . . . songs by Frank Churchill, composer of "Snow White," . . . Voice impersonations of several famous radio and screen stars, including Fred Allen . . . Symphonic-Swing orchestra directed by Nathaniel Shilkret . . . directed by Walter Lantz, creator of "Oswald, the Rabbit," sponsored by Bristol-Myers Company, on behalf of Ipana.

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CARAVEL DISTRIBUTING CORPORATION
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I am interested in booking "Boy Meets Dog" at a guaranteed revenue for each showing.

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Picture
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MOTION PICTURE
DAILY

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Film and
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Brief,
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and
Impartial

. 43. NO. 74 NEW YORK, THURSDAY, MARCH 31, 1938 TEN CENTS

20th-Fox Sale Forces Gather At K.C. Today

First Business Session Will Start Friday

Kansas City, March 30.—Twentieth Century-Fox home office and eastern delegates, as well as groups from other points, will arrive here tomorrow morning for the two-day annual sales conference which will start Friday. Ninety-eight will attend the sessions.

Tomorrow the delegates will be free to do as they please. The meeting will get under way at 10:30 A. M., Friday, with John D. Clark, vice-president in charge of distribution, presiding. A highlight of the conference will be an informal banquet Friday night at which 1937 Kent Drive prizes will be distributed. Conference headquarters are in the Muehlebach Hotel, and all meetings will be in the Trianon Room.

Following morning and afternoon

(*Continued on page* 4)

National Theatres' Meet Starts Today

Policies for the coming season and new product buying will be discussed by National Theatres' six division managers who are due here this morning for their annual conference with Spyros Skouras, operating head of the circuit. William Powers, chief film buyer, and other department heads will sit in at the meetings.

The sessions will get under way

(*Continued on page* 5)

Propaganda

Mexico City, March 30.—The Mexican Government has enlisted the aid of theatres here in an effort to obtain the support of Mexicans and the good will of foreign residents in the situation created by the expropriation of the properties of oil companies and the cancellation by the United States of silver purchases in Mexico.

Three - minute trailers urging support of the Government are being shown in houses throughout the country at every performance, as part of a gigantic propaganda drive, including newspaper ads and the radio.

Quota Measure Is Passed; To Run from 15% to 30%

BRITISH BILL PROVIDES—

Distributor quota starts at 15 per cent and rises to high of 30 per cent in 10 years. (Present—20 per cent).

Exhibitor quota starts at 12½ per cent and rises to high of 25 per cent in 10 years. (Present—15 per cent).

Short subject quota for exhibitor ranges from 12½ per cent to 22½ per cent and the distributor shorts quota ranges from 20 to 30 per cent.

Triple quota provides any film totaling $187,500 in labor costs may count as three films under distributor quota.

Reciprocity provides foreign company taking British film for distribution anywhere outside Great Britain is entitled to credit under distributor quota.

Receives Royal Assent; Starts Tomorrow for 10-Year Period

By AUBREY FLANAGAN

London, March 30.—The controversial and much agitated Films Bill, of which the quota provisions are the most important phase, finally was passed today by the House of Lords and this afternoon received Royal Assent.

The measure therefore will become a law on Friday, replacing the legislation which has been effective since 1927. The new law will be in effect for 10 years.

The legislation as finally passed after sharp debate in Parliament and considerable and occasionally heated discussion in the trade, carries the quota schedules which were a part of the original measure as passed by the House of Commons under Government sponsorship. The quota terms provide a distributor quota which will start at 15 per cent during the first year of the law, rising gradually to a high of 30 per cent in the final year of the law. This compares with a distributors' quota percentage under the existing legislation of 20 per cent.

The exhibitors' quota will begin at 12½ per cent for the first year of the new law, and rise under a graduated scale to a high of 25 per cent in the final year of the law. The present exhibitor quota is 15 per cent, which is effective until the end of September, 1938. The concession had been made from the previous law's exhibitor quota of 20 per cent to allow for the

(*Continued on page* 4)

New Booking Bill Appears in House

Washington, March 30.—Representative Andrew Edmiston (Dem.) of West Virginia yesterday teamed up with Senator Neely of that state and introduced the latter's block booking bill in the House.

Little chance is seen for any action on the bill this year in view of the heavy legislative slate still to be disposed of. The Senate last week indicated it was in no hurry to deal with the measure by passing it over when it was reached during the calling of the calendar.

AT & T Legislation Not Looked for Now

Washington, March 30.—No legislation requiring the American Telephone & Telegraph Co. to divest itself of non-telephone activities, expected to be recommended by the Federal Communications Commission, is seen as likely at this session in view of the legislative jam now piling up in Congress.

The F.C.C., although promising its report on the telephone company will go to Congress in the "near future," is understood to have made little headway in its study of the 1,000-page document now before it.

The commission is definitely scheduled to send the report in before the

(*Continued on page* 5)

Warners to Survey Player Popularity

Hollywood, March 30.—Gradwell L. Sears, general manager of distribution for Warners, says Warners will inaugurate a national theatre survey to provide the company with an authoritative gauge of the box-office popularity of its players.

Here conferring with Harry M. Warner, Jack L. Warner, Hal B. Wallis and S. Charles Einfeld, Sears said the checkup will be an annual pre-production season event to enable Warners to give its productions "bet-

(*Continued on page* 4)

Para. Partners Not To Meet Until May

A national meeting of Paramount theatre associates will not be held before late May or early in June, Y. Frank Freeman, Paramount theatre head, said yesterday.

Arrangements for the meeting will be made following the return of Barney Balaban, president, from the studio in about a month, Freeman said. Balaban may leave for the studio about the middle of April. Stanton Griffis, chairman of the executive committee, who will return to New York from a Florida vacation today, may accompany him, as may Neil F. Agnew, distribution head.

Paramount's new season schedule

(*Continued on page* 4)

Yesterday's Radio News—Page 8

F. P. Canadian Has Profit of $869,197

Toronto, March 30.—An exceptionally encouraging financial statement issued tonight by Famous Players Canadian Corp. for the year ending Dec. 31 last showed net profits of $869,197, equal to $2.13 a share on the 408,524 shares outstanding. This compares with a profit of $563,096 for the previous year, a gain of $306,101.

Profit from theatre operations was $2,184,524, compared with $1,845,186 a year ago. Other income raised the total to $2,336,425 and surplus carried forward is $2,716,717 comparing with $2,185,434 for the previous year.

Working capital at the beginning

(*Continued on page* 4)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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JAMES A. CRON, *Advertising Manager*

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STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54, Vienna VII; Hans Lorant, Representative.

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Report Censor Bill Coming in Michigan

DETROIT, March 30.—A bill providing for state censorship of films similar to the Ohio law, will be introduced at Lansing in the next session of the legislature, it has been learned from reliable sources. Backers of the bill are keeping their identity secret, but are having the bill drafted at present, according to persons in close touch with state affairs.

Belief that the present system of censoring, which is largely in the hands of Detroit police and unofficial boards in Grand Rapids and other cities in the state, should be centered in one board and that the state should derive additional revenue from the plan are said to be back of the move for the bill.

Film Censorship Out Of S. C. Liquor Bill

SPARTANBURG, S. C., March 30.—The provision inserted in a House-approved liquor bill to ban motion pictures depicting drinking, divorce or murder today was rejected by the Senate Judiciary Committee.

The sponsor of the amendment pleaded for "more comedy" in films.

Purely Personal

WALTER W. VINCENT of the Wilmer & Vincent Circuit has recuperated from a recent illness in Florida and is expected back Saturday. He is stopping off in Norfolk to inspect the circuit's theatres there.

•

LARRY WILLIAMS is shooting the backgrounds here for "Ellis Island," which is now in production for 20th Century-Fox under the direction of GREGORY RATOFF. HAROLD GODSOE is assistant director.

•

WILLIAM B. ZOELLNER, M-G-M branch manager in Oklahoma City, returned to his headquarters last night via American Airlines. He attended the regional conference here.

•

ARTHUR M. LOEW, head of M-G-M's foreign activities, is en route to Australia on a globe-girdling business trip. He is expected back here in May.

•

BEATRICE LILLIE, PHILLIPS LORD, VERA KING KRAMER and GRACE POGGIE are among the passengers sailing on the *Normandie* today.

•

CLIFF and MRS. REID arrived yesterday on the coast from New York via American Airlines.

•

ANDRE KOSTELANETZ will board a TWA plane tomorrow for Chicago.

MARGUERITE TAZELAAR, for several years film critic for the *Herald Tribune*, has resigned. HOWARD BARNES, HERBERT DRAKE and ROBERT DANA, a new critic, complete the reviewing staff.

•

LEOTA LANE is now on the coast, where she will join her sisters, LOLA, PRISCILLA and ROSEMARY, in a film version of the Fannie Hurst novel, "Sister Act."

•

LYNN and MRS. FARNOL and MERLE OBERON will arrive today from Europe on the *Conte Di Savoia*.

•

. . . Pittsburgh

MRS. JOHN HARRIS and JOHN, JR., are due back from the coast soon after spending the winter there.

JACK SCHLADER is looking after the Harris bookings during JOHN McGREEVEY's absence.

MRS. MIKE CULLEN is home from the hospital and will leave for Florida with her husband when she's well enough to travel.

GABE RUBIN, manager of the Art Cinema, will handle the distribution of "Mayerling" in this territory.

GEORGE JAFFE is back from Hot Springs where he put on 10 pounds in three weeks.

DAVE MARINO and DOLORES BITNER plan to make it a June date.

Comment Lacking on Use of German Fund

No comment could be obtained from Ascap yesterday on the suggestion of Irving Caesar, president of the Song Writers Protective Association, that approximately $100,000 of the association's funds now frozen in Germany be used to assist Jewish and other oppressed composers and musicians in Germany and Austria. The suggestion was made at the annual meeting of the S.W. P.A. Tuesday.

At Ascap headquarters it was said that no qualified spokesman for the society is in New York at present. Gene Buck, president, has been away from the office for some time because of illness in his family. E. C. Mills, chairman of the administrative committee, is en route to Knoxville in connection with Ascap litigation, and John G. Paine, general manager, is in St. Louis.

Schlesinger to Sail

M. A. Schlesinger, president of General Talking Pictures, will sail on the *Normandie* today for conferences at the London office of the Schlesinger enterprises, which includes film distribution and theatre holdings in South Africa. He plans to remain abroad about two weeks.

Bankers Kennedy Guests

LONDON, March 30.—Joseph P. Kennedy, American Ambassador to the Court of St. James's, was host at the American Embassy last night to 19 London bankers.

DeMille on the Mend

HOLLYWOOD, March 30.—Cecil B. DeMille is reported in favorable condition at Good Samaritan Hospital here following a minor operation.

Most Film Shipping To Austria Stopped

Shipments of film to Austria have been halted by the majority of American distributors, who prefer to await information concerning new regulations which may be put into force as a result of the nation's absorbtion by Germany.

Among those who have suspended shipments are M-G-M, 20th Century-Fox, Universal and RKO. Paramount and Warners are marking time pending word from Austria while United Artists continues its transactions.

Albany Musicians Dine

ALBANY, March 30.—The Hotel Ten Eyck was the scene of the A. F. of M., Local 14, annual banquet the other night. Frank Walters, president, was toastmaster, with Louis R. Golding, district manager of Fabian Theatres; Moe Silver and Charles A. Smakwitz, zone and assistant district manager of Warner Theatres, respectively, at the speakers' table.

About 250, including a delegation from both the Troy and Schenectady unions, attended. Three orchestras and continuous entertainment from 23 Albany district night clubs were included in the bill.

Sherman in New Plant

HOLLYWOOD, March 30. — Harry Sherman Productions today moved into General Service Studio. Production on the Hopalong Cassidy series will start April 10.

Ritzes in Dumas Film

HOLLYWOOD, March 30.—Twentieth Century-Fox announced today that the three Ritz Brothers will be starred in "The Three Musketeers," from the Alexandre Dumas novel.

Studio Pace Gains; 31 Features Going

HOLLYWOOD, March 30.—Universal and 20th Century-Fox are the busiest lots this week, each having six features in work, raising the total in work to 31, an increase of four over last week. Universal started four features, and 20th Century-Fox, [illegible]. A total of 17 is being prepared, [illegible] 36 are in the cutting rooms. Six were finished.

Those started were: "Crime Takes a Holiday," Columbia; "Lord Jeff," M-G-M; "Spawn of the North," Paramount; "The Muddled Deal," RKO; "Handle with Care" and "The Mysterious Mr. Moto," 20th Century-Fox; "Air Devils," "The Rage of Paris," "Hell's Kitchen" and "Letter of Introduction," Universal.

In addition to the above, those shooting are: "Holiday," Columbia; "Three Comrades," "Yellow Jack" and "The Toy Wife," M-G-M; "Tropic Holiday" and "The Texans," Paramount; "Blind Alibi" and "Gun Law," RKO; "Fighting Devil Dogs," "Under Western Stars" and "Romance on the Run," Republic; "Alexander's Ragtime Band," "Kentucky Moonshine," "Josette," "Sporting Chance," 20th Century-Fox; "Sinners in Paradise" and "Flaming Frontiers," Universal; "The Adventuress," Wanger, and "Mr. Chump," "The Amazing Dr. Clitterhouse" and "Boy Meets Girl," Warners.

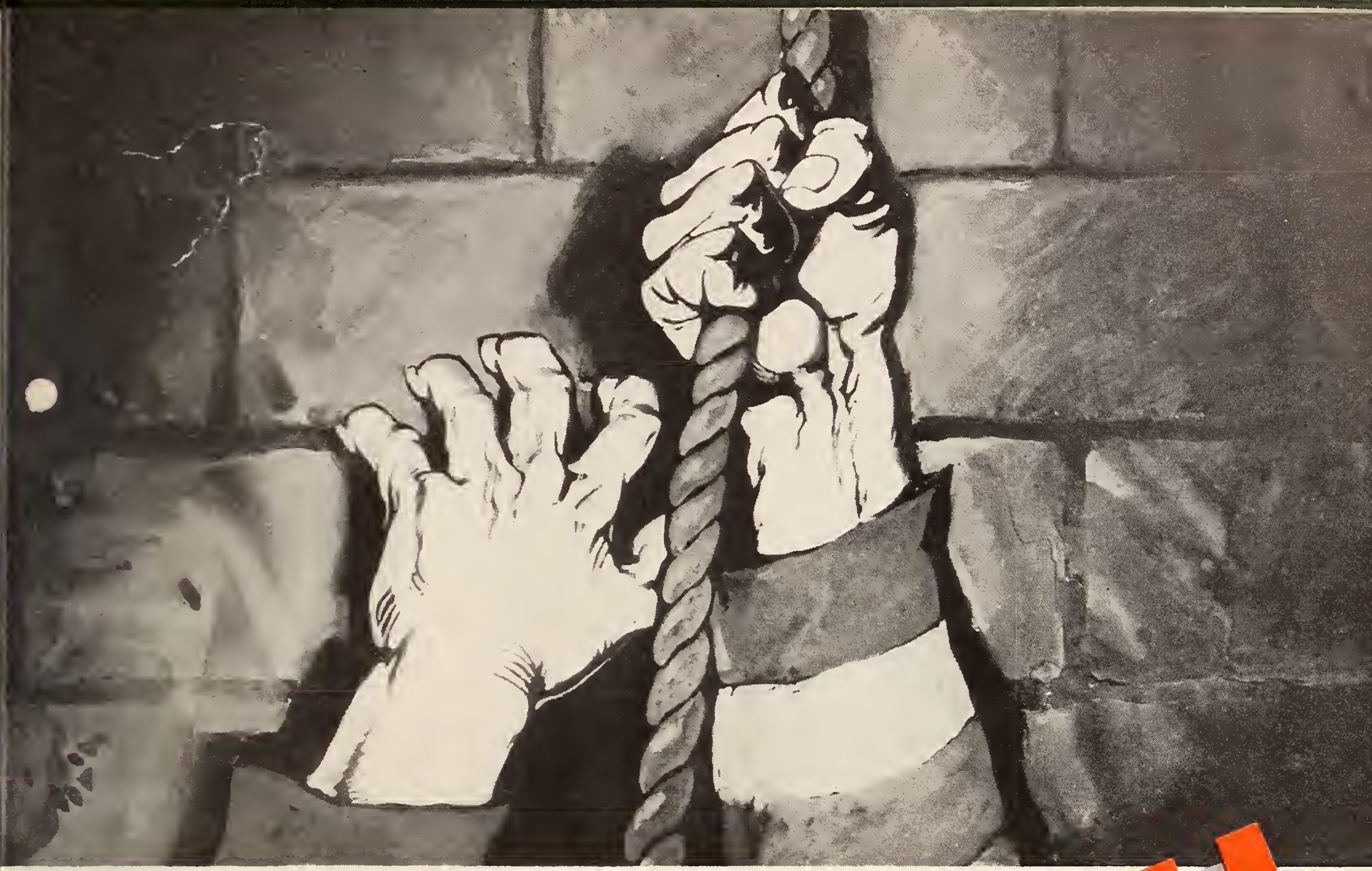
Those finished were: "You and Me," "Cocoanut Grove" and "Crime Gives Orders," Paramount; "Little Miss Broadway," 20th Century-Fox, and "Four's a Crowd" and "When Were You Born?" Warners.

Columbia started a short subject and finished it. M-G-M started one, which is still shooting, and is preparing six. A total of 11 is being edited.

H. M. Warner to Hospital

HOLLYWOOD, March 30.—Ailing for some time, Harry M. Warner this week goes into a local hospital to undergo treatment for a stomach condition.

BULLETIN
'OVER THE WALL' IS
HELD OVER
It happened at the Strand, N. Y. Pre-Release!



THEY'LL GET OVER THE WALL THIS WEEK!

With Warden Lawes backing it (*He's author*)! . . With a crack Cosmopolitan newspaper campaign announcing it! . . With Warners to thank for it!

20th-Fox Sale Forces Gather At K.C. Today

(Continued from page 1)

sessions Saturday, the delegates will leave that night. Sales meetings will be held at branches Monday and Tuesday.

Thirty-eight home office representatives and 57 district, branch and local sales managers will attend. The Kansas City sales force will sit in, these including W. J. Kubitzki, office manager, and H. B. Kinser, J. F. Woodward, Charles Knickerbocker and M. A. Tanner. Others listed as convention guests are Harry Brand, studio publicity and advertising director; Alan E. Freedman, president of De Luxe Laboratories, New York, and Michael Leshing, in charge of the De Luxe laboratory on the coast.

Warners to Survey Player Popularity

(Continued from page 1)

ter box-office name balance." The 32 key cities branches of the organization will participate in the checkup, he declared.

"Ten new Warner productions will be used for the purposes of this 'barometer.'" he said. "Our selling force in the field will contact personally all theatres, from first runs to subsequent runs, playing these pictures in order to get accurate, first-hand information concerning audience reaction to the different players appearing in them. This data will be forwarded eventually to our Burbank studio for compilation and analysis to guide those in charge of assignment of players.

"The pictures to be used in the tests are 'Jezebel,' 'Fools for Scandal,' 'The Adventures of Robin Hood,' 'Cowboy from Brooklyn,' 'Golddiggers in Paris,' 'White Banners,' 'Crime School,' 'When Were You Born,' 'Four's a Crowd,' 'Secrets of an Actress.'"

Particular attention will be paid to the section of the survey having to do with the comments regarding the lot's younger players.

Barron Services Today

A short service at the Riverside Chapel will be conducted today for Basil A. Barron, comptroller of Educational Films Corp., who died Tuesday following a brief illness. The body will then be taken to Illinois where on Sunday it will be buried in Alexis, birthplace of the deceased.

Barron, who was 41, is survived by his parents, two brothers, a sister and three children, Basil, Jr., Rosella and Barbara Jean.

Rites for Carl Strumpf

Carl Strumpf, a member of Columbia Pictures art department, who was fatally stricken by a heart attack on Tuesday night, was buried yesterday in Mt. Carmel Cemetery. He was 29 years old.

Strumpf had been with Columbia for the past two years and prior to that was with Lord & Thomas, advertising agency.

60 for Bojangles

On May 25 (Bojangles) Robinson will observe his 60th birthday. Because he will leave shortly for the coast, his New York friends will celebrate the occasion at a dinner to be given by the Grand Street Boys' Association Sunday night at its clubhouse.

Bill will be presented a life-size portrait of himself by David Immerman and a bound volume of messages sent by President Roosevelt, Postmaster General James A. Farley, Governor Lehman, Police Commissioner Valentine and other dignitaries. Judge Jonah B. Goldstein will preside.

F. P. Canadian Has Profit of $869,197

(Continued from page 1)

of the current year amounted to $975,975 as against $735,783 a year before, an improvement of $240,092. The company paid $205,676 as income tax in 1937 while depreciation absorbed $513,901. Dividends totalling $245,114 were paid during the past fiscal year.

The statement is regarded as the finest financial report in the history of the company.

F. P. C. and 20th-Fox Fight Canada Award

TORONTO, March 30.—Twentieth Century-Fox Corp., Ltd., and Famous Players Canadian Corp. today entered an appeal action against the judgment handed down by Justice J. A. McEvoy in Toronto court awarding Francis, Day and Hunter, publishing company of London, England, $1,046 damages for the alleged infringement of copyright in the use of the song "The Man Who Broke the Bank at Monte Carlo" in the feature film of the same title on the screens of Famous Players theatres in Canada.

Hearing of the appeal will be conducted within a month.

Sues Over "Wake Up"

Charging that "Wake Up and Live" was "adapted from and based on" his literary composition, "Take the Air," Edmund Benguiat filed suit yesterday in the N. Y. Supreme Court against 20th Century-Fox Film Corp. Benguiat asked the court for an order restraining 20th Century-Fox from presenting "Wake Up and Live" and also an accounting of profits and a judgment for damages.

Attorneys Sue Balatow

Belle G. Balatow, as assignee of Schwartz & Frohlich, attorneys, filed a $1,000 N. Y. Supreme Court suit yesterday against Erich Maria Remarque, claiming that amount as a commission for legal services for securing $10,000 for Remarque from Universal.

Remarque had threatened suit against Universal for "All Quiet on the Western Front" and Universal had settled the case out of court for $10,000.

Quota Bill Is Passed; Runs From 15-30%

(Continued from page 1)

difficulties which might arise through the then pending legislation.

The present distributor quota will expire tomorrow, March 31, while the exhibitor quota will not expire until the end of September, when the 12½ per cent schedule will go into effect.

The short subject quota will begin at 12½ per cent for exhibitors and rise to a high of 22½ per cent, while the distributors' short subject quota will begin at 20 per cent and rise to a high of 30 per cent in the last year of the law.

The two other most important elements of the new measure, particularly as concerns foreign product, are the clauses providing for triple quota value and reciprocity.

Triple Quota Included

Briefly, the triple quota clause provides that films for which the producer has made an expenditure of at least £30,000 ($187,500) in labor costs, shall count for three films under the distributor quota.

Under the reciprocity clause, a distributor who undertakes to distribute a British feature anywhere else in the world shall be entitled to credit on the distributor quota in England.

The new measure also provides for a Films Council which will have wide discretionary power under the general jurisdiction of the Board of Trade, whose president, Oliver Stanley, sponsored the measure in Parliament.

Following passage recently by the House of Commons, the Films Bill went to the House of Lords, and there unexpectedly was subjected to considerable verbal battering from members of the upper chamber, whose consideration of the measure resulted in a general increase in the quota schedules. The measure then was returned to Commons and that body rejected completely the proposed increases in quota schedules, but, at the suggestion of Stanley, accepted the Lords' amendment providing for a triple quota arrangement.

The trade here generally had been opposed to the increased quota percentages, with the exception of the British producer group, which favored the increases.

Opposition in U. S.

The measure has a history of more than a year in the making, starting virtually with the lengthy and exhaustive "Moyne Report," which resulted from the effort of the committee headed by Lord Moyne to study the industry and to recommend such legislation as should be enacted to replace the 10-year Films Act which is just now expiring. Since the publication of the "Moyne Report," the plans for new legislation have followed a wavering course of discussion and argument, leading to a Government "White Paper," embodying the Government's ideas of what such legislation should contain and leading eventually into the halls of Parliament.

One other phase of the measure of note is that which excludes from quota consideration those pictures produced in the British dominions, including Canada and Australia.

Distribution circles in New York yesterday were generally understood to feel that the new British films legislation passed yesterday was to be considered satisfactory, at least in comparison with that which was forecast in the original "Moyne Report" on proposed new legislation for the industry.

At the same time it was indicated that a considerable feeling of appreciation existed for the effort of Joseph P. Kennedy, new American Ambassador to the Court of St. James's, in behalf of the American interests, with regard to the final provisions of the measure.

Para. Seeks Stay on Home Cartoon Prints

CHICAGO, March 30.—An injunction restraining Exclusive Movie Studios, Inc., from continuing to distribute the Fleischer Betty Boop and Pop-Eye cartoons in 8mm. and 16mm. strips for home use was granted to Paramount by the U. S. District Court here today.

Paramount set forth that it had refused to grant Exclusive a two-year extension of the distributing con[illegible]t on its expiration recently because contract terms had not been complied with during the first three years of the agreement. Paramount charged that Exclusive continued to distribute the films, regardless. Spitz & Adcock, Chicago law firm headed by Leo Spitz, RKO president, represented Paramount in the action which was filed here by Irving Cohen of the company's home office legal staff.

Para. Partners Not To Meet Until May

(Continued from page 1)

will be determined during the visit, with present indications pointing to a total of about 55 pictures for next year, or approximately 10 fewer than were announced by the company a year ago. The company's convention plans will be made at the same time and are expected to call for a district managers' meeting with regional meetings of branch managers following.

Kansas City ITO to Discuss Neely Bill

KANSAS CITY, March 30.—A meeting has been called by the I.T.O. here for Friday to discuss, among other things, the Neely bill. Indications are, although there is some dissension from this view, that independent theatre operators here are not in favor of the bill in its present form, although they like some of the ideas in the measure. E. E. Webber, Jr., of the Mary Lue heads the group.

Delay Milwaukee Meeting

MILWAUKEE, March 30.—The Independent Theatres Protective Association of Wisconsin has temporarily shelved its convention plans tentatively dated for April 5 and 6. According to R. A. Tesch, business manager, it is possible that the gathering will be held in May or June. An expression from the members indicated that they did not favor the April dates, it was stated.

"Bluebeard" Held 3rd Week at Para.

The Paramount, Roxy and Capitol are doing the best business on Broadway this week, with the Strand also in the money. All four houses are holding their attractions a second week and "Bluebeard's Eighth Wife" will go a third at the Paramount.

Business perked up considerably at the Capitol, where "The Girl of the Golden West" did $35,000 in the week ending last night. Shirley Temple's "Rebecca of Sunnybrook Farm" is expected to finish with about $40,000 for the first seven days at the Roxy and will remain until April 8, when "In Old Chicago" will start a pre-release engagement.

"Over the Wall" is expected to boost the Strand's take to $25,000 or thereabouts, after a weak $11,000 on "Love, Honor and Behave." "Fools for Scandal" was a disappointment at the Music Hall, doing $55,000, which is far below average. "The Crime of Dr. Hallett gave the Rialto $6,500.

An innovation will be undertaken by Matty Radin tonight with the simultaneous opening of "Lenin in October" at the Cameo and Continental. The film is dated for 11 days at the latter house, while the run at the Cameo will be extended.

Another foreign film, "Mayerling," will get staggered bookings at 18 Loew neighborhood houses, starting today, said to be the first time the circuit has given a foreign language picture widespread playing time. The bookings were set after test runs at four Loew theatres.

"Battle of Broadway," which was considered for showing at the Roxy following "Rebecca of Sunnybrook Farm," is now set to follow "In Old Chicago."

Exhibitors Hope for Racing Bill Hearing

Albany, March 30.—A public hearing on the Quinn bill to legalize dog racing in Westchester, Nassau, Erie and Monroe counties is hoped for by Albany and Buffalo exhibitors before Governor Lehman acts on the measure. The bill was passed by the Senate and Assembly, but has not been signed by the Governor. State exhibitors still are actively opposing the measure.

Action by Governor Lehman on two other measures which were passed by the legislature also is being awaited by exhibitors. One is the Ehrlich bill which provides that theatre matrons serve as chaperones for children between the ages of eight and 16 who attend the theatre without parent or guardian. The other is the Wagner bill which prescribes a six-day week for janitors, custodians and certain other theatre employes presumably within its provisions.

The Governor is expected to sign the latter two measures. His approval of the Quinn bill, however, is regarded as doubtful here.

To Enlarge at Westerly

Westerly, R. I., March 30.—Jack Findlay, operator of the Central, will double the present seating capacity and rebuild and reopen the 400-seat Lyric, which has been closed for several years. Findlay operates the United.

Out Hollywood Way

Hollywood,. March 30.—Angelo "Hank" Luisetti, Stanford basketball ace, has been signed by Paramount for "Campus Confessions," with plans for more pictures if he clicks. The picture has a basketball background, and Luisetti will report to the studio after his graduation in June.

Tyrone Power has been set for the lead in "Suez Canal," 20th Century-Fox, and in "Jesse James," to be the second color film of the studio. . . . Howard J. Green, veteran Hollywood writer, has been engaged as executive assistant to Sol Wurtzel at 20th Century-Fox, and will act as associate producer on some pictures. . . . Paramount publicity men are including a lesson in French pronunciation with their copy, writing the actress' name as "Olympe (O-lamp) Bradna."

Third of M-G-M's announced color features will be "Twenty Thousand Leagues Under the Sea," based on Jules Verne's story. This will follow "Northwest Passage," and "The Wizard of Oz," also in color. . . . Mel Morganstern, head booker of shorts for Loew's, Inc., and Irving Greenfield, Loew's attorney, are in town for a visit. . . . Warners has placed in a tie-in with the *Scholastic Magazine* to run a contest in connection with "The Adventures of Robin Hood.". . . Paramount's "Crime Gives Orders" has been re-titled as "Hunted Men.". . . George Haight, former production assistant to Samuel Goldwyn, has joined RKO as producer. . . . Irene Richard will appear before the annual convention of the National Council of Social Agencies next June in Chicago to accept the organization's achievement award for 1937.

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Casting—Joseph Calleia, Gene Lockhart, Joan Woodbury, Alan Hale in "Algiers," Wanger....... Nan Grey and Eve Arden in "Letter of Introduction," Universal. . . . Leonard Penn and Mitchell Lewis in "Three Comrades," M-G-M. . . . Bonita Granville and John Litel in "My Bill," Warners. . . . Porter Hall to "Give Me a Sailor." Paramount. . . . Derrick De Marney, British actor, will play the lead opposite Joan Fontaine in "The Muddled Deal," RKO.

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Writers—John C. Moffitt has been assigned by Paramount to adapt "Slippery Rock," Bill Cunningham original. . . . Adele Comandini is working with Roy Chanslor on "The Road to Reno," Universal.

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Contracts—Hal Roach has extended the contract of writer Jack Jevne for another year. . . . George Hayes, comedian of the Hopalong Cassidy series, has had his pact renewed by Harry Sherman.

Hartford Business Off

Hartford, March 30. — Theatres here report a 25 per cent slump in business, and at same time are faced with competition from events at State Armory. In rapid succession have been the Auto Show, Sportsman's Show, Progress Exposition and Shrine Circus.

National Theatres' Meet Starts Today

(Continued from page 1)

today and will end tomorrow night. The division heads are expected to remain in New York over the week-end.

Coming in for the meeting are Charles Skouras, head of West Coast theatres at Los Angeles; Arch M. Bowles of San Francisco, West Coast's division manager for northern California; Rick Ricketson, head of Fox Intermountain Theatres at Denver; Elmer C. Rhoden of Kansas City, Fox Midwest division manager; Frank L. Newman, Sr., president of Evergreen State Amusement Corp., and Harold J. Fitzgerald, general manager of Wisconsin Amusement Enterprises at Milwaukee.

Jack J. Sullivan, the West Coast division's film buyer, who will also attend the meetings, plans to remain here until fall to complete buying deals.

Seek Tax Reduction

Mexico City, March 30.—Contending that city taxes, which take as much as one-third of their gross receipts, are excessive, some local theatre operators have asked the municipal government to reduce the imposts. The exhibitors say these taxes make operation unprofitable.

Grand National to Start Sales April 1

Grand National will start its selling season April 1, as last year, and the sales organization will be strengthened with the addition of 50 men in the field, Edward Peskay, vice-president in charge of distribution, said yesterday. A retrenchment during the winter resulted in a skeleton sales force.

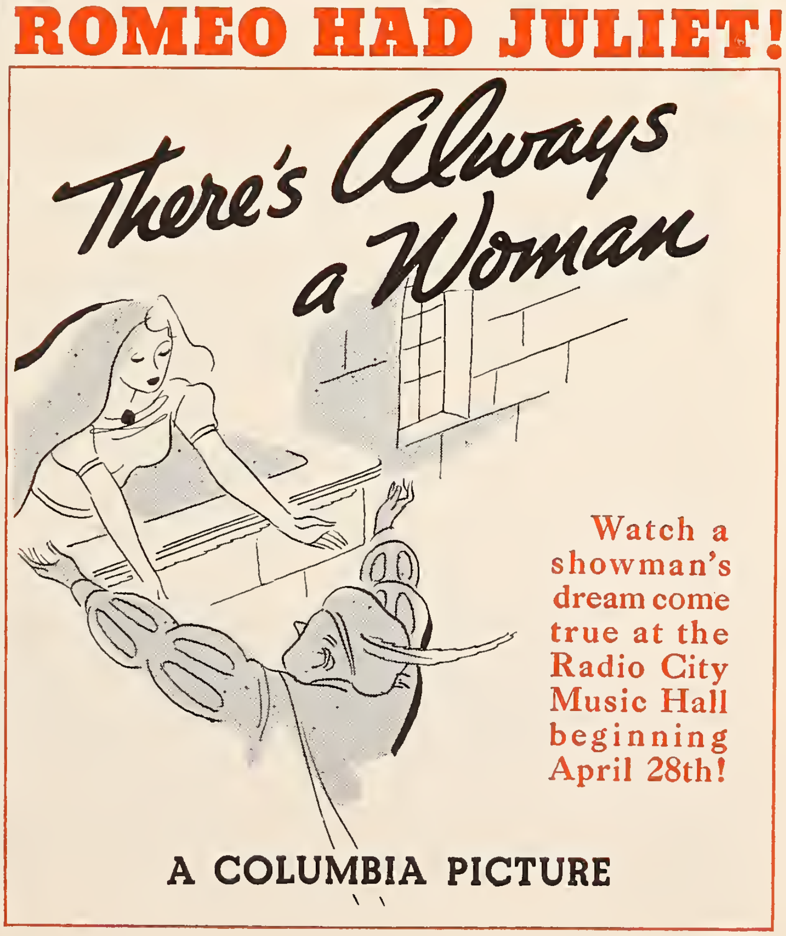
Release of four films immediately will get the new season under way. Peskay listed them as "Renfrew Rides North," second in the series being produced by Phil Goldstone; "International Crime," one of the Shadow series; "He Loved An Actress," a William Rowland production, and "Zamboanga," made with a native cast in the South Seas.

Peskay said that with the home office established in Hollywood, he will divide his time between the two coasts and that Edward L. Alperson, president, will remain on the coast permanently, with visits to New York at intervals.

AT & T Legislation Not Looked for Now

(Continued from page 1)

end of the session, but it is expected it will be filed too late for any action this year. The original plans were to have it serve as a possible Administration plan to regulate monopolies, but since the Administration has let it be known that general monopoly legislation will not be passed this year there is little likelihood of Congress taking any action in the telephone case.


ROMEO HAD JULIET!
There's Always a Woman
Watch a showman's dream come true at the Radio City Music Hall beginning April 28th!
A COLUMBIA PICTURE

"Jezebel" Is Smash Hit in 2 Coast Spots

Los Angeles, March 30.—"Jezebel," on a dual with "Blondes at Work," was a smash hit in two spots—Warners Hollywood and Downtown. The takes were particularly outstanding because practically every other first run was in the throes of a slump. At the Hollywood the $22,500 gross was $8,500 above normal and at the Downtown the $20,500 take was also $8,500 to the good.

The only other attraction to make much of an impression was "Bluebeard's Eighth Wife" at the Paramount, with a stage show. The gross was $21,200, up by $3,200. "Snow White and the Seven Dwarfs" held up to $10,248 in its 14th week at the Carthay Circle.

Total first run business was $112,420. Average is $105,700.

Estimated takings for the week ending March 30:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 14th week. **Gross:** $10,248. (Average, $10,000)

"ADVENTURES OF TOM SAWYER" (U.A.)
"NO TIME TO MARRY" (Col.)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $10,389. (Average, $12,500)

"YIDDLE WITH HIS FIDDLE"
ESQUIRE—(900), 40c-55c, 5 days, 2nd week. **Gross:** $741. (Average, $2,500)

"IN OLD CHICAGO" (20th-Fox)
4 STAR—(900), 50c-$1.50, 7 days, 11th week. **Gross:** $2,126. (Average, $8,000)

"AFRICAN HOLIDAY"
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,800. (Average, $1,200)

"MAD ABOUT MUSIC" (Univ.)
"THE LONE WOLF IN PARIS" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days, 3rd week. **Gross:** $5,500. (Average, $6,500)

"ADVENTURES OF TOM SAWYER" (U.A.)
"NO TIME TO MARRY" (Col.)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $11,516. (Average, $14,000)

"MAD ABOUT MUSIC" (Univ.)
"THE LONE WOLF IN PARIS" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days, 3rd week. **Gross:** $5,900. (Average, $7,000)

"BLUEBEARD'S 8TH WIFE" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: F. & M. revue, Lou Wood and his California Collegians. **Gross:** $21,200. (Average, $18,000)

"JEZEBEL" (W.B.)
"BLONDES AT WORK" (W.B.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $22,500. (Average, $14,000)

"JEZEBEL" (W.B.)
"BLONDES AT WORK" (W.B.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $20,500. (Average, $12,000)

New Artists' Bureau

Bruce Gallup, former advertising and publicity man for film companies, is business manager of the Screen & Fashion Blue Book which will open offices tomorrow at 538 Fifth Ave. The agency will act as a placement bureau for talent and has a Hollywood office. A number of advertising executives and artists are on the advisory board.

Plans Amateur Exhibit

Eight countries will be represented at the International Amateur Movie Show to be given at Columbia University on April 6 under the auspices of the division of film study of the university. The countries are the United States, Australia, Japan, Germany, Canada, Scotland, England and Czechoslovakia.

Hollywood Preview

"The Battle of Broadway"

(20th Century-Fox)

Hollywood, March 30.—Victor McLaglen gets back into uniform and the swashbuckling stride of previous service comedies in this louder, funnier and more legitimately entertaining vehicle than most of them. Brian Donlevy is the rival buddy formerly played by Edmund Lowe and both are legionnaires taking in the New York convention, an event useful but not overworked as story background. Louise Hovick is the principal girl in the case and this may be chalked up in the books as the picture in which a suitable something was found for her to do and she did it.

The screenplay by Lou Breslow and John Patrick from an original story by Norman Houston is a raffish, but respectable double action version of the plot wherein the wealthy parent who objects to his son's marriage to a showgirl winds up by marrying her himself. Raymond Walburn is the father and Robert Kellard the son. McLaglen and Donlevy are workers in Walburn's steel plant whom he sends to New York to break up the boy's romance at any cost. They mistake Miss Hovick for the girl in the case. She in reality is her friend, Lynn Bari. And when the bills pile up Walburn comes to handle the matter personally and marries Miss Hovick, after a sequence of knockabout incidents that tickled a preview audience all over, in an utterly mad scene in a lunatic asylum.

The pace is swift and the situations are fresh. The dialogue is consistently humorous and free of the "sez-you, sez-me" tinge of earlier works in kind. The legion convention slant ought to prove profitably useful in exploiting the attraction and it is well qualified to please the patronage by that or other means. The film is well above the Sol. M. Wurtzel average and George Marshall's direction keeps a complicated plot lucid and a wealth of action effectively coherent.

Running time, 85 minutes. "G."

"Sally" Is Strong In Oklahoma City

Oklahoma City, March 30. — "Sally, Irene and Mary" made an excellent showing in a generally dull week for first runs by getting $5,500 at the Midwest. This was $1,000 above normal.

"Boy of the Streets" took $2,000 in its second week at the State.

Total first run business was $15,300. Average is $18,800.

Estimated takings for the week ending March 26:

"GOLD IS WHERE YOU FIND IT" (F. N.)
CRITERION—(1,500), 10c-35c-40c, 7 days. **Gross:** $3,500. (Average, $5,200)

"CITY GIRL" (20th-Fox)
"TARZAN'S REVENGE" (20th-Fox)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $1,900. (Average, 7 days, $2,600)

"CHANGE OF HEART" (20th-Fox)
"SERGEANT MURPHY" (W. B.)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $600. (Average, 7 days, $2,600)

"SALLY, IRENE AND MARY" (20th-Fox)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $5,500. (Average, $4,500)

"BOY OF THE STREETS" (Monogram)
STATE—(1,100), 10c-25c-40c, 7 days, 2nd week. **Gross:** $2,000. (Average, $4,000)

"GOLDWYN FOLLIES" (U. A.)
TOWER—(1,000), 10c-25c-40c, 7 days, 2nd week, moved from Criterion after 10 days. **Gross:** $1,800. (Average, $2,500)

Barbour-Midwest Renew

Kansas City, March 30.—The arrangement between Ensley Barbour and Fox Midwest Theatres, Inc., under which Barbour has been city manager and partner in the operation of theatres at Springfield, Mo., has been renewed for five years, starting May 1. Houses affected are the Gillioz, Electric, Landers, Mozart, Granada, Princess and the Plaza and Mullkin, now closed. The arrangement was started a year ago.

"Slight Case" Gets $7,000 at Montreal

Montreal, March 30.—"A Slight Case of Murder," half of the bill at the Princess, was the technical first run leader with a gross of $7,000, which equalled par.

"Snow White and the Seven Dwarfs" continued on its way at the Palace with a take of $10,500 for its fourth straight week and was held for the fifth week. Average here is $11,000. "52nd Street" occupied the screen at the Orpheum with a second feature and accounted for $4,500 which was $500 below the average line.

Total first run business was $35,500. Average is $40,500.

Estimated takings for the week ending March 26:

"BRINGING UP BABY" (RKO)
"DOUBLE DANGER" (RKO)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,500. (Average, $9,500)

"BOY OF THE STREETS" (Monogram)
"SOME BLONDES ARE DANGEROUS" (Col.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $6,000. (Average, $8,000)

"52ND STREET" (U. A.)
"WHEN THIEF MEETS THIEF" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days. **Gross:** $4,500. (Average, $5,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
PALACE—(2,600). 25c-35c-40c-50c-65c, 7 days, 4th week. **Gross:** $10,500. (Average, $11,000). Held over.

"A SLIGHT CASE OF MURDER" (W. B.)
"WINE, WOMEN AND HORSES" (W. B.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $7,000)

Warfield in New Post

Worcester, March 30.—Raymond Warfield is now manager of the Family here. He was formerly assistant manager at the Olympia.

Variety Club

Detroit

Detroit, March 30.—It will be Allied Theatres Day at the Variety Club lunch at the Book-Cadillac next Monday. Guests will include Ray Branch, president; W. A. Thick, vice-president; E. E. Kirchner, secretary-treasurer; Glen Cross, David Newman, Jack Ross, C. R. Beechler, W. "Jim" Olson, George Wilbur and C[illegible] E. Kingsbury, directors, and [illegible]rl Sproat, manager.

Dr. Robert S. Drews, psychiatrist, will speak. Music will be furnished by the Kleekamp musical ensemble. The program will be broadcast over W8XWJ.

The newly organized Variety Club orchestra will make the trip to the national Variety convention in Cincinnati, it has been decided, as a part of Detroit's campaign to bring the 1939 meeting here.

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Pittsburgh

Pittsburgh, March 30. — Dave Leff and Libby Horwitz will be married April 7.

Birthdays to be celebrated next month are those of Max Shulgold, Sam Gould, Mark Goldman, T. Twigg, W. C. Jervis, S. Fleishman, Art Levy and Dave Leff.

William L. Pritchard of Weston, W. Va., has just been made a nonresident member.

Dinty Moore is back from Baltimore where he underwent an operation at the Johns Hopkins Hospital.

Dan Hamill, Art Ronney and John Maloney are all back from Florida.

Buy New Haven House

New Haven, March 30.—The Lincoln Theatre, Inc., lessee of the 284-seat Lincoln since last March, has purchased the house for $15,000.

Wall Street

Scattered Gains on Board

	Open	High	Low	Close	Net Change
Col.	9¼	9⅜	9	9	— ¼
Col. pfd.....	28½	28½	28½	28½	.....
Cons.	1	1⅛	1	1⅛	+ ⅛
Cons. pfd...	4¾	4¾	4½	4½	— ¼
E. K.	130⅝	130⅝	127	127	—3½
G. T. E....	9½	9½	9	9	— ¼
Loew	34	35¾	33¾	34½	+ ¼
Loew pfd...	104½	104½	104	104	— ½
Para.	6⅛	6½	6	6	— ⅛
Para. 2.....	7⅛	7⅜	7	7⅛	— ⅛
Pathe	3⅞	3⅞	3½	3⅝	— ⅛
RKO	2⅛	2⅜	2⅛	2¼	.....
20th Fox ..	16½	17⅛	16½	17	+ ⅞
20th pfd....	26½	26½	26½	26½	+1¼
Univ. pfd.	30	30	27½	27½	—2½
W. B.	3⅞	4	3¾	3⅞	.....
W. B. pfd.	23¼	24	23¼	24	+ ¾

"U" Rises on Curb

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	⅜	⅜	.....
Monogram	1⅜	1⅜	1⅜	1⅜	.....
Sentry	¼	¼	¼	¼	—1/16
Sonotone ..	1¼	1⅜	1¼	1⅜	+ ⅛
Tech.	14⅝	15	14¼	14¼	— ¼
Trans-Lux	2¼	2¼	2⅛	2⅛	+ ⅛
Univ. Corp.	1¾	1¾	1¾	1¾	— ⅛
Univ. Pict.	4	4	4	4	+1

Bonds Decline Lightly

	High	Low	Close	Net Change
Keith 6s '46.......	82	82	82	— ½
Loew 3½s '46.....	95½	95½	95½	— ¼
Para. B'way 3s '55............	57¾	57½	57¾	— ⅛
W. B. 6s '39......	64	64	64	.....

(Quotations at close of March 30)

"An Uncle in New York..."

> *"I have often wished I had an uncle or an intimate friend in New York to tell me what's what in the motion picture business—to paint for me a complete picture of the situation as it affects my business. TEATRO AL DIA is doing just this, and I place implicit confidence and trust in your magazine."*
>
> **—A letter from a prominent Latin American exhibitor.**

REVITALIZED with new features—in gala dress, with its new pictorial cover—TEATRO AL DIA, the only Pan-American trade magazine devoted to the motion picture industry—a Quigley quarterly publication in Spanish—has widened its editorial scope effective with the issue out today. It contains among other subjects of interest to the Latin American exhibitor contributions by Terry Ramsaye; Francisco J. Serrano, Mexico's foremost theatrical architect; the Quigley technical staff, and its own correspondents abroad. Film reviews . . . news and views of the trade . . . the physical theatre . . exploitation . . . it covers all phases of the industry, painting a comprehensive and sincere picture of world-wide interest.

TEATRO AL DÍA

A Quigley Publication

ROCKEFELLER CENTER, NEW YORK

Banner LINES

We are in whole-hearted accord with Eddie Cantor's recently expressed views anent the audience rating surveys.

Cantor attacked the surveys on the grounds that their findings cannot be accurate because the sample taken is too small, and Eddie's deduction, in our opinion, is as infallible as one of Sherlock Holmes' in a Conan Doyle mystery story. Many a good program has been removed from the air because its rating, as adjudicated by an inadequate number of telephone calls in some cities, was "poor." Conversely, of course, too many poor programs have been kept on the air simply because the rating, determined as described above, was "good."' Eddie has asked for the support of the radio press in his campaign against the audience surveys, and he may count upon ours for whatever it is worth.

▼

Before closing the subject of Cantor:—Maybe it's due to the hapless man's close proximity to the Cantor influence, but whatever the reason, we've just heard that the comedian's chauffeur recently welcomed the arrival of his fifth—daughter!

▼

NBC had the only radio wire out of Austria the day that "anschluss" took place, and to show how radio handled the news of Hitler's seizure of Austria, a March of Time camera crew yesterday set up equipment in the special events department of the network, and using as actors NBC Vice-President John Royal and special events director Abe Schechtor, re-created the events of that day. The film will be used as a leadin for the Austrian clip of the next March of Time release.

A member of the special events department, watching Royal and Schechtor going through their paces, finally turned to a newspaperman and growled: "Yeah, that's the way it happened all right—but the big shot (meaning Royal) wasn't here.

▼

We've just come across a rival for Jack Benny's battered old Maxwell. Bill Neel, trade news editor at NBC, operates and *runs* a 1927 Marmon.

▼

NBC seems to have gone dipsy-doodle in the matter of worshipping Toscanini. Early this week the network paid for a telephone call to Europe, where Toscanini is now vacationing, to have the members of the symphony orchestra prattle birthday greetings to the maestro. Now, it is learned, the network has had made a 14-karat solid gold replica of the maestro's union card. This will be presented to Toscanini when he returns here.

—JACK BANNER

Harbord in Interview

General James G. Harbord of RCA, now on a world tour, will interview Prime Minister William M. Hughes of Australia in a special shortwave broadcast from Sydney, April 3, at 10:45 A. M., over the Red network.

Broadcast Hearings Set for Three Days

WASHINGTON, March 30.—The Federal Communications Commission has tentatively assigned broadcasting applications for hearings, as follows:

April 28, before the commission: Contesting applications for a new 1,240-kilocycle station of Citizens Broadcasting Corp., Schenectady, 1,000 watts night, 5,000 watts day; Thomas J. Watson, Endicott, N. Y., 1,000 watts; and The Hampden-Hampshire Corp., Holyoke, Mass., 500 watts night, 1,000 watts day; and applications of Young People's Association for the Propagation of the Gospel for a 1,220-kilocycle, 1,000-watt station at Philadelphia; Cumberland Broadcasting Co. for a 1,340-kilocycle, 250-watt daytime station at Fayetteville, N. C., and KMLB, Monroe, La., for change of frequency from 1,200 to 620 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts night and day.

April 29, before an examiner: Applications of State Broadcasting Corp. for a 1,370-kilocycle station at Gretna, La., with 100 watts night, 250 watts day; Chester Howarth and Clarence Berger for a 1,420-kilocycle station at Wallace, Ida., with 100 watts night, 250 watts day, and WHBF, Rock Island, Ill., for change of frequency from 1,210 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day to 1,000 watts night and day.

May 3, before an examiner: Applications of Nathan Frank for a 1,500-kilocycle, 100-watt station at New Bern, N. C., and Greenville Broadcasting Co. for a 1,500-kilocycle, 250-watt daytime station at Greenville, N. C.

W. E. Speaker Patent Upheld for 3rd Time

Western Electric, in a statement issued yesterday, asserted that its Wente patent, covering the reproducing unit in its dynamic theatre loudspeakers has been upheld for the third time in the U. S. District Courts.

The latest case involving the patent, said the company, was decided in Federal Court of the Southern District of California, where Judge Yankwich directed that a preliminary injunction be issued restraining Lansing Mfg. Co. from further manufacture and sale of its No. 284 and No. 285 type loudspeakers.

D.E. Rorer Heads WPEN

PHILADELPHIA, March 30.—Hyla Kiczales, operator of WPEN, has named Dwight E. Rorer as manager. Rorer is a former member of the Washington law firm of Smith & Rorer and has had no previous experience in radio. Two other changes at the station, finds George Lasker getting the post of commercial manager and Ed Dukoff, who handles publicity for WOV, New York, which is affiliated with WPEN, replacing Manning Hall as publicity head for the Philadelphia outlet.

To Air Hoover Talk

Ex-President Hoover's talk at the Council of Foreign Relations banquet will be broadcast over Mutual tonight from 9 to 10 P. M.

CBS Will Celebrate Formal KNX Debut

CBS will devote 18½ hours of its program time April 30 to celebrate the formal opening of the network's new $2,000,000 studios for KNX in Hollywood. The dedicatory offerings will begin at 6 A. M., P. S. T., and will carry over until 12:45 the following morning.

The programs will come from both ends of the continent, and will be carried in part by the Canadian Broadcasting Corp., and additionally, will be short waved to Europe and South and Central America.

The day's programs are being designed to show every aspect of professional and civic life of Hollywood. Program details in relation to this, however, have not yet been completed.

Special music for other portions of the day's programs is now being prepared by musical directors Raymond Paige, Harry Simeone and Raymond Scott. Celebrities to appear during the day will include leading figures in sports, the screen, radio, arts and sciences.

Plan Coast's First Short Wave Station

SAN FRANCISCO, March 30.—Definite assurance of the construction of the coast's first short wave transmitter, with an increase of KGO's power to 50,000 watts in the near future, has been given here by Alfred H. Morton, manager of the NBC-managed and operated stations.

Morton, on a checkup visit from New York, declared the Federal Communications Commission has assigned two short wave frequencies to the proposed short wave station here. An F.C.C. examiner has recommended approval of KGO's bid for increased power. NBC's plans are to combine both improvements in one big plant at Belmont, 30 miles south of here in the marshes of the bay.

Installs KPO Equipment

SAN FRANCISCO, March 30.—Lester A. Looney of National Broadcasting Radio Facilities Group, New York, is here installing new RCA equipment in KPO's 50,000-watt transmitter at Belmont. Chief additions are new limiting amplifiers, providing higher volume and consequent greater coverage and fidelity, and eliminating background noise.

Swanson Vice-President

Effective April 4, Pauline Swanson will be vice-president in charge of the west coast office of Tom Fizdale, Inc. Miss Swanson is now in New York. She will plane out for Chicago this weekend with Fizdale for conferences with Al Williamson, Chicago vice-president, after which she will continue on to Hollywood.

KTOK Joins NBC Blue

OKLAHOMA CITY, March 30.—KTOK will be added to the NBC's Blue network May 1. The station will retain its affiliation with the Mutual Broadcasting System and the Oklahoma Network. At present, WKY carries both Blue and Red NBC programs. A new schedule is being worked out for the two stations.

Radio Personals

FIVE CRA orchestras have been booked to play Manhattan and Brighton Beaches during the summer. They are Harold Stern, Jerry Blaine, Blue Barron, Ferde Grofe and Mike Reilly. . . . Winding up his concert tour in Kansas April 9, Lanny Ross will hop to New York for a guest appearance on the "Hit Parade" April 16. . . . Radie Harris will interview Leif Erickson over Mutual tonight. . . . Alfred Wallenstein left New York yesterday for a short vacation, returning next Monday. . . . Mary Small appeared at the New Haven Home for the Aged benefit last night.

+

Shep Fields is in Mount Sinai Hospital recovering from an emergency appendectomy performed yesterday. . . . John Royal, NBC vice-president, and Phil Lord, the producer, sailed for Europe yesterday aboard the *Normandie*. . . . Ernest LaPrade, NBC director of music research, spoke yesterday at the Music Education Conference, St. Louis, on microphone placement.

New Projector for Television Is Shown

PHILADELPHIA, March 30.—A new type of screen projector for use in television has been demonstrated with excellent results by the Farnsworth Co. here.

Televised film, appearing on a six-by-seven-inch screen, shows up excellently, the images having good contrast and definition, lacking the cloudy appearance that usually accompanies the use of film in television showings.

Development of television employing film, according to Farnsworth officials, will remove one of the industry's chief present drawbacks, the high cost of building coaxial cables to relay programs from station to station, because film can be transported readily from point to point and transmitted without waiting for suitable inter-station connections.

The new projector is of the "continuous" rather than "intermittent" type now in general use in the film industry.

Cab Firm in WHN Deal

National Transportation Co. has entered into a contract for 13 weeks with WHN for Parmelee Taxicabs. Program of Bryce Oliver, news commentator, will be presented Tuesdays at 5:45 P. M., starting next Tuesday. World Wide Advertising Corp. placed the account. A new contract over the same station for spot announcements for the I. J. Fox Co. will start April 3. The Hyman Levy agency placed the business.

Relay League to Meet

WEST HARTFORD, March 30.—Directors of the American Radio Relay League will hold their annual meeting, May 5 and 6 at the Hartford City Club, with President Eugene C. Woodruff of State College, Pennsylvania, presiding. Members will inspect the Maxim Memorial Station, now being constructed in Newington, Conn.

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